## Attachment 9E: Mailed Notice of Intent to Approve Use of Alternative Cleanup Target Level (ACTL) for Real Property Owners, Residents, Lessees, Encumbrance Holders

A copy of the following notice should be provided to real property owner(s) of any property subject to the Alternative Cleanup Target Level (ACTL), to any resident, lessee, or business tenant, and to any party holding an encumbrance in the area subject to the ACTL, including all holders of existing mortgages, easements or recorded leaseholds. DEP should be provided with complete electronic copies of the mailed notice(s) and a list of names and addresses of entities to whom the notice was sent, and the date sent. In the case of recorded encumbrances, notice should be made in accordance with the terms for notice set forth in the recorded instrument, if any.

<ON LETTERHEAD OF THE PRSR, if applicable>

*{Name of Recipient}*

*{Address of Recipient}*

Re: Notice of Intent to Conditionally Close a Contaminated Site Using an Alternative Cleanup Target Level (ACTL)

Dear *{insert name or To Whom It May Concern]:*

You are receiving this notice because you are *{a real property owner, resident, lessee, or business tenant of property subject to the ACTL); or, the holder of the following recorded Instrument: {insert name and date of Instrument, along with book and page number or other recording information taken from the title report}, (a copy of which is attached hereto), on certain property owned by {owner’s name} (“Owner”)}*.

In relation to environmental site rehabilitation activities on the property, the person responsible for site rehabilitation (PRSR) has requested that Florida Department of Environmental Protection (DEP) approve a No Further Action Proposal with Conditions {*for non-CERCLA ACTLs:* and issue a Site Rehabilitation Completion Order with Conditions*}* for a contaminated site relating to this property. *{PRSR name}* is seeking this order in reference to DEP Site ID # *{site id #} {facility name, address}* and intends to utilize acceptable ACTLs established for *{affected media} {contaminants}* contaminants that meet criteria set forth in 62-777 and 62‑780.680(3), Florida Administrative Code (F.A.C.), and documented in {technical document Exhibit X}.

Attached to this letter is a summary of the history of the contaminant(s) of concern addressed by the ACTL, including the type, affected media and location of the contamination. Please contact the undersigned if you have any questions regarding this notice. In addition, you may contact *{site/project manager’s name & phone number}* to discuss the status of the work. Complete copies of the No Further Action Proposal, the *{Exhibit X}* that is proposed to be relied upon, and the DEP’s preliminary evaluation are available for public inspection online at [Oculus](http://depedms.dep.state.fl.us/Oculus/), the online document management system. Please use the DEP Site, Facility or Project number listed on the DEP’s preliminary evaluation to communicate with DEP or [Oculus](http://depedms.dep.state.fl.us/Oculus/).

**Real property owner(s) of any property subject to the ACTL, residents, lessees, business tenants, and encumbrance holders of any property subject to the ACTL have 30 days from receipt of this notice to provide comments to the DEP. Within the 30-day comment period, those parties may request additional time for review. Such comments should be sent to DEP, *{name and email address of person who should receive comments}*.**

Sincerely

*{Typed name of sender}*

Attachment: *{insert name of attachment}*

cc: *{DEP name and email address of person who should receive comments}*