



Instructions for Completing Applications for

MUNICIPAL SETTING DESIGNATIONS (MSD)

(Rev. April 2011)

MUNICIPAL SETTING DESIGNATION (MSD)

Application Checklist Instructions

Application Checklist: Failure to fully complete and submit this MSD application checklist will result in the rejection of the application. Please prepare the application and submit supporting documentation as indicated, attaching additional information and documentation as required. The application submittal must be complete, contain all relevant and required information, and be organized to facilitate review by the City of Lubbock.

Legal Description of an MSD: All public right-of-way immediately adjacent to a proposed MSD must be included in any proposed MSD - the metes and bounds description reflecting those boundaries. The metes and bounds description of a proposed MSD must be in the form of a survey, prepared and certified by a licensed professional surveyor registered by the Texas Board of Professional Surveying.

Maps: All maps included in an MSD application must be accurate and scaled. Sufficient and appropriate global positioning satellite (GPS) coordinate information delineating all boundaries of a proposed MSD must be provided.

Submittal: Please submit six copies of the application checklist and supporting documentation, along with a \$2,000.00 filing fee (check payable to City of Lubbock) to:

City of Lubbock
Office of City Secretary
P.O. Box 2000
Lubbock, Texas 79457

The MSD application process is governed by the City of Lubbock Code of Ordinances No. 2006-R0133. Questions regarding the MSD application process should be directed to the City of Lubbock Environmental Compliance Department via telephone at 806-775-2119.

MSD APPLICATION CHECKLIST

Please indicate whether or not the following requested information or items are provided in the MSD application by checking “Yes”, “No”, or “N/A” in response to each numbered item below. Please provide all items described and requested herein as attachments to the MSD application. Provide a complete explanation in the MSD application for any omission of the items requested. The MSD application submittal must include a completed checklist and related attachments in the order listed on the checklist. Please note that omission of any of the requested information may result in the rejection of the application.

Item	Yes	No	N/A	CITY USE ONLY
1. Provide the name, address, daytime telephone number and email address of all applicants and property owners and any authorized representatives of the applicants and property owners of property within the proposed boundaries of the MSD. (Note: If the applicant of the MSD is not a property owner, the applicant must provide the City a notarized letter from the owner authorizing the applicant to submit the MSD application.)				
2. A site map(s), drawn to scale, including a metes and bounds description of the property, the boundary of the proposed MSD (include all public right-of-way immediately adjacent to the proposed MSD), the location and depth of groundwater on the property (groundwater gradient map), the depth interval of contaminated groundwater and the extent of groundwater contamination to the limits that it has been defined. The map shall include a statement by a professional land surveyor registered by the Texas Board of Professional Land Surveying attesting to the accuracy of the metes and bounds property description;				
3. Provide accurate global positioning satellite coordinates delineating MSD boundaries (minimum of four GPS coordinates on an aerial map).				
4. Provide a statement regarding the status of any related MSD application filed with the Texas Commission of Environmental Quality (TCEQ). If an application has filed with TCEQ, provide a copy of that application with this application.				
5. Provide a statement identifying any and all public drinking water supply systems as defined in Chapter 341 of the Texas Health and Safety Code which provide public drinking water to properties within a one-half mile radius of				

Item	Yes	No	N/A	CITY USE ONLY
the proposed boundaries of the MSD. State whether a public drinking water supply system(s) exists that is capable of supplying potable drinking water to all properties existing within the one-half mile radius of the proposed boundaries of the MSD.				
6. Provide a complete description (including tables and scaled drawings) of the chemicals of concern that have been identified in the groundwater beneath the proposed boundaries of the MSD. Provide quantified measurements, levels and extent of contamination of each contaminant, as well as drawings of the vertical and horizontal area of the contamination. If applicant has not documented groundwater contamination off site that originates from the property for which an MSD is sought, the application shall include a statement as to whether contamination more likely than not exceeds a non-MSD residential assessment level off site and the basis for that statement;				
7. Identify the persons and entities responsible for the groundwater contamination within the proposed boundaries of the MSD and provide a statement of purpose for applying for an MSD.				
8. Provide an electronic file of, and one set of mailing labels for, all property owners (according to this most recent approved tax rolls) within a one-half mile radius of the proposed boundaries of the MSD.				
9. Provide an electronic file of, and one set of mailing labels for the owners of all state-registered private water wells (excluding monitoring wells) within a five mile radius of the proposed boundaries of the MSD, along with a map showing the location of each well and to the extent known, a notation of whether each well is used for potable purposes. In addition, provide a statement as to whether the applicant has provided notice to each private water well owner described above in compliance with section 361.805 of the Texas Health and Safety Code.				
10. Provide an electronic file of, and one set of mailing labels for all retail public utilities, as defined in Section 13.002 of the Texas Water Code, that own and/or operate a groundwater supply well(s) within five miles of the proposed boundaries of the MSD. In addition, provide a statement as to whether the applicant has provided notice to each retail public utility described above in compliance with section 361.805 of the Texas Health and Safety Code.				

Item	Yes	No	N/A	CITY USE ONLY
11. Provide an electronic file of, and one set of mailing labels for each municipality with a boundary within a one-half mile radius of the proposed boundaries of the MSD. In addition, provide a statement as to whether the applicant has provided notice to each municipality described above in compliance with section 361.805 of the Texas Health and Safety Code.				
12. Provide an electronic file of, and one set of mailing labels for each municipality that owns and/or operates a groundwater supply well within a five mile radius of the proposed boundaries of the MSD. In addition, provide a statement as to whether the applicant has provided notice to each municipality as described in section 361.805 of the Texas Health and Safety Code.				
13. Provide the following notarized statement signed by the applicant: “I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in a manner designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”				
14. Include in the MSD application payment of the MSD application fee in the form of a check for \$2,000 payable to City of Lubbock.				
15. Provide any additional information, as necessary.				

Applicant’s Printed Name

Applicant’s Signature

Date