## Attachment 9G: Mailed Notice of Intent to Approve Use of Interim Institutional Control for Real Property Owners, Residents, Lessees, Encumbrance Holders, Local Governments

A copy of the following notice should be provided to real property owner(s) of any property subject to the Institutional or Engineering Control, to any resident, lessee, or business tenant, and to any party holding an encumbrance in the area subject to the control, including all holders of existing mortgages, easements or recorded leaseholds (whether using a Declaration of Restrictive Covenant or other approved Institutional Control), and local governments with jurisdiction over the property including counties, cities and water management districts. 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 dates 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 Approve use of an Interim Institutional Control on a Contaminated Site

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 Institutional or Engineering Control; 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), or a local government (county, city, or water management district) with jurisdiction over the property on certain property owned by {owner’s name} (“Owner”)}*.

The person responsible for site rehabilitation (PRSR) has requested that Florida Department of Environmental Protection (DEP) approve the use of an Interim Institutional Control in relation to certain environmental site rehabilitation activities on the property for a contaminated site relating to this property. *{PRSR name}* is seeking this Interim Institutional Control in reference to DEP Site ID # *{site id #} {facility name, address}* and intends to restrict exposure to contamination in the following manner: *{describe the type of controls such as land use restrictions, water use restrictions, caps over contaminated soil, etc.}* that *{will be set forth in a Declaration of Restrictive Covenant between the Owner and the DEP, that will further encumber the property; {{select appropriate* ***and*** *or* ***or****}} by reliance on existing {{insert citation to city/county local ordinance, MOA, DEP rule, etc.}} that require(s) connection to a community water system, dewatering rules, etc., as applicable}.*

Attached to this letter is a summary of the history of the contamination addressed by the Interim Institutional Control, including the type of contamination, the affected media and the 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 *{draft Restrictive Covenant or other type of IC (such as ordinance or MOA)}* 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/).

**Recipients of this notice letter have 30 days from receipt of it to provide comments to 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}*