



**City of Houston  
Municipal Setting Designations (MSD) – Sampling Requirements after MSD  
Approval Executive Order 1-72 (EO 1-72)  
Acknowledgement Form**

\_\_\_\_\_ (“MSD Applicant”) has filed or is filing an application for a City of Houston Municipal Setting Designation (MSD). The MSD Applicant acknowledges and understands that such MSD application, whether previously filed or being filed at this time, was not approved prior to June 5, 2023, and is therefore subject to **City of Houston Executive Order 1-72 (“EO 1-72”) - “MUNICIPAL SETTING DESIGNATIONS – Sampling Requirements after MSD Approval”, effective as of June 5, 2023** (copy attached).

**In accordance with the Code of Ordinance of the City of Houston, Texas, Article XIII (“Municipal Setting Designations), Sec. 47-762d)(24) and EO 1-72, the MSD Applicant acknowledges and agrees to abide by the requirements established in EO 1-72 as set forth below:**

1. On and after June 5, 2023 (the effective date of **EO 1-72**), an MSD Applicant whose MSD application is approved (“**Approved MSD Applicant**”) is subject to the following additional requirements:
  - a. An Approved MSD Applicant shall continue to conduct sampling in accordance with a TCEQ, EPA, or comparable remediation program that is effective at the time an MSD application is approved by the City.
2. An Approved MSD Applicant shall notify the City within 30 days after receiving notice that the sampling required by a TCEQ or EPA or comparable remediation program is discontinued or terminated within the first four years after the date of approval of an MSD.

3. If sampling is discontinued, as identified above, an **Approved MSD Applicant will thereafter be subject to the sampling requirements set forth below:**
- a. If the site of the approved MSD is not subject to any continuing sampling requirements under a TCEQ, EPA, or comparable remediation program, then an Approved MSD Applicant shall conduct and report to the City and TCEQ the results of sampling for COCs identified during the MSD application process on the following schedule:
    - i. Four years after the date of MSD approval by the TCEQ, and
    - ii. Seven years after the date of MSD approval by the TCEQ.
  - b. An Approved MSD Applicant shall comply with any additional response action(s) required by TCEQ, EPA, or a comparable remediation program that is based on or arises because of the sampling conducted pursuant to subparagraph 3.a. above.

Fill out all information below and submit this form with your application packet.

**ACKNOWLEDGED, AGREED TO AND ACCEPTED**

MSD APPLICANT

\_\_\_\_\_  
**Application Number**

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

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

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

\_\_\_\_\_  
**Company Name**

\_\_\_\_\_  
**Phone Number**

\_\_\_\_\_  
**Email Address**

For more information about the MSD program please visit  
<https://www.houstonpermittingcenter.org/infrastructure-development-services/msds-and-brownfields#agency-links-1421>

Questions about the MSD Program should be referred to:  
E-Mail: [brownfields@houstontx.gov](mailto:brownfields@houstontx.gov) or 832.394.9003