

## Municipal Setting Designation Checklist

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the proposed **Municipal Setting Designation**. A submittal of a complete application will facilitate a timely review. Failure of the applicant to provide required information or obtain a waiver from the DRC Chair will result in application not being processed. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

**Items to be submitted with Application:**

- Universal Application**
- Associated Fee(s):** as listed on the **Development Review Fee Schedule**.
- Project Narrative:** Written proposal for the project. Describe the purpose of the Municipal Setting Designation.
- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
- Municipal Setting Designation Checklist:** I have reviewed the checklist and all submittals for completeness and accuracy.

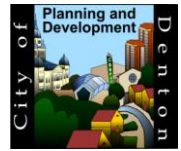
\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Print Name**

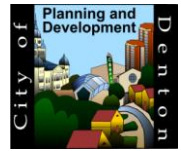
Please use the checklist below to indicate whether the items are included in the application by checking the “yes” or “no” or “N/A- not applicable” column. If an item is checked “no”, an explanation must be provided as to why the item is not included. The application must include all information on the following checklist **IN THIS ORDER**. Please note that if an item is checked “no”, the application could be rejected.

ITEM	YES	NO	N/A	Page #
1. Executive Summary				
2. Name, address, and telephone number of all applicants, all property owners within the designated property, and any representatives of the applicants or property owners. If the applicant of the MSD is not the property owner/seller, then the applicant must provide the City a letter of authorization from the owner/seller authorizing the applicant to file the MSD application. A copy of this letter must be included in this section.				
3. A legal description of the boundaries of the designated property AND THE METES AND THE BOUNDS OF THE ADJACENT PUBLIC RIGHT(S)-OF-WAY, along with a copy of the deed for the designated property. One legal description which consists of: (1) the designated property and (2) the adjacent public right(s)-of-way in a contiguous form and fashion is also acceptable.				
4. A site map showing: A. the location of the designated property AND ADJACENT PUBLIC RIGHT(S)-OF-WAY B. the topography of the designated property as indicated on publicly available sources C. the detected area of groundwater contamination; D. the location of all soil sampling locations and all groundwater				



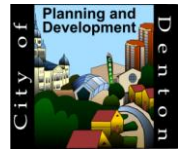
## Municipal Setting Designation Checklist

ITEM	YES	NO	N/A	Page #
monitoring wells; E. groundwater gradients, to the extent known, and direction of groundwater flow; and F. the ingestion protective concentration level exceedance zone for each contaminant of concern, to the extent known;				
5. A description of the current use, and, to the extent known, the anticipated uses of the designated property and properties within 500 feet of the designated property.				
6. For each contaminant of concern within the ingestion protective concentration level exceedance zone, to the extent known, provide the following: A. Description of the ingestion protective concentration level exceedance zone and the non-ingestion protective concentration level exceedance zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface. B. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L or mg/Kg units depending on environmental media.				
7. For each contaminant of concern within the designated groundwater, to the extent known, provide the following: A. Description of the ingestion protective concentration level exceedance zone and the non-ingestion protective concentration level exceedance zone, including a specification of the horizontal area and the minimum and maximum depth below ground surface. B. The level of contamination, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units or mg/Kg units depending on environmental media.				
8. A table displaying the following information for each contaminant of concern, to the extent known: A. The concentration level for soil and groundwater, the ingestion protective concentration level, and the non-ingestion protective concentration level, all expressed as mg/L units B. The critical protective concentration level <u>without</u> the municipal setting designation, highlighting any exceedances. C. The critical protective concentration level <u>with</u> the municipal setting designation, highlighting any exceedances				
9. A statement as to whether the plume of contamination stable, expanding, or contracting with the basis for that statement. If this information is not known, a statement of why the information is not known.				
10. A statement as to whether contamination on and off the designated property without a municipal setting designation exceeds a residential assessment level as defined in the Texas Risk Reduction Program, if known, and the basis for that statement.				
11. A statement as to whether contamination on and off the designated property without a municipal setting designation will exceed a residential assessment level as defined in the Texas Risk Reduction Program, if known, and the basis for that statement.				
12. Identification of the points of origin of the contamination and the persons responsible for the contamination, to the extent known.				
13. A description of any environmental regulatory actions that have been				



## Municipal Setting Designation Checklist

ITEM	YES	NO	N/A	Page #
taken within the past five years in connection with the designated property, to the extent known.				
14. A listing of all existing state of U.S. Environmental Protection Agency registrations, permits, and identification numbers that apply to the designated property.				
15. A statement as to whether the designated property has been submitted to the Texas Voluntary Cleanup Program (Section 361.601 of the Texas Health and Safety Code) or similar state or federal program, and a description of the designated property's status in the program.				
16. A summary of any environmental site assessment reports filed with the TCEQ regarding any site investigations or response actions that are planned, ongoing, or completed related to the designated property.				
17. A statement as to whether any public drinking water supply system exists that satisfies the requirements of Chapter 341 of the Texas Health and Safety Code and that supplies or is capable of supplying drinking water to the designated property and property within one-half mile of the designated property and the identity of each.				
18. The name and address of each owner of a state-registered private water well within five miles of the designated property, along with an electronic file of the names and addresses of these persons, in a format acceptable to the Director and a set of printed mailing labels with the names and addresses of these persons .				
19. The name and address of each retail public utility, as defined in Section 13.002 of the Texas Water Code, that own or operates a groundwater supply well within five miles of the designated property, along with an electronic file of the names and addresses of the appropriate contact person at these utilities, in a format acceptable to the Director, and a set of printed mailing labels with the names and addresses of these persons.				
20. A listing of each municipality, other than the City of Denton, with a boundary within one-half mile of the designated property, along with an electronic file of the names and addresses of the appropriate contact person at these Municipalities, in a format acceptable to the Director, and a set of printed mailing labels with the names and addresses of these persons.				
21. The following statement signed and sealed by a licensed professional engineer or licensed professional geoscientist authorized to practice in the state of Texas with expertise in environmental remediation: <i>To the best of my knowledge and belief, based upon a review of all public and private records and other information sources available to me in the exercise of due diligence, the opinions stated and conclusions made in this application are supported by such information, and the technical and scientific information submitted with the application is true, accurate, and complete. Based on such review, the contaminants of concern from the sources on the designated property or migrating from or through the designated property more likely than not (do exceed) or (do not exceed) a non-ingestion protective concentration level on property beyond the boundaries of the designated property.</i>				
22. If the licensed professional engineer or licensed professional geoscientist determines that contaminants of concern from sources on the designated property or migrating from or through the designated property more likely than not do exceed a non-ingestion protective concentration level on property beyond the boundaries of the designated property, then the applicant must:				



### Municipal Setting Designation Checklist

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A. Specify the name and address of the owner of each property. B. Send a copy of the application to the owner of each property. C. Provide documentation that the designated property has been included in a state or federal program that requires that the entire non-ingestion protective concentration level exceedance zone be addressed to the satisfaction of the agency administering the program, along with documentation of the estimated time period in which it is to be addressed. An example of such a program is the Texas Voluntary Cleanup Program (Section 361.601 of the Texas Health and Safety Code). D. Provide documentation upon completion of the state or federal program showing that the non-ingestion protective concentration level exceedances have been addressed to the satisfaction of the agency administering the program.				
23. The following statement certified by the applicant and any authorized representatives of the applicants listed in the application: <i>I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in a manner designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the persons 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.</i>				
24. The signature of the applicant and proof that the applicant has the legal authority to restrict the use of the groundwater on the designated property (notarized).				
25. The initial filing fee of \$5000 payable to “City of Denton”.				
26. Any additional information the applicant wishes to provide, or that has been requested by the Director.				