Municipal Setting Designations



Jedediah Greenfield Program Manager

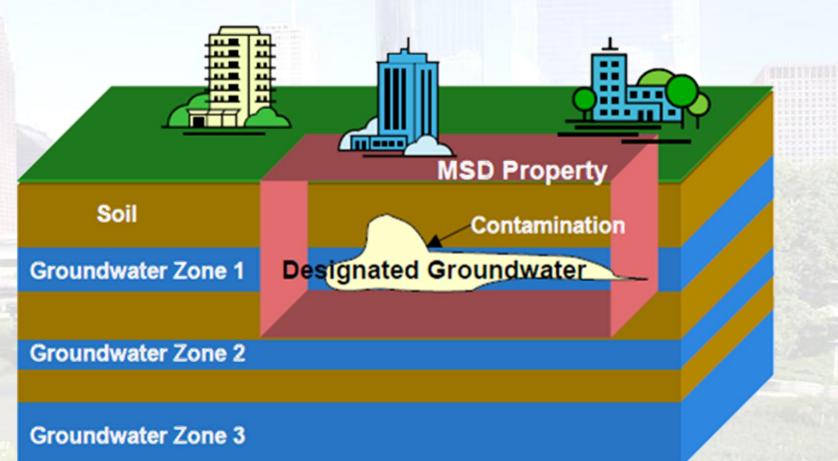


What is an MSD?

- A <u>voluntary</u> deed restriction that prohibits the use of impaired groundwater as potable water
 - A tool property owners can use to address environmental impairments to groundwater
 - Allows reinvestment and redevelopment of impaired properties
- A public health protection



MSD Depiction





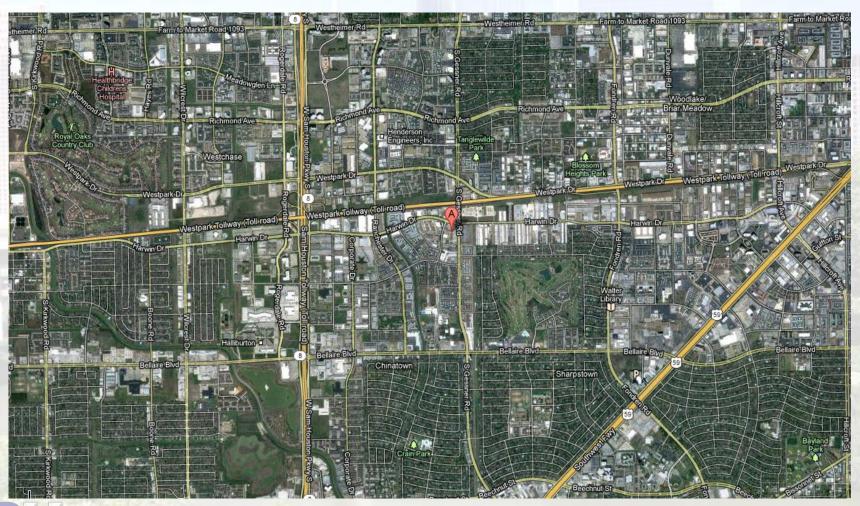
What is an MSD?

- It is a State Program
 - Administered by the Texas
 Commission on
 Environmental Quality
 (TCEQ)
 - Requires Local Support
- Article 13 of Chapter 47
 - Public Hearing Required





5858 South Gessner



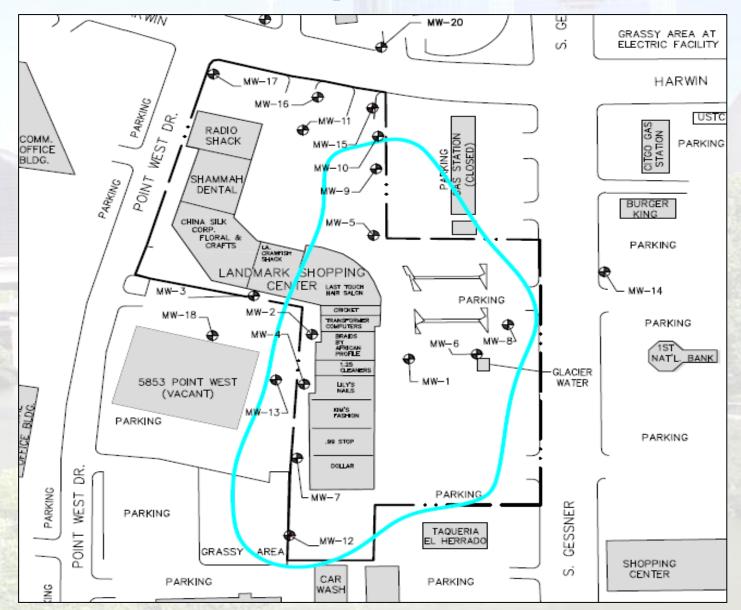


Weingarten Realty Investors

- The site consists of approximately 5.2-acres
- It was first developed in 1986 as a commercial shopping center and remains a shopping center
- Chemicals identified during an assessment are thought to originate from a former dry cleaner that leased a space in 1987
- Anticipated future use is to remain as a commercial shopping center



Groundwater Impacts



MSD Notice Letters



Annise D. Parker

Michael S. Marcotte, P.E., D.WRE, Director

www.houstontx.gov

February 3, 2010

RE: MSD Application #2009-022-FCE 1111 Lockwood Drive, Houston, TX 77020

Dear Recipien

Enclosed is a public meeting notice about an upcoming meeting in your area. This is an informational meeting about a property at 111 Lockwood Drive, Houston, TX 77020 that has contaminated groundwater. We welcome you to attend the public meeting, but it is not mandatory that you come.

The public meeting will be held a

6:00 PM

Ripley House 4410 Navigation, Houston, TX 77011

The following notice will give you additional details about the type of contamination that has been found at the site. Please note: the groundwater contamination at the set is very shallow and is not the groundwater that the City of Houston uses for some of its drinking water. Most of the City's drinking water is now from surface water (Lakes Houston, Conroe, and Livingston).

The purpose of this public meeting is to inform you, the neartry neighbors and well owners, about the Municipal Settings besignation, (MSD) program and the application. Outing the meeting a representative from the city will talk about the MSD program and then the MSD applicant will talk about the site. You may come to the meeting just to listen or you can share a comment. Comments can be given in person at the meeting or you can send then to the State of Texas and/or to the City of Houston at the following.

Mr. Scott Settemeyer Remediation Division

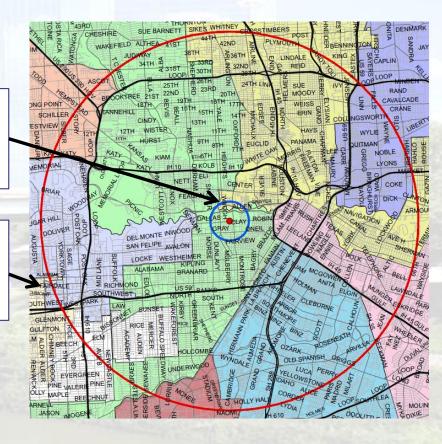
Remediation Division
Texas Commission on Environmental Quality
P.O. Box 13087, MC-225
Austin. Texas 78711.

Richard Chapin
Public Works and Engineering Department
City of Houston
611 Walker, 19th FL
Houston, Texas 77002
mscf@cityfbouston net

A MSD is the way the city can legally say that the contaminated groundwater at a property cannot be used for drinking water now or in the future, thereby protecting puolib health. It may also help a contaminated site develop or redevelop because the state's requirements to clean up contaminated groundwater may be set at levels based on this restriction. The MSD does not excuse the applicant from clean up activities such as removing the surface soil or reducing other rinks to the public.

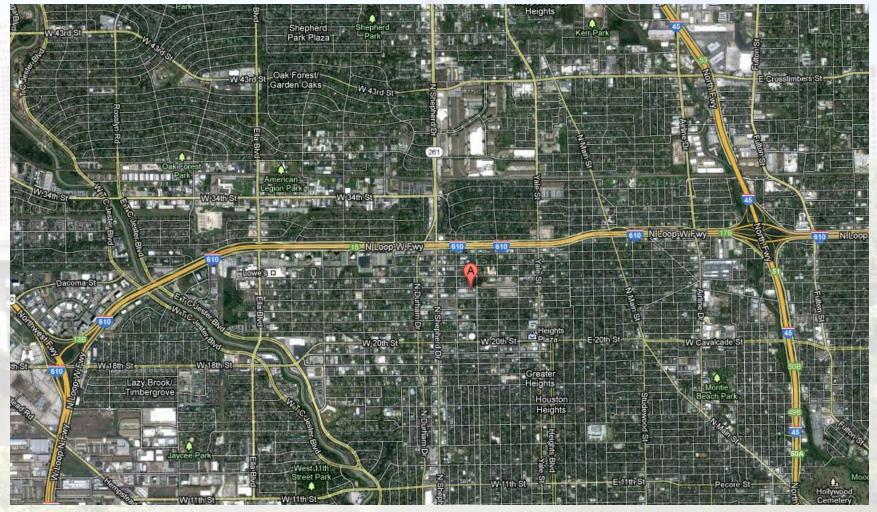
Council Members: Brends Startig Janva Johnson Anne Clutterbuck Wands Adams Mike Sullivan Al Hoang Oliver Pennington Edward Gorgale James G. Rodriguez: Stephen C. Costello Sue Lovel Mallasa Norlega C.O. "Stad" Stadford Jolands "Jo" Jones Controller: Ronald C. Gree Property Owners
First-Class Mail
½-Mile Radius
City Requirement

Water Well Owners
Certified Mail
5-Mile Radius
State Requirement





502 West 25th Street

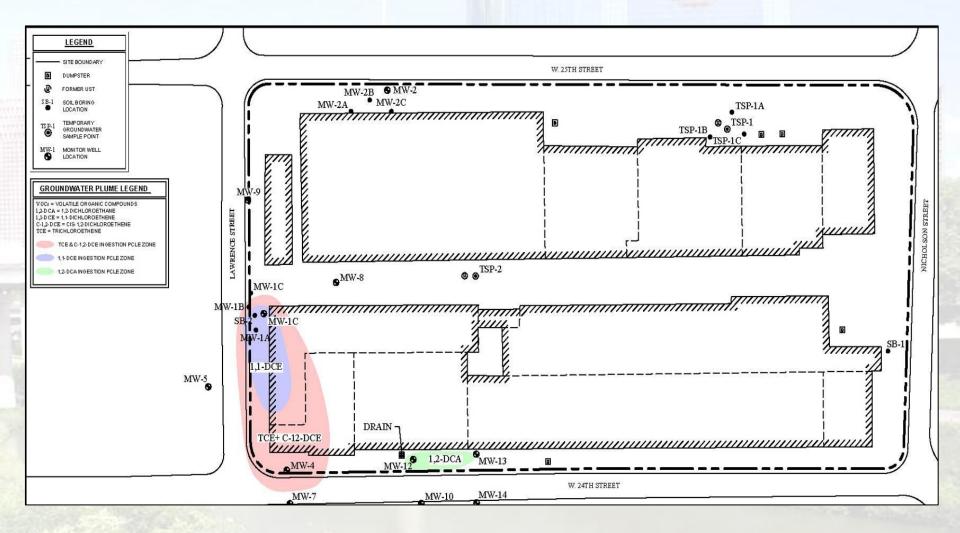




Heights Block 39, LLC

- The site consists of two tracts of land approximately 3.6-acres in size
- Historically a pickle factory operated on the site between the 1920s and 1950s
- Currently, it is utilized as commercial multitenant warehousing and office buildings
- Contaminants are historical in nature
- Anticipated future use is unknown

Groundwater Impacts





MSD Notice Letters



Annise D. Parker

Michael S. Marcotte, P.E., D.WRE, BCEE

February 3, 2010

RE: MSD Application #2009-022-FCE 1111 Lockwood Drive, Houston, TX 77020

Enclosed is a public meeting notice about an upcoming meeting in your area. This is an informational meeting about a property at 1111 Lockwood Drive, Houston, TX 77020 that has contaminated groundwater. We welcome you to attend the public meeting, but it is not mandatory that you come.

6:00 PM

Ripley House 4410 Navigation, Houston, TX 77011

The following notice will give you additional details about the type of contamination that has been found at the site. Please note: the groundwater contamination at the site is very shallow and is not the groundwater that the City of Houston uses for some of its drinking water. Most of the City's drinking water is now from surface water (Lakes Houston, Conroe, and Livingston).

Municipal Settings Designation (MSD) program and the application. During the meeting a representative from the city will talk about the MSD program and then the MSD applicant will talk about the site. You may come to the meeting just to listen or you can share a comment. Comments can be given in person at the meeting or you can send them to the State of Texas and/or to the City of Houston at the following

Remediation Division Austin, Texas 78711.

Texas Commission on Environmental Quality P.O. Box 13087, MC-225

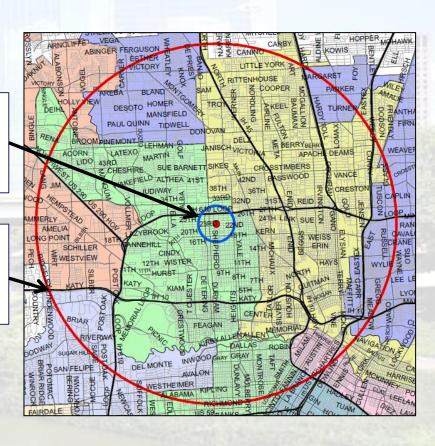
Richard Chapin Public Works and Engineering Department City of Houston 611 Walker, 19th Fl. Houston, Texas 77002

A MSD is the way the city can legally say that the contaminated groundwater at a property cannot be used for drinking water now or in the future, thereby protecting public health. It may also help a contaminated site develop or redevelop because the state's requirements to clean up contaminated groundwater may be set at levels based on this restriction. The MSD does not excuse the applicant from clean up activities such as removing the surface soil or reducing other risks to the public.

toll Members: Brends Startig Janvis Johnson Anne Clutterbuck Vlands Adams Mike Sullivan Al Hoang Oliver Pennington Edward Gorgales James G. Rodriguez: Stephen C. Costello Sue Lovel Mellass Norlegs C.O. "Sred" Bradford Jolands "Jo" Jones Controller: Ronald C. Green

Property Owners First-Class Mail 1/2-Mile Radius City Requirement

Water Well Owners Certified Mail 5-Mile Radius State Requirement





Contact Information

Jedediah Greenfield Program Manager

Public Works & Engineering City of Houston, 1002 Washington, 2nd Floor Houston, Texas 77002

> msd@houstontx.gov (832) 394-9005





