



MEMORANDUM

To: City of Seguin Mayor and Council
From: Andy Quittner, City Attorney *Andy Quittner*
Date: January 30, 2019
Re: Municipal Setting Designation – Jim’s Formal Wear

Jim’s Formal Wear (“Jim’s”) operates a wholesale formal wear distribution center at 1002 Schriewer Ave (at the corner of Crossroads and Schriewer). This business has existed since the building was constructed in 1985. As part of their business Jim’s operates dry cleaning equipment. In the past, as with most dry cleaners, the equipment used tetrachloroethene (“TCE”) which is now considered an environmental contaminant. During the years of use, some of the TCE leaked into the ground, and as a contaminant is subject to remediation.

Jim’s voluntarily reported the contamination to the Texas Department of Environmental Quality and has worked with them to delineate the extent of the contamination. The process has involved, among other things, setting up monitoring wells around their building and surrounding area to determine the extent of contamination – and whether the area is expanding. The map that is attached to the proposed Ordinance shows the extent of known contamination. From the data, to date, it does not appear that the contamination is moving.

Part of the TCEQ process for remediating contamination includes a request to the local municipality for a Municipal Setting Designation (“MSD”). The MSD forbids the use of groundwater, in a designated area, for purposes of human consumption or raising crops or animals that would end up in the food chain. The purpose being to insure individuals do not consume water that may be contaminated.

The area under consideration for an MSD is industrial and there are no wells in the vicinity. All the businesses in the area use city water. Further, as a rule, the City does not allow drilling wells for potable water use. The effect of this MSD, practically speaking, is small.