



May 13, 2015

Ms. Cindy Mendez
Environmental Services Manager
City of Grand Prairie
201 NW 2nd Street, Suite 100
Grand Prairie, Texas 75050

RE: Request for Resolution of Support
StorageLand I MSD
1830 and 1840 E. Division Street
Arlington, Texas

Telephone: (972) 237-8225
Fax: (972) 237-8228

Dear Ms. Mendez,

Terracon Consultants, Inc. (Terracon), on behalf of StorageLand I, has obtained a Municipal Setting Designation (MSD) from the City of Arlington (MSD Ordinance No. 15-007) and is currently pursuing a MSD with the Texas Commission on Environmental Quality (TCEQ) for the Storage Land I property (hereinafter the "site") located at 1830 and 1840 E. Division Street in Arlington, Texas. A legal description of the site including a survey plat is included as Attachment 1. An aerial photograph depicting the site and surrounding land uses is included in Attachment 2. The property is in the TCEQ Voluntary Cleanup Program (VCP) and assigned VCP No. 2698.

The purpose of the MSD is to restrict access to and the use of groundwater to protect public health and welfare where the quality of groundwater may present an actual or potential threat to human health.

A property is eligible for an MSD if a public drinking water supply system exists that satisfies the requirements of Texas Health and Safety Code Chapter 341 and that supplies or is capable of supplying drinking water to the property for which the MSD is sought and property within one-half mile of the property for which the MSD is sought. The site meets these criteria.

The most recent groundwater assessment activities conducted on the site in 2014 indicated detected concentrations of contaminants of concern (COCs) in the groundwater, including tetrachloroethene (PCE) and trichloroethene (TCE), which exceeded applicable protective concentration limits (PCLs). PCE was detected in monitoring wells MW-1 and MW-4 at concentrations of 0.084 milligrams per liter (mg/L) and 0.025 mg/L, respectively, which exceeded the TCEQ Texas Risk Reduction Program (TRRP) PCL of 0.005 mg/L. TCE was detected in monitoring wells MW-1 and MW-4 at concentrations of 0.051 mg/L and 0.016 mg/L, respectively, which exceeded the TRRP PCL of 0.005 mg/L. Sampling locations and groundwater isoconcentration maps are included in Attachment 2. Summary tables of groundwater laboratory analytical results are included in Attachment 3.

The impacted groundwater plume consists of shallow perched groundwater extending to an average depth between 13 and 17 feet below grade surface (bgs). Groundwater flow at the

Terracon Consultants, Inc. 8901 John W. Carpenter Freeway, Suite 100 Dallas, Texas 75247

P [214] 630 1010 F [214] 630 7070 terracon.com

designated property is generally towards the northwest. Groundwater assessment activities have not been conducted beyond the site boundaries. The plume is not located under land utilized for residential purposes; therefore, a soil vapor intrusion study is not applicable and has not been completed for the site. A groundwater potentiometric map is included in Attachment 2.

As part of the MSD application, the applicant is required to obtain support from the governing body of each retail public utility, as defined by Section 13.002, Texas Water Code, that owns or operates a groundwater supply well located not more than five miles from the site. A copy of the City of Arlington MSD Ordinance (Ordinance No. 15-007) is included as Attachment 4.

A database survey was conducted by GeoSearch, *5-Mile Municipal Setting Designation (MSD) Report and Water Utility Database (WUD) Report of Groundwater Wells* (both dated September 12, 2012), of water wells owned by municipal and retail public utilities within a five mile radius of the site. The WUD report identified three groundwater supply wells operated by the City of Grand Prairie (CCN No. 10105) located within the five mile search radius. A copy of the WUD report with a site map depicting the water well locations is included as Attachment 5. The WUD water wells were identified as follows:

Map ID	Well ID	Well Owner Name	Distance/Direction from Site	Water Usage
1	G0570048I	City Of Grand Prairie	3.34 mi Southeast	Public Supply
2	G0570048A	City Of Grand Prairie	3.45 mi East	Public Supply
3	G0570048H	City Of Grand Prairie	3.70 mi East	Public Supply

The MSD report identified 18 additional wells operated by the City of Grand Prairie (CCN No. 10105) located within the five mile search radius. Due to the size of the MSD report (1,041 pages), excerpts of the MSD report, including the summary table, site map, and the applicable water well drillers schedules/reports are included as Attachment 6. The MSD water wells were identified as follows:

Map ID	Well ID	Well Owner Name	Distance/Direction from Site	Water Usage
95	32-24-501	City Of Grand Prairie	3.37 mi East	Public Supply
100	32-24-309	City Of Grand Prairie	3.45 mi East	Plugged & Abandoned
100	32-24-310	City Of Grand Prairie	3.45 mi East	Plugged & Abandoned
100	32-24-315	City Of Grand Prairie	3.45 mi East	Plugged & Abandoned
100	32-24-316	City Of Grand Prairie	3.45 mi East	Plugged & Abandoned
100	32-24-305	City Of Grand Prairie	3.45 mi East	Public Supply
110	TX180771	City Of Grand Prairie	3.60 mi Southeast	Irrigation
121	32-24-307	City Of Grand Prairie	3.70 mi East	Public Supply
183	32-24-304	City Of Grand Prairie	4.33 mi Southeast	Public Supply
183	32-24-308	City Of Grand Prairie	4.33 mi Southeast	Plugged & Abandoned
183	32-24-311	City Of Grand Prairie	4.33 mi Southeast	Plugged & Abandoned
183	32-24-312	City Of Grand Prairie	4.33 mi Southeast	Plugged & Abandoned
183	32-24-313	City Of Grand Prairie	4.33 mi Southeast	Plugged & Abandoned
183	32-24-314	City Of Grand Prairie	4.33 mi Southeast	Plugged & Abandoned

Map ID	Well ID	Well Owner Name	Distance/Direction from Site	Water Usage
183	32-24-303	City Of Grand Prairie	4.33 mi Southeast	Public Supply
197	TX93100	City Of Grand Prairie	4.45 mi Northeast	Irrigation
207	32-24-302	City Of Grand Prairie	4.54 mi East	Public Supply
207	32-24-306	City Of Grand Prairie	4.54 mi East	Public Supply

Based on review of the well logs, the identified Grand Prairie water wells produce from both the Paluxy and Twin Mountains Formations, part of the Trinity Group. In the site area, the Trinity Group is separated from the shallow perched groundwater in which COCs have been detected by several consecutive limestone, shale, and clay formations which combine to form a regional aquitard. The shallow perched groundwater beneath the site appears to be limited to the weathered portion of the Eagle Ford Group Formation, encountered at a depth of approximately 40 feet bgs and extending to an estimated depth of 200 feet bgs. The Eagle Ford Group Formation is then underlain by the Woodbine Group Formation, which further extends to a depth of approximately 400 feet bgs. The Woodbine Formation primarily consists of sandstone with minor interbeds of clay and shale. The Woodbine Group is underlain by the Duck Creek, Fort Worth Limestone, Denton Clay, Weno Limestone, and Pawpaw Formation (collectively known as the Washita Group). In the site area, the Washita Group extends from approximately 400 to 800 feet bgs. The Washita Group is underlain by the Edwards Limestone, Comanche Peak Limestone, Goodland Limestone, and Walnut Shell Conglomerate (collectively known as the Fredericksburg Group), which extend approximately 100 feet beneath the Washita Group and also act as a regional aquitard. The Fredericksburg Group is underlain by the Paluxy Formation, which is a major aquifer in Texas. The Paluxy Formation extends approximately 150 feet beneath the Fredericksburg Group. The Paluxy Formation is then underlain by the Glen Rose Formation which extends approximately 400 feet beneath the Paluxy Formation. The Glen Rose Formation also acts as a regional aquitard. The Glen Rose Formation is then underlain by the Twin Mountains Formation. The City of Grand Prairie wells installed in the Paluxy Formation are screen from approximately 850 to 1,130 feet bgs and the well installed in the Twin Mountain Formation are screened from approximately 1,800 to 2,050 feet bgs.

Based on the lateral distance between the site and the identified City of Grand Prairie water wells, and the presence of regional aquitards between the shallow perched groundwater and potable aquifers, it is highly unlikely that presence of COCs in the shallow perched groundwater at the site will affect the water quality of the City of Grand Prairie public supply wells identified within five miles of the site boundary.

Please note that, as an identified municipal public utility, you may provide written comments on any information relevant to the TCEQ executive director's consideration of the MSD (not later than the 60th day after the date of receipt of this notice) to the following:

- Ms. Estefani Jimenez, VCP-CA Section, Remediation Division, P.O. Box 13087, Austin, TX 78711-3087, (512)-239-3170, Estefani.Jimenez@tceq.texas.gov. Please reference VCP No. 2698 in any correspondence or when contacting TCEQ.

Following the submittal of the MSD application, the responsible executive director at the TCEQ will certify or deny the MSD application or request additional information from the applicant not later than 90 days after receiving the application.

StorageLand I MSD

Arlington, Texas

May 13, 2015

Terracon

In summary, StorageLand I is requesting a Resolution of Support from the City of Grand Prairie for the StorageLand I MSD. Please contact either of the undersigned should you have any questions or require additional information.

Sincerely,



Lance W. Crabtree, P.G.
Project Manager



FOR
Scott M. Kolodziej, P.G.
Department Manager

cc: Mr. John Thill, StorageLand I

Attachments: Attachment 1 – Legal Description and Survey Plat
Attachment 2 – Figures
Attachment 3 – Tables
Attachment 4 – City of Arlington MSD Ordinance
Attachment 5 – 5-Mile WUD Report
Attachment 6 – 5-Mile MSD Report Excerpts and Well Schedule/Reports

Ordinance Number 15-007

An ordinance prohibiting the use of and contact with designated groundwater from beneath certain property known as 1830 and 1840 East Division Street within the City of Arlington, Texas, to facilitate certification of a Municipal Setting Designation of the property by the Texas Commission on Environmental Quality pursuant to the Texas Health and Safety Code; providing for a fine of up to \$2,000 for each violation of the ordinance; providing this ordinance be cumulative; providing for severability, governmental immunity, injunctions, publication and an effective date.

WHEREAS, Texas Health and Safety Code Chapter 361, Subchapter W (the "MSD Legislation") authorizes the Texas Commission on Environmental Quality (TCEQ) to certify Municipal Setting Designations for properties upon receipt and approval of a properly submitted application to TCEQ; and

WHEREAS, the Texas Legislature, in enacting the MSD Legislation, found that an action by a municipality to restrict access to or the use of groundwater in support of or to facilitate a Municipal Setting Designation (MSD) advances a substantial and legitimate state interest where the quality of the groundwater subject to the designation is an actual or potential threat to human health; and

WHEREAS, as a part of the application process for an MSD, the applicant is required to provide documentation that the property for which designation is sought is subject to an ordinance that prohibits the use of designated groundwater from beneath the property as potable water and that appropriately restricts other uses of and contact with that groundwater; and

WHEREAS, as a part of the application process for an MSD, the applicant is required to provide documentation that the property for which designation is sought is supported by an ordinance adopted by this City Council; and

WHEREAS, StorageLand I, a General Partnership in Place East Division Street Partners, LLC (the "Applicant") submitted an application for the City Council to adopt an Ordinance supporting the certification of an MSD for property at 1830 and 1840 East Division Street and the City staff have reviewed and evaluated the subject MSD application; and

WHEREAS, Applicant will submit an application to TCEQ for certification of an MSD for property within the city limits of the City, commonly known as 1830 and 1840 East Division Street, the legal description of which is set forth in Exhibit "A", attached hereto and made a part hereof, the "MSD Property", provided that the ordinance being considered herein is passed; and

WHEREAS, the Applicant has certified that:

- 1) the purpose of its application is to conduct environmental investigation, cleanup and restoration activities in a more efficient and cost-effective manner;
- 2) it will seek to obtain a determination from TCEQ that regulatory closure is attained at the MSD Property;
- 3) as part of such application, the Applicant has submitted a statement to TCEQ regarding the type of known contamination in the groundwater beneath the MSD Property; and
- 4) notice of the application for the certification of MSD Property has been provided to each owner of a registered private water well that is located not more than five miles from the boundary of the MSD Property; and

WHEREAS, a public drinking water supply system exists that satisfies the requirements of Texas Health and Safety Code Chapter 341 for the MSD Property and property within one-half mile of the MSD Property; and

WHEREAS, after public hearing, the City Council believes that it is in the best interest of the public and the City to facilitate the efforts to secure an MSD and TCEQ closure documentation from the TCEQ by passage of this Ordinance; Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That all of the declarations and findings contained in the preambles of this Ordinance are made a part hereof and shall be fully effective as a part of the ordained subject matter of this Ordinance.

2.

That the City Council finds that it is in the best interest and welfare of the public to facilitate TCEQ's certification of an MSD for the MSD Property, as well as TCEQ closure documentation.

3.

That, upon and after the effective date of this Ordinance, the drilling of wells and the use of designated groundwater for any purpose, including but not limited to any potable purpose, excepting only: (i) wells used as monitoring wells for the collection of groundwater samples for chemical or biological laboratory analysis; and (ii) wells used for the purpose of remediation of soil or groundwater contamination, is hereby prohibited on or from any portion of the MSD Property.

4.

Within 60 days after receipt of the municipal setting designation certificate from the TCEQ, the Director of the Community Development and Planning shall file a certified copy of this Municipal Setting Designation Ordinance in the deed records of Tarrant County.

5.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand and No/100 Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

6.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

7.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

8.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

9.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

10.

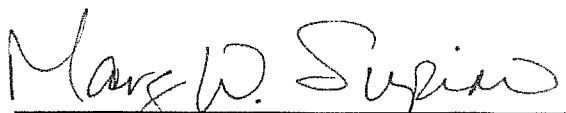
The caption and penalty clause of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

11.

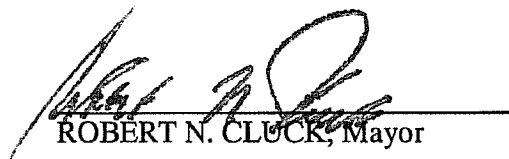
This ordinance shall become effective immediately upon second publication.

PRESENTED AND GIVEN FIRST READING on the 10th day of February, 2015, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the **24th** day of **February, 2015**, by a vote of **9 ayes** and **0 nays** at a regular meeting of the City Council of the City of Arlington, Texas.

ATTEST:




MARY W. SUPINO, City Secretary



ROBERT N. CLUCK, Mayor

APPROVED AS TO FORM:
TERIS SOLIS,
City Attorney

BY 

MSD14-2

EXHIBIT "A"

PROPERTY DESCRIPTION
LOT 9AR AND 9BR, PILANT ACRES ADDITION

BEING A TRACT OF LAND SITUATED IN THE JOEL BLACKWELL SURVEY, ABSTRACT NO. 147, CITY OF ARLINGTON, TARRANT COUNTY, TEXAS AND BEING ALL OF LOTS 9AR AND 9BR, PILANT ACRES ADDITION, AN ADDITION TO THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-211, PAGE 84, PLAT RECORDS, TARRANT COUNTY, TEXAS, SAME BEING TWO TRACTS OF LAND (TRACT 1 AND TRACT 2) AS DESCRIBED IN DEED TO JOHN E. THILL, RECORDED IN COUNTY CLERK'S FILE NO. D208055978, DEED RECORDS, TARRANT COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER AT THE NORTHEAST CORNER OF SAID LOT 9BR, SAID POINT ALSO BEING IN THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 180 (DIVISION STREET, VARIABLE WIDTH RIGHT-OF-WAY) AND BEING SOUTH 10 DEG 51 MIN 06 SEC EAST A DISTANCE OF 5.65 FEET FROM THE NORTHWEST CORNER OF LOT 1 0-A, PILANT ACRES ADDITION, AN ADDITION TO THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 388-87, PAGE 2, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE SOUTH 10 DEG 51 MIN 06 SEC EAST, ALONG THE WEST LINE OF SAID LOT 1 0-A, AT A DISTANCE OF 289.85 FEET PASSING A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "YANDELL" FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 9BR AND A NORTHEAST CORNER OF LOT 9AR, IN ALL A TOTAL DISTANCE OF 343.35 FEET TO A POINT FOR CORNER, SAID POINT BEING A SOUTHWEST CORNER OF SAID LOT 1 0-A;

THENCE NORTH 84 DEG 14 MIN 54 SEC EAST, ALONG A SOUTH LINE OF SAID LOT 1 0-A, A DISTANCE OF 109.70 FEET TO A POINT FOR CORNER FROM WHICH A 1/2 INCH IRON ROD FOUND BEARS SOUTH 50 DEG 10 MIN 27 SEC WEST, A DISTANCE OF 0.29 FEET, SAID POINT BEING SITUATED IN THE NORTHERLY RIGHT-OF-WAY LINE OF TEXAS AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY (200' RIGHT-OF-WAY);

THENCE SOUTH 61 DEG 39 MIN 54 SEC WEST, DEPARTING THE SOUTH LINE OF SAID LOT 1 0-A AND ALONG THE NORTHERLY LINE OF SAID TEXAS AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY, A DISTANCE OF 630.75 FEET TO A POINT FOR CORNER, SAID POINT BEING THE SOUTHEAST CORNER OF A TEXAS AND PACIFIC RAILROAD EASEMENT AS RECORDED IN VOLUME 3100, PAGE 561, DEED RECORDS, TARRANT COUNTY, TEXAS, SAME BEING THE SOUTHEAST CORNER OF A TRACT OF LAND (TRACT 3) AS DESCRIBED

IN DEED TO JOHN E. THILL RECORDED IN COUNTY CLERK'S FILE NO. D208055978; DEED RECORDS, TARRANT COUNTY, TEXAS AND ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 508.15 FEET, A CENTRAL ANGLE OF 25 DEG 02 MIN 01 SEC, A CHORD BEARING OF NORTH 08 DEG 26 MIN 56 SEC EAST AND A CHORD LENGTH OF 220.26 FEET;

THENCE IN A NORTHERLY DIRECTION, ALONG THE EAST LINE OF SAID TEXAS AND PACIFIC RAILROAD EASEMENT, SAID JOHN E. THILL TRACT AND ALONG SAID NON-TANGENT CURVE TO THE LEFT, AN ARC DISTANCE OF 222.02 FEET TO A POINT FOR CORNER;

THENCE NORTH 04 DEG 04 MIN 04 SEC WEST, CONTINUING ALONG THE EAST LINE OF SAID EASEMENT AND SAID JOHN E. THILL TRACT, A DISTANCE OF 194.40 FEET TO A 5/8 INCH IRON ROD WITH PLASTIC CAP STAMPED "YANDELL" FOUND FOR CORNER AND THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,196.30 FEET, A CENTRAL ANGLE OF 06 DEG 44 MIN 02 SEC, A CHORD BEARING OF NORTH 07 DEG 26 MIN 05 SEC WEST AND A CHORD LENGTH OF 140.52 FEET;

THENCE IN A NORTHWESTERLY DIRECTION, CONTINUING ALONG SAID EAST LINE, AN ARC DISTANCE OF 140.60 FEET TO AN "X" CUT IN CONCRETE FOUND FOR CORNER;

THENCE NORTH 10 DEG 48 MIN 06 SEC WEST, A DISTANCE OF 1.75 FEET TO AN "X" CUT IN CONCRETE FOUND FOR THE NORTHWEST CORNER OF SAID LOT 9AR, SAID POINT BEING SITUATED IN THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 180 AND BEING THE NORTHEAST CORNER OF SAID TEXAS AND PACIFIC RAILROAD COMPANY EASEMENT AND SAID JOHN E. THILL TRACT;

THENCE NORTH 79 DEG 11 MIN 54 SEC EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 180, AT A DISTANCE OF 76.41 FEET PASSING A 5/8 IRON ROD WITH PLASTIC CAP STAMPED "YANDELL" FOUND FOR THE NORTHWEST CORNER OF SAID LOT 9BR, IN ALL A TOTAL DISTANCE OF 388.21 FEET TO THE POINT OF BEGINNING.

CONTAINING WITHIN THESE METES AND BOUNDS 4.396 ACRES OR 191,473 SQUARE FEET OF LAND, MORE OR LESS.

BEARINGS SHOWN HEREON ARE BASED UPON AN ON-THE-GROUND SURVEY PERFORMED IN THE FIELD ON THE 13TH DAY OF JANUARY, 2015, UTILIZING A G.P.S. MEASUREMENT (NAD83, GRID) OF NORTH 79 DEG 11 MIN 54 SEC EAST (PLAT-NORTH 77 DEG 18 MIN 00 SEC EAST), ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 180 (DIVISION STREET), AS RECORDED IN VOLUME 388-211, PAGE 84, P.R.T.C.T.

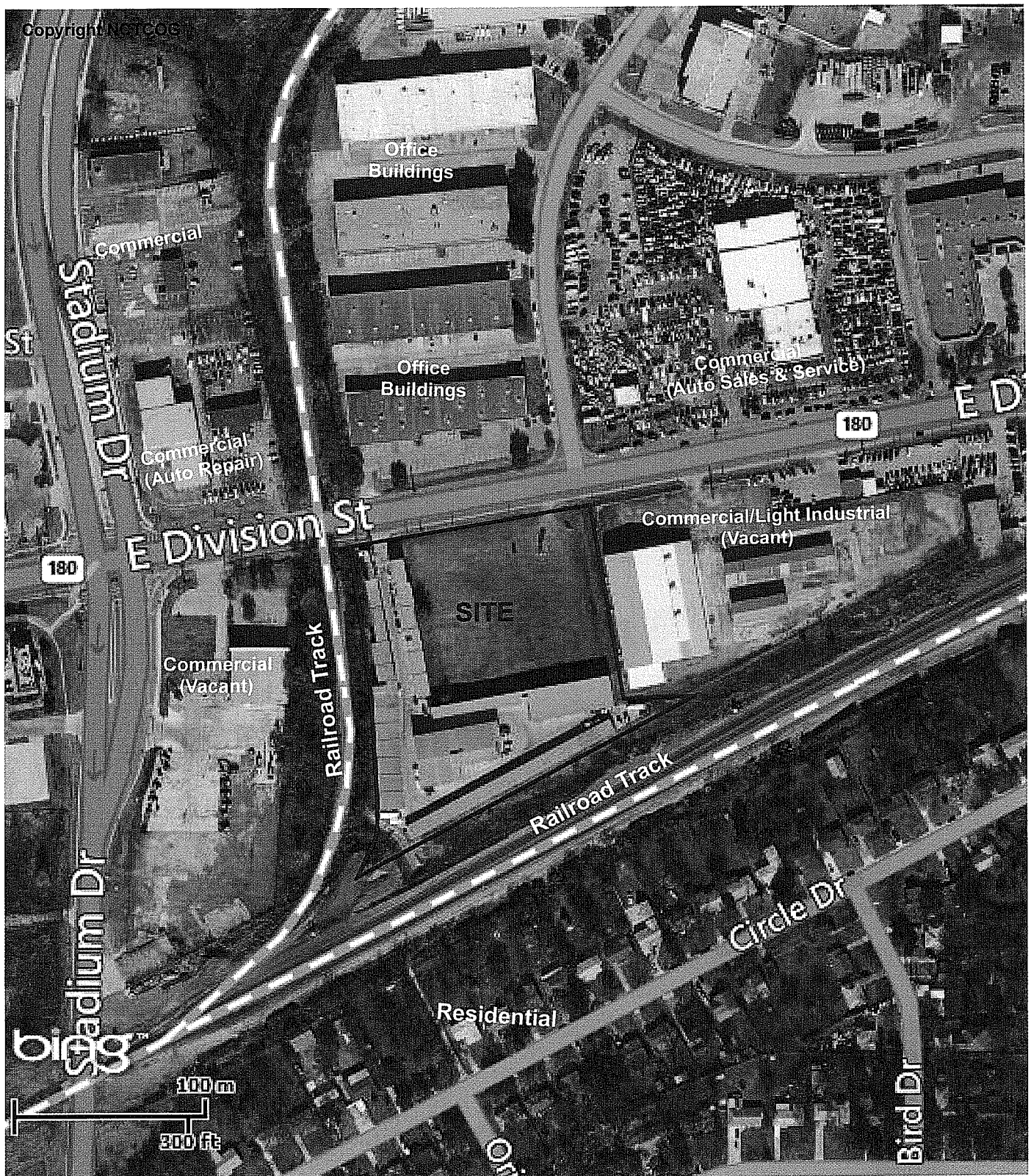
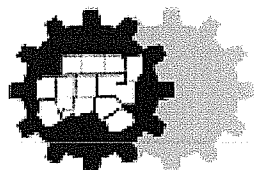
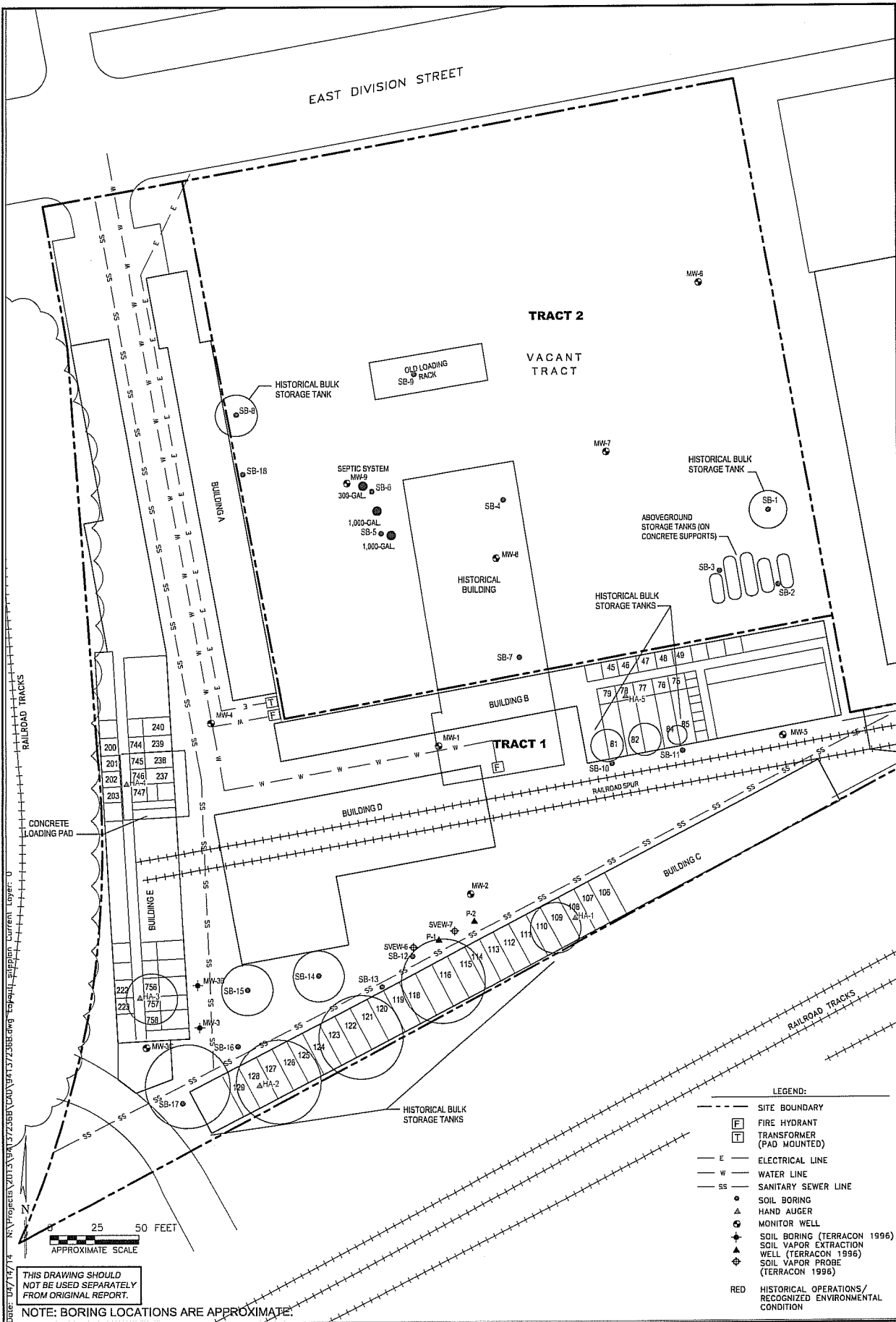


FIGURE 2
SITE AND SURROUNDING AREA MAP
 Storage Land I
 1830 and 1840 E. Division Street
 Arlington, Texas

DISCLAIMER

This data has been compiled for NCTCOG. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.





Project Mgr:	LWC	Project No:	94137236B
Drawn By:	CDD	Scale:	AS SHOWN
Checked By:	LWC	Date:	04/14/14
Approved By:	LWC		

Terracon
 Consulting Engineers and Scientists
 (Registration No.: F-3272)
 5501 CARPENTER FREEWAY DALLAS, TEXAS 75247
 P.O. (214) 638-1010 FAX (214) 638-7070

SITE PLAN

STORAGELAND I
 1830 AND 1840 EAST DIVISION STREET
 ARLINGTON, TARRANT COUNTY, TEXAS

FIGURE
 1