# Section A: WHAT ARE INSTITUTIONAL CONTROLS?

Sections 376.301 and 376.79, Florida Statutes (F.S.), similarly define Institutional Controls (IC) as "the restriction on use or access to a site to eliminate or minimize exposure to petroleum products' chemicals of concern, drycleaning solvents, or other contaminants. Such restrictions may include, but are not limited to, deed restrictions, restrictive covenants or conservation easements.” Other forms of ICs that may be acceptable to FDEP include government controls such as permits, agency rules, delineated areas (under Chapter 62-524, F.A.C.), memorandum of agreements/understanding, and in limited circumstances some comprehensive land use planning and management or local ordinances.

ICs are non-engineering legal and legislative controls intended to affect human activities by preventing or reducing exposure to contamination. ICs should be permanent until the site is cleaned up to unrestricted use levels or until replaced by another IC. The IC contains restrictions or prohibitions such as land and resource use restrictions. Restrictive Covenants (RC) are the most common form of ICs used by DWM to close contaminated sites at this time. The RC type of IC is created by the execution of documents that should then be properly recorded in the public records of the county in which the property is located to ensure proper notice and continued effectiveness of the control.

For an explanation of definitions and acronyms used in the ICPG, please refer to [Attachment 37](https://floridadep.gov/waste/waste/documents/icpg-attachment-37).