## Attachment 19: Template for Published Notice of Intent to Approve Use of Institutional Control

*Pursuant to subsections 62-780.220(7) and .680(8), Florida Administrative Code (F.A.C.), the Person Responsible for Site Rehabilitation (PRSR) may publish notice in lieu of mailing notice when there are multiple residences (e.g., a condominium), businesses or tenants on any property subject to the institutional or engineering controls of the Department’s intent to approve the PRSR’s No Further Action Proposal with Controls (either an institutional control or both engineering and institutional controls). If the PRSR decides to publish notice, it must do so prior to the Department’s approval of such proposal (but within 30 days after the Department’s provisional approval of the proposal). Pursuant to subsection 62-110.106(5), F.A.C., the PRSR must publish the notice at its expense in the legal advertisements section of a newspaper of general circulation (i.e., meeting the requirements of ss. 50.011 and 50.031, Florida Statutes (F.S.)) in the county in which the effects of the Department’s proposed action will occur. The PRSR must provide proof of publication within seven days of the publication by furnishing the Department with a uniform affidavit in substantially the form prescribed in s. 50.051, F.S. The following template meets this published notice requirement. Replace the information inside the brackets with information specific to the site.*

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PROPOSED AGENCY ACTION

The Florida Department of Environmental Protection (DEP) gives notice that it proposes to approve a No Further Action Proposal with Institutional Controls or with Engineering and Institutional Controls and issue a Site Rehabilitation Completion Order with Conditions for a contaminated site. {PRSR} is seeking this order 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.}*.

Complete copies of the No Further Action Proposal, the proposed Institutional Control *{i.e., a draft Restrictive Covenant, a local Ordinance restricting water use, etc.}*, 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/).

Local governments with jurisdiction over the property subject to the Institutional Control, real property owner(s) of any property subject to the Institutional or Engineering Control, residents of any property subject to the Institutional Control and any party holding a materially affected encumbrance in the area subject to the control have 30 days from publication of this notice to provide comments to the DEP. Such comments should be sent to DEP *{name and email address of person who should receive comments}*.

**\* Note: In the case of CERCLA ICs, replace paragraph one with the paragraph below. Otherwise delete this note and the paragraph below.**

The Florida Department of Environmental Protection (DEP) gives notice that it proposes to approve a No Further Action Proposal with Institutional Controls or with Engineering and Institutional Controls for a contaminated site. *{PRSR}* is seeking this approval 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.}*.