



Sampling Guideline for Monsanto Associated Properties

The Tennessee Department of Environment and Conservation (TDEC) Division of Remediation (DoR) has created this document to assist current or prospective property owners of real property previously associated with the Monsanto Chemical Company Site Property as described in a Deed of Record with the Maury County Register of Deeds found at Deed Book 1346, Page 70 (hereinafter referred to as the "Property"). The Property is subject to a Notice of Land Use Restrictions (NLUR) that states the Property has been remediated to levels protective of human health and the environment in a commercial/industrial area with certain restrictions. The Monsanto Chemical Company used the Site to process phosphate and mine it through open pit mines, and its operations resulted in stability issues and the generation and placement of contamination across the Site. The NLUR was filed to address the known and unknown health and safety concerns across the Site. These land use restrictions run with the land and are binding on all parties (including their heirs, successors, successors-in-title, and assigns) having any right, title, or interest in the Property or any part thereof.

The Notice of Land Use Restrictions imposes the following restrictions on owners of the Property:

Prior to any part of the Property being used for a residence, domicile, daycare, school, or church with an outdoor playground, the Grantor, its successors, and/or assigns must notify TDEC and must demonstrate to the satisfaction of TDEC that any such proposed use listed above will not pose a danger to public health, safety, or the environment. Prior to the removal of soil underlying the buildings or the Property, the Grantor, its successors, and/or assigns must notify TDEC and must demonstrate to the satisfaction of TDEC that any such proposed soil removal will not pose a danger to public health, safety, or the environment. Any approval granted by TDEC for the restricted uses shall be in writing, must contain a reference to this instrument, and shall be filed with the Maury County Register of Deeds.

The Grantor, its successors, and/or assigns must notify TDEC prior to any invasive activity on the Property including soil borings or potable groundwater wells. The Grantor, its successors, and/or assigns must demonstrate to the satisfaction of TDEC, through sampling and analysis approved by TDEC, that any invasive activity will not pose a danger to public health, safety, or the environment. Any approval granted by TDEC for the restricted uses shall be in writing, must contain a reference to this instrument, and shall be filed with the Maury County Register of Deeds.

It is important to note that these restrictions do not prohibit development. They do, however, require that the property owner notify TDEC before any development occurs and work with TDEC to ensure that the properties are developed in a safe way.

If owners or prospective purchasers of portions of the Property wish to undertake any of the restricted actions, TDEC-DoR recommends the following:

1. As per the Notice of Land Use Restrictions (NLUR) attached to the above referenced Deed of Record, notify TDEC-DoR at 711 R. S. Gass Blvd, Nashville, TN 37243, or Cameron Swanson at Cameron.Swanson@tn.gov prior to conducting any soil sampling or restricted activities identified in the NLUR.
2. To obtain TDEC-DoR approval for restricted activities, TDEC-DoR recommends the following sample collection based on historical property Constituents of Concern (COCs):
 - Soil, groundwater, and surface water sampling should include the following: cyanide, fluoride, ortho phosphate, elemental phosphorous, and perchlorate salts.
 - Depending on the specific portion of the Property and its planned end use, other analytes such as the following may need to be sampled: volatiles, semi-volatiles, the eight RCRA metals, pesticides/herbicides, and PCBs.
 - The total number of samples collected will be site dependent and should be arrayed as to delineate any planned development (without data gaps) utilizing best environmental professional judgement.

The required sampling and analysis will be dependent on the portion of the Property at issue and the planned development and will be reviewed on a case-by-case basis.

3. Based on site history, contamination may exist throughout the entire Property. Therefore, TDEC-DoR recommends that prospective purchasers perform environmental due diligence before moving forward with acquisition of any property that was previously a part of the Monsanto Chemical Company Site Property. For additional questions, please visit our website at <https://www.tn.gov/environment/program-areas/rem-remediation.html> or contact Cameron Swanson at Cameron.Swanson@tn.gov.