



## HOUSTON PUBLIC WORKS HOUSTON WATER

### **MUNICIPAL SETTING DESIGNATIONS (MSD)**

#### **Frequently Asked Questions for MSD's**

#### **Is my water safe?**

Yes, the contaminated groundwater described in the MSD application has no impact on the City provided drinking water, or your well (unless you have been specifically contacted by the applicant).

#### **Who do I contact to get my water well tested?**

For information on well water testing, please contact the Department of Health and Human Services at 713-558-3474.

#### **Who handles environmental protection in the Houston area?**

The State of Texas has the jurisdiction on environmental matters for the State of Texas. The Texas Commission on Environmental Quality (TCEQ) is the State agency that oversees this function. It is important to note that the City does not issue the MSD, the TCEQ does, the City only provides support or non-support to an applicant's application to the state, and verifies that the City provides public water to the affected property.

If you wish to report an environmental violation or problem, you can contact the State or the City with the contact information below.

#### **TCEQ Complaints**

1-888-777-3186

<https://www.tceq.texas.gov/compliance/complaints>

#### **City of Houston Complaints**

311

<http://www.houstontx.gov/311/>

#### **What is an MSD?**

An MSD is a mechanism to restrict the use of groundwater on a piece of property that has been impaired, in other words, a voluntary deed restriction. This protects the interests of the community by ensuring that the public does not consume the impaired groundwater, and promotes the cleanup and redevelopment of contaminated property. It's another tool available to property owners to address and correct impaired property and make it useful again. It is enforced and monitored by the City to ensure full compliance, a fine of up to \$2,000 a day can be levied if the property owner is not compliant.

#### **How does an MSD affect me?**

An MSD only affects the applicant's property; it does not affect any other property or any well in the area. It does, however, protect the public from consuming the impaired groundwater.

What must the applicant do before they can apply for an MSD?

The following are the expectations of a site that is applying for an MSD.

1. The site must have been thoroughly investigated.
2. The site must already participate in a State or Federal cleanup program.
3. All reasonably expected contaminants should have been investigated.
4. There must be enough monitoring data to demonstrate that the plume or area of contamination is stable or getting smaller, and that the source is no longer present.
5. A licensed third-party engineer or geologist must place a professional seal on a certification that the plume is stable or contracting.

How did the groundwater get contaminated and what is being done to prevent it from happening again?

At many sites with historic contamination, the owner/operator was following the standard practice at that time. However, as knowledge grew the standard practices changed. The State now regulates businesses to keep this from happening now or in the future.

Why do I receive public meeting letters?

The MSD State statute requires the applicant to notify water well owners within a five-mile radius of the site. The City of Houston requires the applicant to notify property owners within a half-mile radius of the site. If you receive a first-class letter, you live within a half mile of the site. If you receive a certified letter, state records show that you own a water well within five miles of the site. You may have received this letter even though the well had been plugged or abandoned.

What is the required public meeting?

Everyone who owns property within a half-mile of the site, owns a water-well within five-miles of the site, or is an interested group registered with the City of Houston or a nearby city, receives an invitation to the public meeting. You do not have to attend the public meeting, but your presence is welcomed. You may come to the meeting to just listen, but if you would like to provide a comment, you may do so at the meeting or send them to the TCEQ and/or to the City of Houston.

|   |   |
|---|---|
| MSD Program Coordinator<br>Remediation Division<br>Texas Commission on Environmental Quality<br>P.O. Box 13087, MC-221<br>Austin, Texas 78711<br><a href="mailto:pep@tceq.texas.gov">pep@tceq.texas.gov</a> | Elga González<br>Houston Public Works<br>Houston Water<br>1002 Washington<br>Houston, Texas 77002<br>832-394-8975<br><a href="mailto:msd@houstontx.gov">msd@houstontx.gov</a> |
|---|---|

What is the required public hearing?

A public hearing will be conducted by the City Council Regulatory and Neighborhood Affairs Committee to consider a municipal setting designation ordinance. The hearing allows proponents and opponents to comment on the application, and the site.

Where can I find out more about MSDs and this application?

You can see the schedules for public meetings and public hearing, review the MSD applications, and find out more on the MSD website.

The address is:

<https://www.houstonpublicworks.org/municipal-settings-designation>

(Scroll to the bottom of the page and click on "MSD in Review" and find the associated application number found on the notice you received.)

Who can I contact if I have questions about the MSD program or MSD site?

Deidre VanLangen  
Brownfields Program Manager  
Public Works and Engineering Department - Planning and Development Services  
1002 Washington, Houston, Texas 77002  
Telephone: 832-394-9029  
Email: [msd@houstontx.gov](mailto:msd@houstontx.gov)