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ENVIRONMENTAL  
SERVICES DEPARTMENT

November 30, 2018

City of Grand Prairie  
206 W. Church Street, Suite 200  
Grand Prairie, Texas 75050

Attn: Ms. Cindy Mendez, Environmental Quality Department

RE: **Request for Resolution of Support for Municipal Setting Designation**  
Stadium and Fairview Properties (VCP No. 2927)  
Stadium Drive and Fairview Street  
Arlington, Tarrant County, Texas

Dear Ms. Mendez,

On behalf of BSL, Inc., Terracon Consultants, Inc. (Terracon) is currently pursuing a Municipal Setting Designation (MSD) certificate from the Texas Commission on Environmental Quality (TCEQ) for the Stadium and Fairview Properties (hereinafter the "designated property") located along Stadium Drive and Fairview Street in Arlington, Tarrant County, Texas. A Proposed MSD Boundary map including a boundary survey and legal description is included as Attachment 1.

The designated property is located within a primarily commercial/industrial area of Arlington. Previous subsurface assessment activities conducted at the property identified chemicals of concern (COCs) at concentrations exceeding TCEQ Tier 1 Texas Risk Reduction Program (TRRP) Residential Protective Concentration Levels (PCLs) in the shallow groundwater-bearing unit, which extends from approximately 15 feet below ground surface (bgs) to shale bedrock at approximately 25 feet bgs. The aforementioned COCs were primarily in the chlorinated solvent class of compounds, including trichloroethene (TCE), tetrachloroethene (PCE), and associated daughter products. The source of the chlorinated solvent release appears to have been associated with a former industrial tenant of the property. The industrial facility in the apparent source area has been demolished for several years. A Groundwater Concentration Map depicting the detected concentrations of TCE (the driver compound in the chlorinated solvent plume) is included in Attachment 2.

The purpose of the proposed MSD is to restrict the use of shallow groundwater beneath the designated property to protect public health and welfare. A property is eligible for an MSD certification if a public drinking water supply system that satisfies the requirements of Texas Health and Safety Code Chapter 341 exists within one-half mile of the property and supplies or is capable of supplying drinking water to the MSD property. The designated property meets these criteria. The City of Arlington adopted Ordinance No.

18-061 approving the MSD application on September 4, 2018. The adopted Ordinance is included as Attachment 3.

As part of the MSD application to the TCEQ, the applicant is required to obtain support from the governing body of each retail public utility (defined by Section 13.002, Texas Water Code) that owns or operates a groundwater supply well located within five miles of the designated property. A database survey conducted by Banks Environmental Data Public Water System (PWS) identified three (3) active groundwater supply wells and two (2) plugged groundwater supply wells operated by the City of Grand Prairie within five miles of the designated property. A Five Mile PWS Summary Map with the depicted water well locations is included as Attachment 4. The City of Grand Prairie water wells were identified as follows:

Map ID	Well ID	Well Owner Name	Distance/Direction from Site	Status / Use
4	G0570048I	City of Grand Prairie	3.21 mi / Southeast	Active-Demand
5	G0570048A	City of Grand Prairie	3.66 mi / East	Active-Demand
7	G0570048H	City of Grand Prairie	3.78 mi / East	Active-Demand
10	G0570048L	City of Grand Prairie	4.46 mi / East-Northeast	Plugged
11	G0570048B	City of Grand Prairie	4.64 mi / East	Plugged

The well logs recorded for the identified City of Grand Prairie water wells indicate that the wells produce from the Trinity Aquifer, which is separated at its upper boundary from the impacted groundwater-bearing unit by at least 850 feet of limestone, shale, and clay formations. The geologic formations underlying the designated property are relatively impermeable and are considered regional aquitards. Please note that shallow groundwater at the proposed designated property generally flows toward the southwest, away from the each of the identified City of Grand Prairie water wells.

Based on the lateral distance (at least 3.21 miles) between the designated property and the identified City of Grand Prairie water wells, the shallow groundwater flow at the designated property, and the presence of at least 850 feet of relatively impermeable formations between impacted groundwater and the Trinity Aquifer, it is highly unlikely that the presence of chlorinated solvents in the groundwater at proposed MSD property will affect the water quality of the identified City of Grand Prairie groundwater supply wells.

Please note that as an identified retail public utility you may provide written comments on any information relevant to the TCEQ executive director's consideration of the MSD. Following the submission of the MSD application, the responsible executive director at

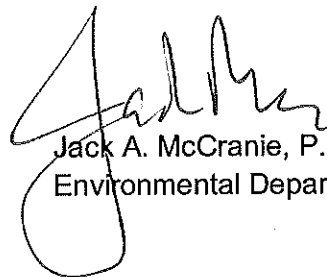
the TCEQ will certify or deny the MSD application or request additional information from the applicant not later than 90 days after receiving the application.

In summary, BSL, Inc. is requesting a Resolution of Support from the City of Grand Prairie for the Stadium and Fairview Properties TCEQ MSD application. Please contact either of the undersigned should you have any questions or require additional information.

Sincerely,  
**Terracon**



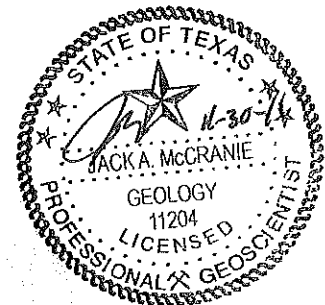
Abigayle L. Beyer, G.I.T.  
Senior Staff Scientist



Jack A. McCranie, P.G.  
Environmental Department Manager

**Attachments:**

- Attachment 1 – Proposed MSD Boundary
- Attachment 2 – Groundwater Concentration Map
- Attachment 3 – City of Arlington MSD Ordinance
- Attachment 4 – Five Mile PWS Summary Map



ATTACHMENT 1

PROPOSED MSD BOUNDARY





ATTACHMENT 2

GROUNDWATER CONCENTRATION MAP



ATTACHMENT 3

CITY OF ARLINGTON MSD ORDINANCE



**Ordinance Number 18-061**

**An ordinance prohibiting the use of and contact with designated groundwater from beneath certain property known as 110, 114, 118, 122 Stadium Drive and 109, 115, 119, 123 Fairview 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;

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;

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;

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;

WHEREAS, BSL, Inc. (the "Applicant") submitted an application for the City Council to adopt an Ordinance supporting the certification of an MSD for property at 110, 114, 118, 122 Stadium Drive and 109, 115, 119, 123 Fairview Street and the City staff have reviewed and evaluated the subject MSD application;

WHEREAS, Applicant will submit an application to TCEQ for certification of an MSD for property within the city limits of the City, commonly known 110, 114, 118, 122 Stadium Drive and 109, 115, 119, 123 Fairview 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;

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 City Manager, or his designee, 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.

**MSD18-1**  
**EXHIBIT "A"**  
**PROPERTY DESCRIPTION**

Being a 4.275 acre tract of land situated in the Joel Blackwell Survey, Abstract No.147, Tarrant County, Texas and being all of Lot G, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Volume 9515, Page 254, Deed Records, Tarrant County, Texas, and being all of Lot F, Block 4, Hillview Addition, as conveyed to BSL Inc. Etal, as recorded in Document No D212317744, County Clerk Records, Tarrant County, Texas, and being all of Lot J, Block 4, Hillview Addition, as conveyed to Biesel William H Etal, as recorded in Volume 388-51, Page 41, Plat Records, Tarrant County, Texas, and being all of Lot K, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Document No D212317765, County Clerk Records, Tarrant County, Texas, and being a portion of Lot F, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Document No D212317739, County Clerk Records, Tarrant County, Texas, and being a portion of Lot E, Block 4, Hillview Addition, as conveyed to BSL Inc., as recorded in Document No D212316148, County Clerk Records, Tarrant County, Texas, and being a portion of Lot D, Block 4, Hillview Addition, as conveyed to William H. Biesel Jr., as recorded in Document No D212316180, County Clerk Records, Tarrant County, Texas, and being a portion of Lot C, Block 4, Hillview Addition, as conveyed to William H. Biesel, as recorded in Document No Volume 388-51, Page 41, Plat Records, Tarrant County, Texas, and being more particularly described as follows:

BEGINNING at a found 5/8 inch iron rod, being the southwest corner of said Lot K, and being the northwest corner of Lot 8, Block 4, Hillview Addition, as conveyed to Lane Supply Inc., as recorded in Document No. D214256820, County Clerk Records, Tarrant County, Texas, and also being in the existing public east right-of-way line of Fairview Street (having a 55' R.O.W.);

THENCE North 01°11'03" East, along said existing public east right-of-way line, a distance of 460.00 feet to a set 1/2 inch iron rod with cap stamped "Graham Assoc. Inc." (GAI), being at the intersection of said existing public east right-of-way line, and the existing public south right-of-way line of a 20' Public Alley (having a 20' R.O.W.);

THENCE North 89°16'45" East, leaving said existing public east right-of-way line, along the existing public south right-of-way line of said 20' Public Alley, a distance of 225.62 feet to a set 1/2 inch iron rod with GAI cap, being in the existing public west right-of-way line of said 20' Public Alley;

THENCE South 63°51'01" East, leaving the existing public west right-of-way line of said 20' Public Alley, a distance of 22.12 feet to a found 1/2 inch iron rod, being in the existing public east right-of-way line of said 20' Public Alley, and being in the south line of Lot L, Block 4, Hillview Addition, as conveyed to City of Arlington, as recorded in Document No. D212259920, County Clerk Records, Tarrant County, Texas;

THENCE South 88°48'57" East, leaving the existing public east right-of-way line of said 20' Public Alley, along the south line of said Lot L, a distance of 129.94 feet to a set 1/2 inch iron rod with GAI cap, being the southeast corner of said Lot L, and being in the

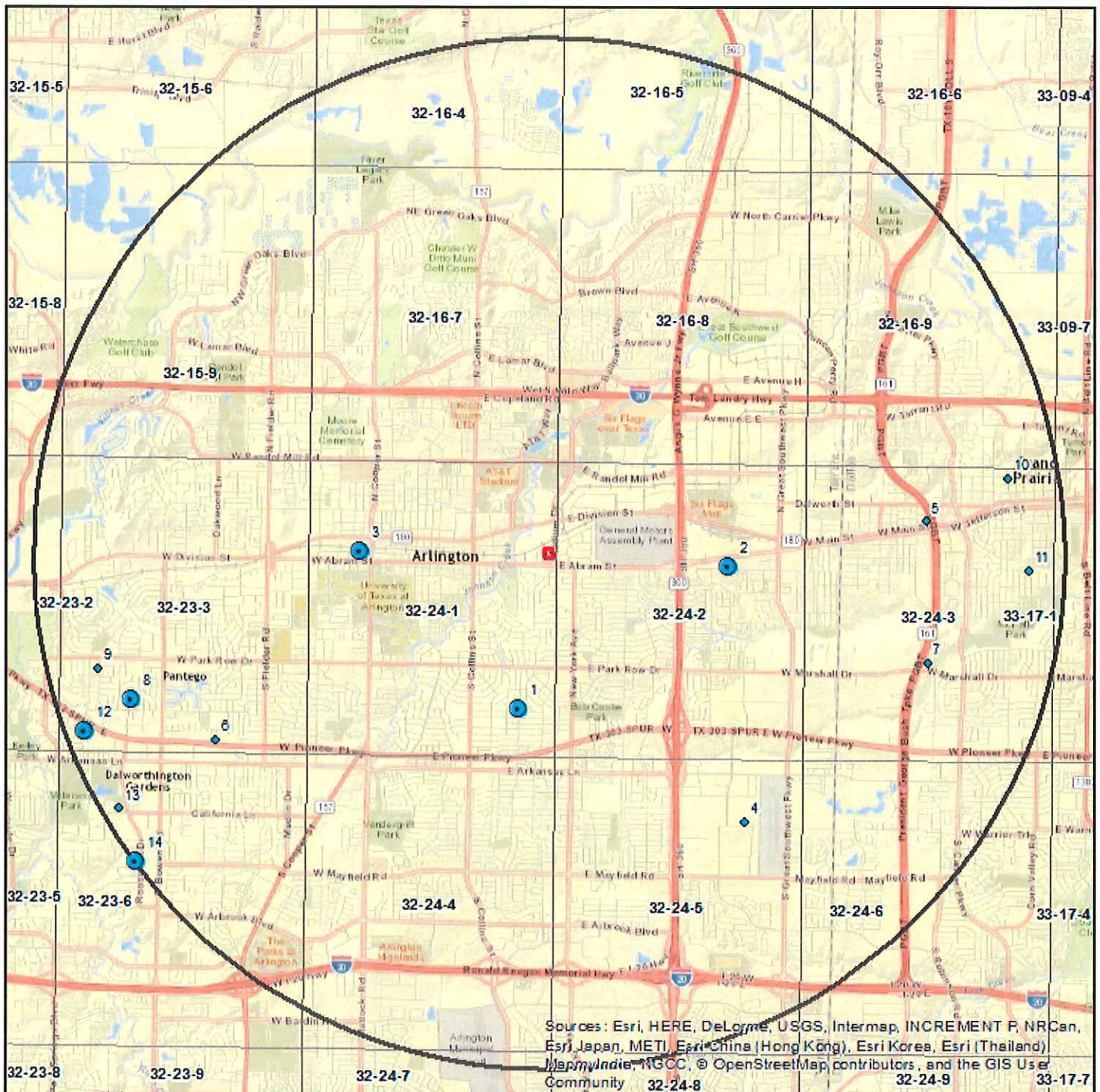
EXHIBIT "A"

ATTACHMENT 4

FIVE MILE PWS SUMMARY MAP






## Summary Map - 5 Mile Buffer



## Browning Drive MSD

-  Well
-  Well Cluster

-  Target Property
-  Search Buffer
-  Texas Quad Index

1 : 90,000  
 1 inch = 1.420 miles  
 1 inch = 7500 feet  
 1 centimeter = 0.900 kilometers  
 1 centimeter = 900 meters

Lambert Conformal Conic Projection  
 1983 North American Datum  
 First Standard Parallel: 33° 00' North  
 Second Standard Parallel: 45° 00' North  
 Central Meridian: 96° 00' West  
 Latitude of Origin: 30° 00' North

