



## CITY COUNCIL MEMORANDUM

**From:** The Office of the City Manager

**Date:** September 8, 2025

**Subject:** Approve Resolution No. 2025-037, supporting Epic Real Estate Partners, LLC's application to the Texas Commission on Environmental Quality (TCEQ) for a Municipal Setting Designation (MSD) on property located at 200, 300, 316 Grapevine Highway, Hurst, Texas.

**Presenter:** Nathan Frohman, City Engineer

### **Summary:**

Council is requested to approve a resolution supporting Epic Real Estate Partners, LLC's application to Texas Commission on Environmental Quality (TCEQ) for a Municipal Setting Designation (MSD) on property located at 200, 300, 316 Grapevine Highway, Hurst, Texas.

### **General Description:**

This agenda item is to approve Resolution No. 2025-037 supporting an application of Epic Real Estate Partners, LLC to the Texas Commission on Environmental Quality (TCEQ) for the property located at 200, 300, 316 Grapevine Highway, Hurst, Texas.

In 2003, the 78th Texas Legislature passed a Municipal Setting Designations (MSD) law that relates to potable groundwater and the requirements for removing contaminants from groundwater. The law authorizes TCEQ to receive, process and then certify MSD applications for properties within contaminated groundwater. The goal of this law is to reduce corrective action requirements and associated costs for cleaning up of contaminated groundwater that are not used as a potable water supply and are not likely to be used in the future. The approval of the MSD by the TCEQ does not mean the site will not be cleaned up; it just permits the ground water to be cleaned to non-drinking water standards.

Epic Real Estate Partners, LLC is trying to obtain TCEQ approval for an MSD for property located at 200, 300, 316 Grapevine Highway, Hurst, Texas. The City of Hurst prohibited the use of groundwater for potable purposes at the designated property by resolution on June 24, 2025. The application to the TCEQ will need to include resolutions from cities located not more than a ½-mile from the MSD property or by cities who own or operate a groundwater supply well located not more than five miles from the property indicating support of the MSD. The cities have the choice to either support or oppose the MSD application. The City of North Richland Hills owns groundwater supply wells within 5 miles of the MSD property.



Staff has reviewed the technical aspects of the application. Staff would recommend support of the resolution for the following reasons:

1. The depth of on-site shallow groundwater encountered at the property is approximately ten (10) to thirteen (13) feet below the ground surface and extends to approximately twenty-eight (28) feet below grade. The closest NRH water wells are located between 1.39 to 2.50 miles west to southwest of the subject property with well depths ranging from 665 to 1,493 feet.
2. None of the five identified wells owned by the City of North Richland Hills are active or connected to the public water supply.
3. The contaminated groundwater is shallow and separated from another underlying body of deeper groundwater by a confining layer of rock. Therefore, it does not threaten the deeper aquifers.

Representatives for the applicant will be present at the City Council Meeting to address any questions City Council may have.

**Recommendation:**

Approve Resolution No. 2025-037.