

Instructions for preparing an Institutional Control

1. When drafting a new *Environmental Covenant and Easement (ECE)* or *Affidavit Concerning Real Property Contaminated with Hazardous Substances (Affidavit)* **always start with the [template](#) on MPCA's webpage.** This will ensure that you are using the most up-to-date version. Do not edit an Institutional Control (IC) created for another property, as this invariably results in errors; the guidance/directions will be missing, and text applicable to the new IC may have been deleted from the one done previously. Draft ICs received in outdated format or with errors based on ill-advised editing of a previous IC will be returned to the author for a do-over.

Each template is a locked Word document that allows the user to enter text in specific areas and (for the ECE) to choose applicable language from drop-down boxes. The rest of the template is locked and cannot be edited. To minimize errors and avoid delays, please pay attention to the guidance that appears in red italic text throughout the template.

2. Upon completion of the initial draft, delete instructional text and send the completed draft IC as a Word document via email to MPCA project staff for review. Include PDF versions of any exhibits. Please make sure that all text references to exhibits match the labeling of exhibits – this is a common error.
3. MPCA staff will make any necessary edits to the draft IC. The locked document format does not allow the tracking of changes, but a description of edits made will be included in the MPCA's email response.
4. Once approved by MPCA project staff, print the final version of the IC and obtain the notarized signature of the Affiant (Affidavit) or Grantor (ECE). If the document is an Affidavit, skip to Step 6. If the document is an ECE, continue with Step 5.
5. For the ECE, mail the hard copy with original signature(s) and all exhibits to the contact below for MPCA signature. **Be sure to indicate who the fully-executed ECE should be returned to for recording.**

Amy Hadiaris
MPCA Remediation Division
520 Lafayette Road N.
St. Paul MN 55155

6. Record the executed IC at the appropriate County office.
7. Email a scanned copy of the entire IC, with recorder's stamp and document number, to MPCA project staff.