

**BROOKS PENNINGTON III, ATTORNEY AT LAW  
PENNINGTON INVESTMENTS I, L.P.**

**P O BOX 231  
MADISON, GA 30650  
PHONE 706-342-2446  
FAX 706-342-2468**

March 15, 2021

Received  
Land Protection Branch

MAR 22 2021

Hazardous Waste

Mr. Kevin Collins  
Georgia Department of Natural Resources  
Environmental Protection Division  
2 Martin Luther King Jr Drive  
Suite 1054  
Atlanta, GA 30334

RE: Executed Uniform Environmental Covenants  
Pennington Seed, Inc. Warehouse (formerly)  
HSI Site No 10775

Dear Sirs,

Attached please find the recorded Environmental Covenants (originals to EPD with copies to each of the recipients copied on letter and attachments as indicated below) relating to the Pennington Seed, Inc. warehouse (formerly) Site No 10775.

All three (3) of the Environmental Covenants from Pennington Investments I, LP; Nissan of Vidalia, Inc.; and Pruitt Properties, Inc. have been duly recorded in the Superior Court of Toombs County, Georgia. The above-referenced copies are "file-stamped" per O.C.G.A. requirements.

Please accept this correspondence as certification that a file-stamped copy has been sent to each of the parties identified in O.C.G.A. 44-16-7. These parties include all signatories to the respective Environmental Covenants, the EPD, the local City and County governing authorities, adjacent property owners, and our environmental consultant.

Sincerely,

PENNINGTON INVESTMENTS I, LP



Brooks Pennington III  
Attorney At Law  
Managing Partner CEO – Pennington Investments I LP

Enclosures: Environmental Covenant – Pennington Investments I, LP  
Environmental Covenant – Nissan of Vidalia, Inc.  
Environmental Covenant – Pruitt Properties, Inc.

cc: Nissan of Vidalia, Inc.  
c/o Edward W Folsom, President  
1609 East First Street  
Vidalia, GA 30474

Pruitt Properties, Inc.  
c/o Mr. Neil L. Pruitt Jr., CEO  
1626 Jeurgens Court  
Norcross, GA 30093

Brooks Pennington III  
Pennington Investments I, LP  
P O Box 231  
Madison, GA 30650

City of Vidalia  
P O Box 280  
Vidalia, GA 30475

Toombs County Commission  
100 Courthouse Square  
Lyons, GA 30436

Dobbs Environmental  
c/o Mr. Denny Dobbs  
P O Box 3020  
Covington, GA 30015

Sworn to and certified by Brooks Pennington III who is personally known to me this 15th day of March, 2021 in the presence of Stacey Cook, Notary Public.

Stacey Cook  
Stacey Cook

(SEAL)

*Stacey Cook  
Notary Public  
Jasper County, Georgia  
My Comm. Expires 04/03/2021*

After Recording Return to:

Brooks Pennington III, Attorney  
P O Box 231  
Madison GA 30650

CROSS-REFERENCE: Deed Book:

Deed Page: MISC  
Recorded 03/01/2021 03:13PM

NANCY FITTMAN  
Clerk Superior Court, TOOMBS County, Ga.  
Ek 01338 Pg 0201-0222

### Environmental Covenant

This instrument is an Environmental Covenant executed pursuant to the Georgia Uniform Environmental Covenants Act (hereinafter "Act"), O.C.G.A. § 44-16-1, et seq. This Environmental Covenant is entered into by Pennington Investments I, LP and the State of Georgia, Department of Natural Resources, Environmental Protection Division (hereinafter "EPD") and subject the property (hereinafter "the Property") identified below to the activity and/or use limitations and other requirements and grants such other rights in favor of EPD and Pennington Investments I, LP as set forth herein.

**Fee Simple Owner/Grantor:**

Pennington Investments I, LP  
P. O. Box 231  
169 South Main Street  
Madison, GA 30650

**Grantee/Holder with the power to enforce:**

Pennington Investments I, LP  
P. O. Box 231  
169 South Main Street  
Madison, GA 30650

**Grantee/Entity with express power to enforce:**

State of Georgia  
Department of Natural Resources  
Environmental Protection Division (hereinafter "EPD")  
2 Martin Luther King Jr. Drive, SE  
Suite 1456 East Tower  
Atlanta, GA 30334

**Property Subject:**

The property subject to this Environmental Covenant is a tract of approximately 2.80 acres of real property located at 1612 U.S. Highway 280, Vidalia, Toombs County, Georgia which is further identified by the tax parcel ID number below (hereinafter "Property"). The Property was conveyed from The Estate of Brooks Pennington Jr. to Pennington Investments I, LP recorded in Deed Book 556, Page 730-731, Toombs County Records. The Property is located in the 51<sup>st</sup> G.M. District of Toombs County, Georgia and consists of 2.8 acres.

The tax parcel of the Property is tax parcel ID C 27C 006 of Toombs County, Georgia.

574

A legal description of the Property is attached as Exhibit A and a map of the property attached as Exhibit B. The Restricted Use Zone ("RUZ") described herein is an approximately 0.10 acres lying entirely within the Property. A survey performed by a licensed surveyor, prepared in accordance with the standards specified by the American Land Title Association, showing the Property and the RUZ is attached as Exhibit B1.

### **Environmental Covenant Runs with the Land and is Perpetual**

Pursuant to O.C.G.A. §§ 44-16-5(a) and 44-16-9(a), this Environmental Covenant shall run with the land and shall be perpetual unless terminated or amended pursuant to terms herein or in accordance with provisions in the Act. This Environmental Covenant shall be binding upon Pennington Investments I, LP and all successors, assigns and transferees of any interest in the Property or any portion thereof.

### **Administrative Records**

This Environmental Covenant imposes activity and/or use limitations and other requirements on the Property that arise under corrective action performed and/or being performed at the Pennington Investments I, LP site, Hazardous Site Inventory No. 10775. Records pertaining to this corrective action are available at the following locations:

Georgia Environmental Protection Division  
Response and Remediation Program  
2 MLK Jr. Drive, SE, Suite 1054 East Tower  
Atlanta, GA 30334  
M-F 8:00 AM to 4:30 PM excluding state holidays

Pennington Investments I, LP  
Attn: Brooks Pennington III, Attorney  
P.O. Box 231  
169 South Main Street  
Madison, GA 30650

The property has been listed on the state's hazardous site inventory at HIS # 10775 and has been designated as needing corrective action due to the presence of hazardous wastes, hazardous constituents, or hazardous substances regulated under state law. Contact the property owner or the Georgia Environmental Protection Division for further information concerning this Property. This notice is provided in compliance with the Georgia Hazardous Site Response Act.

This Environmental Covenant is required because a release of dieldrin to groundwater occurred on the Property. Dieldrin is a "regulated substance" as defined under the Georgia Hazardous Site Response Act, O.C.G.A. § 12-8-90 *et seq.*, and the rules promulgated thereunder (hereinafter "HSRA" and "Rules", respectively). The Corrective Action consisted of soil removal, and establishment of institutional controls.

**Activity and Use Limitations.**

The Property is subject to the following activity and/or use limitations and other requirements arising under the corrective action:

***Real Property***

The Property shall be used only for non-residential uses, as defined in Section 391-3-19-.02 of the Rules as of the date of this Environmental Covenant. Any residential use on the Property shall be prohibited. Any activity on the Property that may result in the release or exposure to the regulated substances that were contained as part of the Corrective Action, or create a new exposure pathway, is prohibited.

***Groundwater***

The use or extraction of groundwater beneath the Property for drinking water or for any other non-remedial purposes shall be prohibited.

***Other*****Land Disturbance**

Soils encountered during any land disturbing activities that are conducted in association with the repair, removal, or replacement of the storm sewer located within the RUZ, must be tested and disposed of in accordance with the (date) Monitoring and Maintenance Plan, or amendments thereof, included as Exhibit C. Activities associated with any land disturbance in the RUZ should be conducted in accordance with procedures that are protective of onsite personnel.

**Other Requirements. The Property is subject to the following additional requirements.**

- A. Notice of Limitations and Requirements in Future Conveyances. Each instrument hereafter conveying any interest in the Property or any portion thereof that may affect the activity and use limitations described herein shall include a statement that the Property is subject to this Environmental Covenant (and any amendments thereto), the location (County, Deed Book and Page) in the deed records where this Environmental Covenant (and any amendments thereto) is recorded and a copy of this Environmental Covenant (and any amendments thereto).
- B. Notice to EPD of Future Conveyances. Within thirty (30) days after each conveyance of a fee simple interest in the Property or any portion thereof, a notice shall be sent to EPD and Pennington Investments I, LP. The notice shall include the new owner's name, address, telephone number and other pertinent contact information, the date of the conveyance and the location (County, Deed Book and Page) where the conveyance is recorded, and, if the conveyance is a portion of the Property, a survey map showing the boundaries of the real property conveyed.
- C. Notice of Change of Use. If such activity will materially affect any required monitoring or maintenance of any institutional or engineering controls described herein, the owner of the

Property must provide to EPD thirty (30) days' advance written notice of the owner's intent to change the use of the Property, to apply for a building permit for construction at the Property, or to perform any site work.

- D. Annually, by no later than July 30 following the effective date of this Environmental Covenant, the owner of the property shall submit to EPD an annual report stating that the activity and use limitations in the Environmental covenant are being abided by, in the format attached hereto as Exhibit C.

### **Notice of Limitations and Requirements in Future Conveyances**

Each instrument hereafter conveying any interest in the Property (or any portion thereof) shall include a statement that the Property is subject to this Environmental Covenant, a copy of the Environmental Covenant and the location in the Deed Records where this Environmental Covenant is recorded.

### **Environmental Covenant Does Not Authorize Use Otherwise Prohibited**

Pursuant to O.C.G.A. § 44-16-6, this Environmental Covenant shall not be construed to authorize a use of the Property that is otherwise prohibited by zoning, ordinance, local law or general law or by a recorded instrument that has priority over this Environmental Covenant.

### **Rights of Access and Enforcement**

Authorized representatives of EPD and/or Pennington Investments I, LP shall have the right to enter the Property at reasonable times in connection with implementation, compliance and/or enforcement of this Environmental Covenant. This Environmental Covenant shall be enforceable by EPD, Pennington Investments I, LP and other parties as provided in the Act. Such rights of access and enforcement herein shall not limit EPD's authority under other applicable law.

### **No Interest in Real Property in EPD**

EPD's rights under this Environmental Covenant and the Act shall not be considered an interest in real property.

### **Recording of Environmental Covenant and Service on Other Persons**

Within thirty (30) days after execution of this Environmental Covenant by the Director, Pennington Investments I, LP shall record the Environmental Covenant in every county in which any portion of the Property is located in accordance with the law governing the recording and priority of interests in real property. Within thirty (30) days after recording of the Environmental Covenant, Pennington Investments I, LP shall send a stamped copy of the recorded Environmental Covenant to EPD and to each of the following: (1) Pennington Investments I, LP., (2) each person holding a

recorded interest in the Property; (3) each person in possession of the Property; (4) each municipality, county, consolidated government, or other unit of local government in which the Property is located; and (5) each owner in fee simple whose property abuts the Property.

**Representations and Warranties by Grantor.** Pennington Investments I, LP represents and warrants that all of the following are true and correct:

- A. Pennington Investments I, holds fee simple title to the Property.
- B. Pennington Investments I, LP has the authority to enter into this Environmental Covenant, has the authority to grant any rights granted by it within, has the ability to carry out the obligations described within and, based upon information and belief after reasonable inquiry, does not know of any anticipated material change in the practices, ownership, or authority of Pennington Investments I, LP that will alter this representation and warranty.
- C. The execution and delivery of this Environmental Covenant and carrying out the obligations described within will not conflict with any of the provisions of the organizational documents, operating agreement of Pennington Investments I, LP nor will it violate, contravene and/or constitute a breach or default under any agreement, contract, order or instrument to which Pennington Investments I, LP is a party or by which Pennington Investments I, LP may be bound.
- D. Pennington Investments I, LP has identified all persons with existing interests other than fee simple in the Property and has determined the type and status of their interests; for those interests where the type and/or status make it necessary, the person's agreement to and signature on this Environmental Covenant or subordination of the interest has been obtained; and the aforementioned information regarding all interests other than fee simple in the Property has been provided to EPD.
- E. This Environmental Covenant does not authorize a use of the Property that is otherwise prohibited by zoning, ordinance, local law or general law or by a recorded instrument that has priority over this Environmental Covenant.
- F. At least thirty (30) days prior to presenting this Environmental Covenant to EPD for execution, Pennington Investments I, LP served a copy of the proposed final text of this Environmental Covenant on all persons or entities required to be noticed in accordance with O.C.G.A. § 44-16-7.

**Submission of Required Documents and Communications**

Documents and communications required by this Environmental Covenant shall be submitted to:

Georgia Environmental Protection Division  
 Land Protection Branch  
 Response and Remediation Program  
 2 Martin Luther King Jr. Drive SE  
 Suite 1054 East Tower  
 Atlanta, GA 30334

With a copy to:

Pennington Investments I, LP  
P. O. Box 31  
169 South Main Street  
Madison, GA 30650

**EPD's Environmental Covenants Registry**

This Environmental Covenant and any amendment thereto or termination thereof may be included in EPD's registry for environmental covenants.

**Severability**

Should any provision of this Environmental Covenant be found by a court of competence jurisdiction to be invalid and/or unenforceable in any respect, the remaining provisions shall continue in full force and effect.

**Effective Date**

This Environmental Covenant shall be effective on the date the fully executed Environmental Covenant is recorded in accordance with O.C.G.A. § 44-16-8(a).



Grantor/Fee Simple Owner

Pennington Investments I, LP

By: [Signature]  
Brooks Pennington III  
For Managing General Partner

Signed in the presence of:

[Signature]  
Unofficial Witness (Signature)

KYLE ATKINSON  
Unofficial Witness (Print Name)

State of Georgia

County of Jasper

This instrument was acknowledged before me this 5th day of September, 2019, by Brooks Pennington III.

Personally known  
 Produced identification

[Signature]  
Notary Public (Signature)

My Commission Expires:

(Notary Seal)

*Stacey Cook  
Notary Public  
Jasper County, Georgia  
My Comm. Expires 04/03/2021*

Grantee/Holder With the Power to Enforce

Pennington Investments I, LP

By: [Signature]  
Brooks Pennington III  
For Managing General Partner

Signed in the presence of:

[Signature]  
Unofficial Witness (Signature)

KYLE ATKINSON  
Unofficial Witness (Print Name)

State of Georgia

County of Jasper

This instrument was acknowledged before  
me this 5th day of September, 2019,  
by Brooks Pennington III.

Personally known  
 Produced identification

[Signature]  
Notary Public (Signature)

My Commission Expires:

(Notary Seal)

*Stacey Cook  
Notary Public  
Jasper County, Georgia  
My Comm. Expires 04/03/2021*

For the Environmental Protection Division, Department of Natural Resources, State of Georgia,  
this 6 day of February, 2021 :

[Signature]  
(Signature)

[Name]  
Director, Environmental Protection Division

Signed in the presence of:

[Signature]  
Unofficial Witness (signature)

Traci Douglas  
Unofficial Witness (print name)

State of Georgia  
County of Fulton

This instrument was signed or attested before  
me this 6 day of February, 2021, by  
[Name].

- Personally Known
- Produced Identification

Tamara C. Fischer  
Notary Public (Signature)

My Commission Expires: 7-27-2022

(NOTARY SEAL)

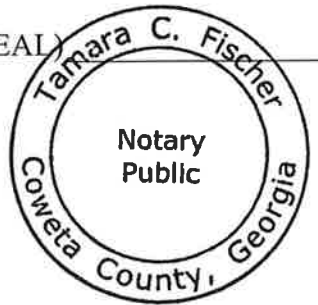


Exhibit A  
Legal Description

All that tract or parcel of land lying and being in the 51<sup>st</sup> G.M. District, City of Vidalia, Toombs County, Georgia, containing 2.8 acres and being more particularly described and shown as "2.8 Acres Out Pennington Investments I, LP" on a plat of survey prepared by M. Jerry Tomberlin, Jr., Registered Surveyor, dated March 11, 2016, and recorded in Plat Book 33, Page 5, Clerk's Office Toombs Superior Court. Said plat is incorporated herein and made a part hereof by reference. Said property is bounded on north 670.28 feet along the right of way of Old Vidalia-Lyons Road; on the east 278.85 feet along the property of the City of Vidalia; on the south 677.39 feet along the property of Nissan of Vidalia, Inc.; and on the west 95.25 feet along the property of Nissan of Vidalia, Inc. This is a portion of the same property as conveyed to Pennington Investments I, LP, a Georgia Limited Partnership in an Executor's Deed from the Estate of Brooks Pennington, Jr., recorded in Deed Book 556, Pages 731-731, Toombs County, Georgia Records.





## Exhibit C

**Pennington Investments I, LP Property**

**Formerly Pennington Warehouse (HSI #10775)**

**Vidalia, Toombs county, Georgia,**

**Maintenance and Monitoring Plan**

**Dated January 5, 2021**

The Pennington Investments parcel C27C 006 (the Property) is located along Old Vidalia-Lyons Road east of Vidalia and north of East First Street in the City of Vidalia, Toombs County, and consists of 2.8 acres of land. Please refer to the attached Toombs County Property Card and Exhibits A and B-1 for Property location and physical description.

Due to the existence of impacted subsurface soil and groundwater remaining beneath portions of the Property, activity and use restrictions have been established on the Property to prevent exposure to such soil and groundwater. A Uniform Environmental Covenant (UEC) has been prepared to ensure that the activity and use restrictions remain in place unless changed as provided for in the UEC. Additionally, the UEC defines a specific area of the Property as a "restricted use zone" (RUZ), (Refer to Exhibit B). In the RUZ specific procedures and restrictions have been established to prevent exposure to any underlying subsurface soil and groundwater impacts. This includes maintaining a grass cover to minimize soil disturbances and soil erosion.

The Property is restricted to non-residential use only and no groundwater use except for remedial purposes, and this Maintenance and Monitoring Plan (M&M Plan) must be followed to ensure that the intended purpose of the activity and use restrictions on the Property remains effective.

**Annual Inspections**

The Property was remediated under the Georgia's Environmental Protection Division (EPD) Response and Remediation Program to a Type 5 risk reduction standard using soil removal, activity restrictions and use restrictions. The soil removal consisted of removal and proper disposal of impacted soils and the placement of clean soil in and over excavated areas within the Property. Due to the presence of the storm drain, potentially impacted soils around the pipe could not be removed. Most of the Property is a former pond and wetland drainage. See Exhibit C.

As required in the UEC, the Property will be inspected annually by a qualified environmental professional to evaluate the integrity and effectiveness of the institutional controls and use restrictions on the Property. The Annual Inspection will consist of visual reconnaissance of the Property, as well as a review by the property owners concerning the site conditions. The Annual Inspections will not address issues beyond the restrictions set forth in the Uniform Environmental Covenant, such as building code compliance, zoning issues, structural integrity, fitness for occupancy, etc. The qualified environmental professional will also confirm no residential use or use of groundwater.



During the Annual Inspections, the surface of the RUZ will be visually inspected to confirm the physical integrity of the RUZ. If any issues with the RUZ are identified, the inspection report will note necessary recommendations for repair.

Except for emergency utility repairs, no soil excavation in the area of the RUZ shall occur without prior written notice to and approval of EPD. This will require advanced written Notice being provided to EPD. All work which will require the disturbance of the soils within the RUZ area shall be overseen by a qualified environmental professional. Soils encountered during any land disturbing activities conducted in association with the repair, removal, or replacement of the storm sewer located within the RUZ will be tested and properly disposed at an EPD approved disposal site. All land disturbing activities conducted in the RUZ will be conducted in accordance with procedures protective of onsite personnel.

During each Annual Inspection, the attached Evaluation Form (Exhibit D) will be completed. A copy of the Evaluation Form signed by a person responsible for the property, along with a brief narrative describing the inspection, will be provided to Georgia EPD within 30 days of the inspection. After the first year, the Evaluation Form from the previous year's inspection will be reviewed by the property owners during each Annual Inspection to evaluate how any recommendations for repairs have been implemented.

#### **Reporting and Recordkeeping Requirements**

Annually, but no later than June 30th of each year, completed copies of the below Evaluation Form and reports documenting necessary repairs will be submitted to EPD. These documents and the Evaluation Form shall be kept on the premises of the property for a minimum of three years.

The annual report shall be submitted to the Response and Remediation Program of EPD at the following address (or via email as detail below).

Georgia Environmental Protection Division

Response and Remediation Program

2 Martin Luther King Jr. Drive, Suite 1052-East

Atlanta, GA 30334

If submitting by email, please obtain the email address for the Response and Remediation Program associate assigned to this Property. If a return email from EPD acknowledging receipt of the annual report is not received, it is the Property owner's responsibility to follow up or resubmit the annual report by US mail.

This Maintenance and Monitoring Plan was prepared for Pennington Investments I,LP



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Brooks Pennington III

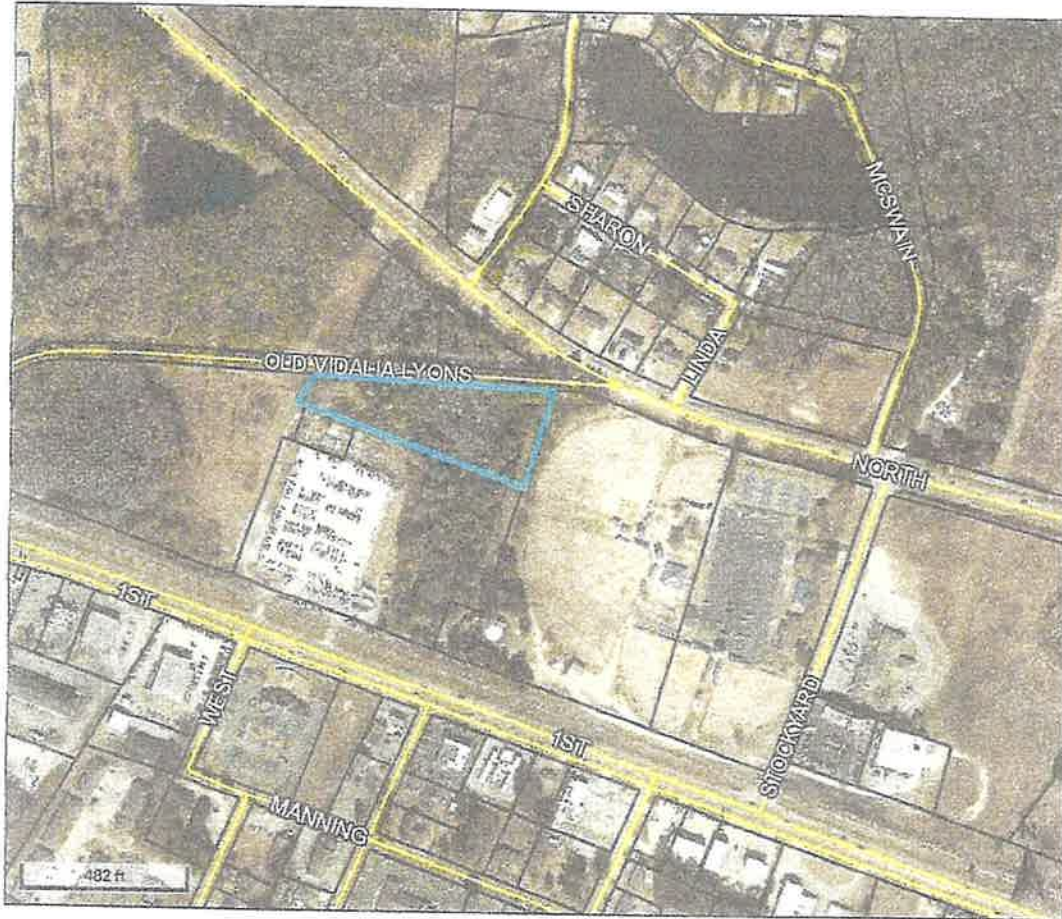
*For Managing General Partner  
of Pennington Investments I, LP*

by



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Denny Dobbs  
Dobbs Environmental



**Overview**



**Legend**

-  Parcels
-  Roads

Parcel ID C27C 006  
 Class Code n/a  
 Taxing District VIDALIA  
 Acres 2.8

Owner PENNINGTON INVESTMENTS I LP  
 P O BOX 231  
 MADISON GA 30650  
 Physical Address FIRST ST  
 Assessed Value Value \$140000

Last 2 Sales			
Date	Price	Reason	Qual
7/21/2016	0	XX	U
n/a	0	n/a	n/a

(Note: Not to be used on legal documents)

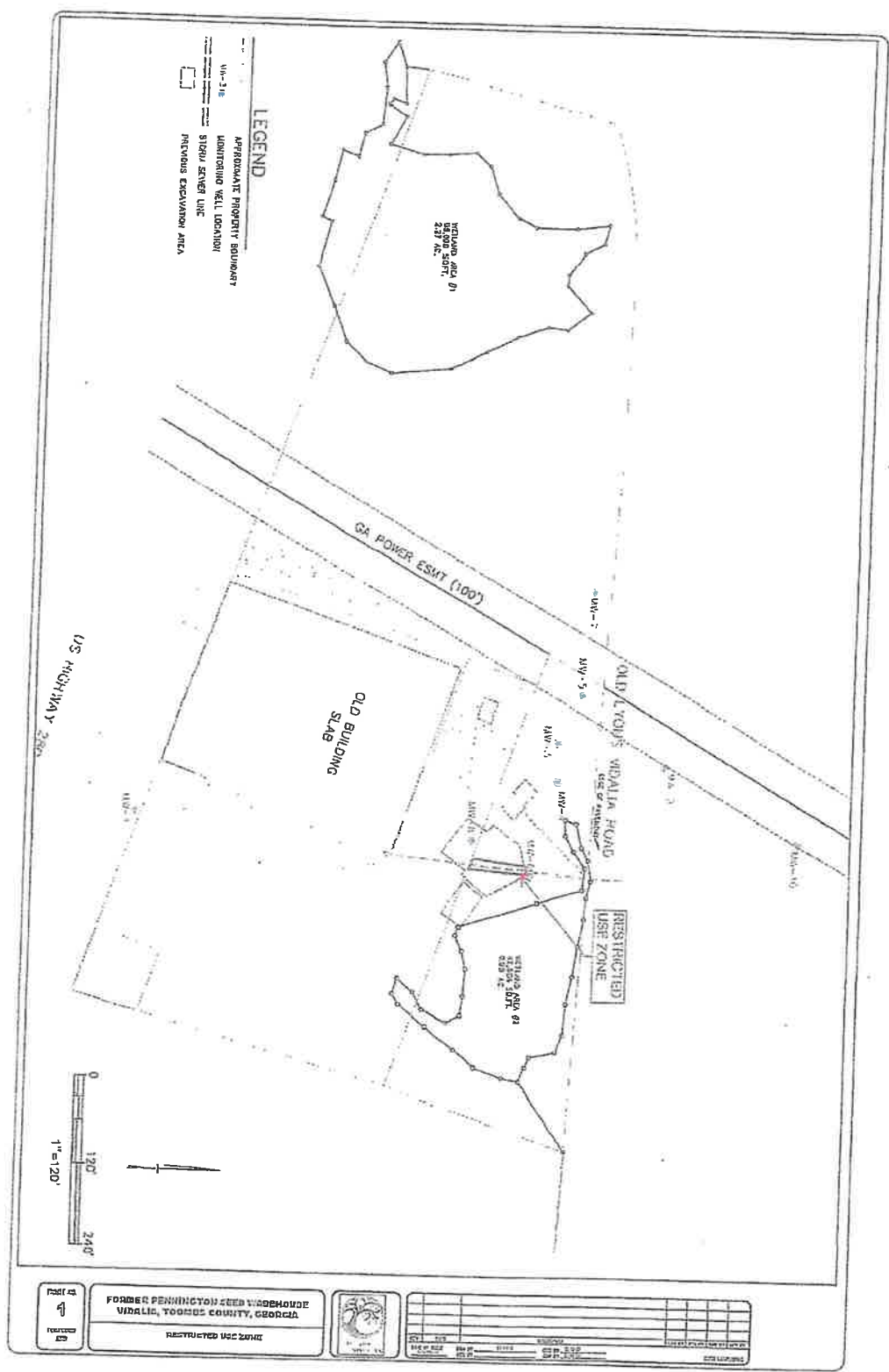
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Developed by  Schneider  
 GEOSPATIAL

Exhibit A  
Legal Description

All that tract or parcel of land lying and being in the 51<sup>st</sup> G.M. District, City of Vidalia, Toombs County, Georgia, containing 2.8 acres and being more particularly described and shown as "2.8 Acres Out Pennington Investments I, LP" on a plat of survey prepared by M. Jerry Tomberlin, Jr., Registered Surveyor, dated March 11, 2016, and recorded in Plat Book 33, Page 5, Clerk's Office Toombs Superior Court. Said plat is incorporated herein and made a part hereof by reference. Said property is bounded on north 670.28 feet along the right of way of Old Vidalia-Lyons Road; on the east 278.85 feet along the property of the City of Vidalia; on the south 677.39 feet along the property of Nissan of Vidalia Inc.; and on the west 95.25 feet along the property of Nissan of Vidalia, Inc. This is a portion of the same property as conveyed to Pennington Investments I, LP, a Georgia Limited Partnership in an Executor's Deed from the Estate of Brooks Pennington, Jr. recorded in Deed Book 556, Pages 730-731, Toombs County, Georgia Records.

Exhibit B



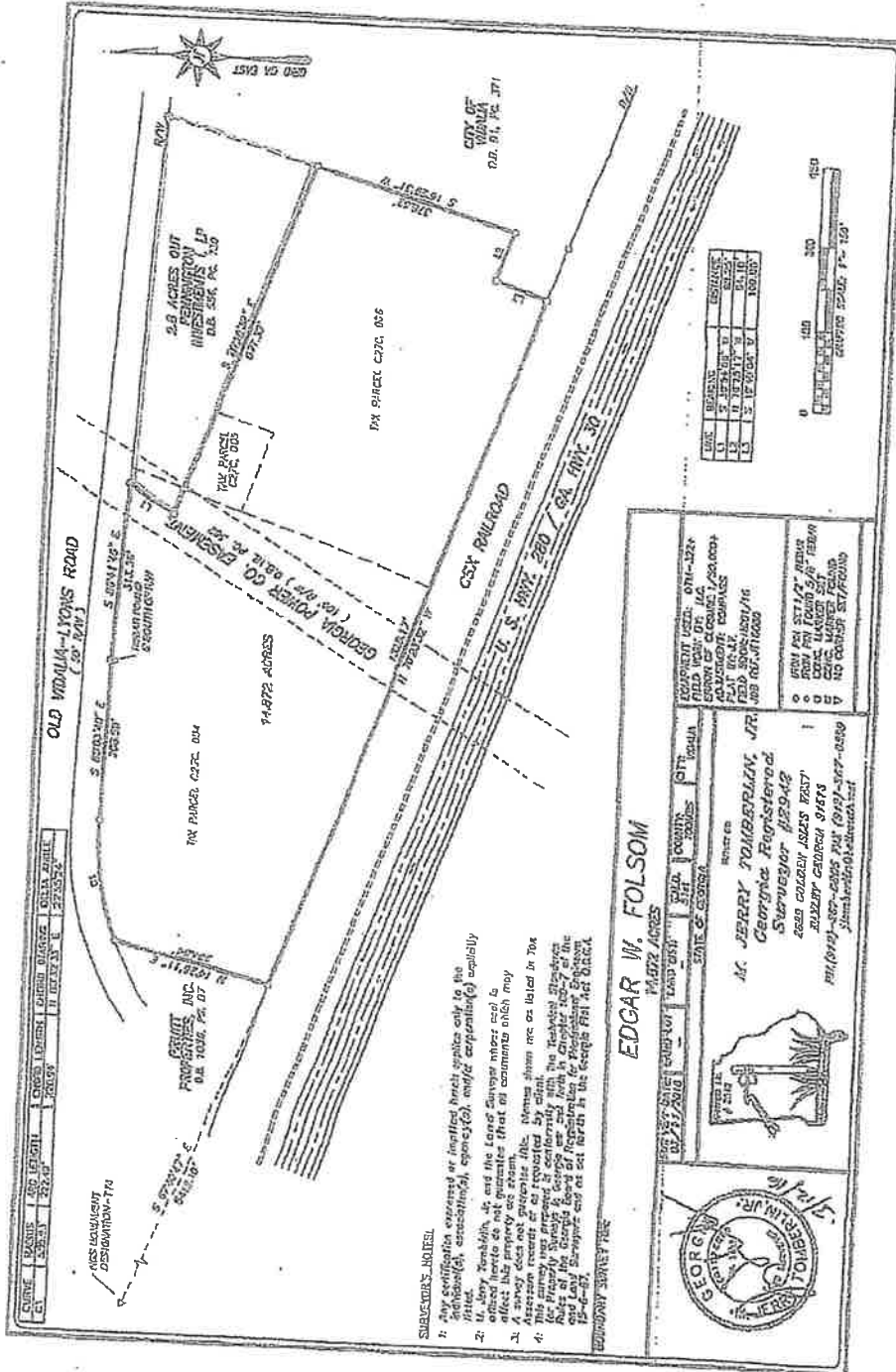
Sheet 1

FORMER PENNINGTON SEED WAREHOUSE  
 VIRALIC, TOOMBS COUNTY, GEORGIA  
 RESTRICTED USE ZONE



DATE	BY	SCALE	PROJECT NO.	DATE

EDGAR W. FOLSOM



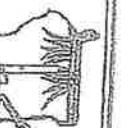
**SUBJECT'S NOTES:**

- 1: Any certification expressed or implied herein applies only to the data shown on this plat, and the Land Commission does not warrant or guarantee the accuracy or completeness of any information shown on this plat.
- 2: A survey conducted for this purpose by the Surveyor General of Georgia, Edgar W. Folsom, in 1977, and the results are shown on this plat.
- 3: The survey was prepared in conformity with the Rules and Regulations of the Board of Surveyors of the State of Georgia.
- 4: The survey was prepared in conformity with the Rules and Regulations of the Board of Surveyors of the State of Georgia.

**EDGAR W. FOLSOM**  
SURVEYOR GENERAL

EDGAR W. FOLSOM  
1512 EAST  
STATE OF GEORGIA

BY: **M. JERRY TOMBERLIN, JR.**  
Georgia Registered  
Surveyor #29943  
2000 COLONY JESSIE BLVD  
ALBANY GEORGIA 31705  
PH: (912) 387-0205 FAX: (912) 387-0209  
jtomberlin@earthlink.net



STATE OF GEORGIA  
COUNTY OF VIDUA

EDGAR W. FOLSOM  
SURVEYOR GENERAL

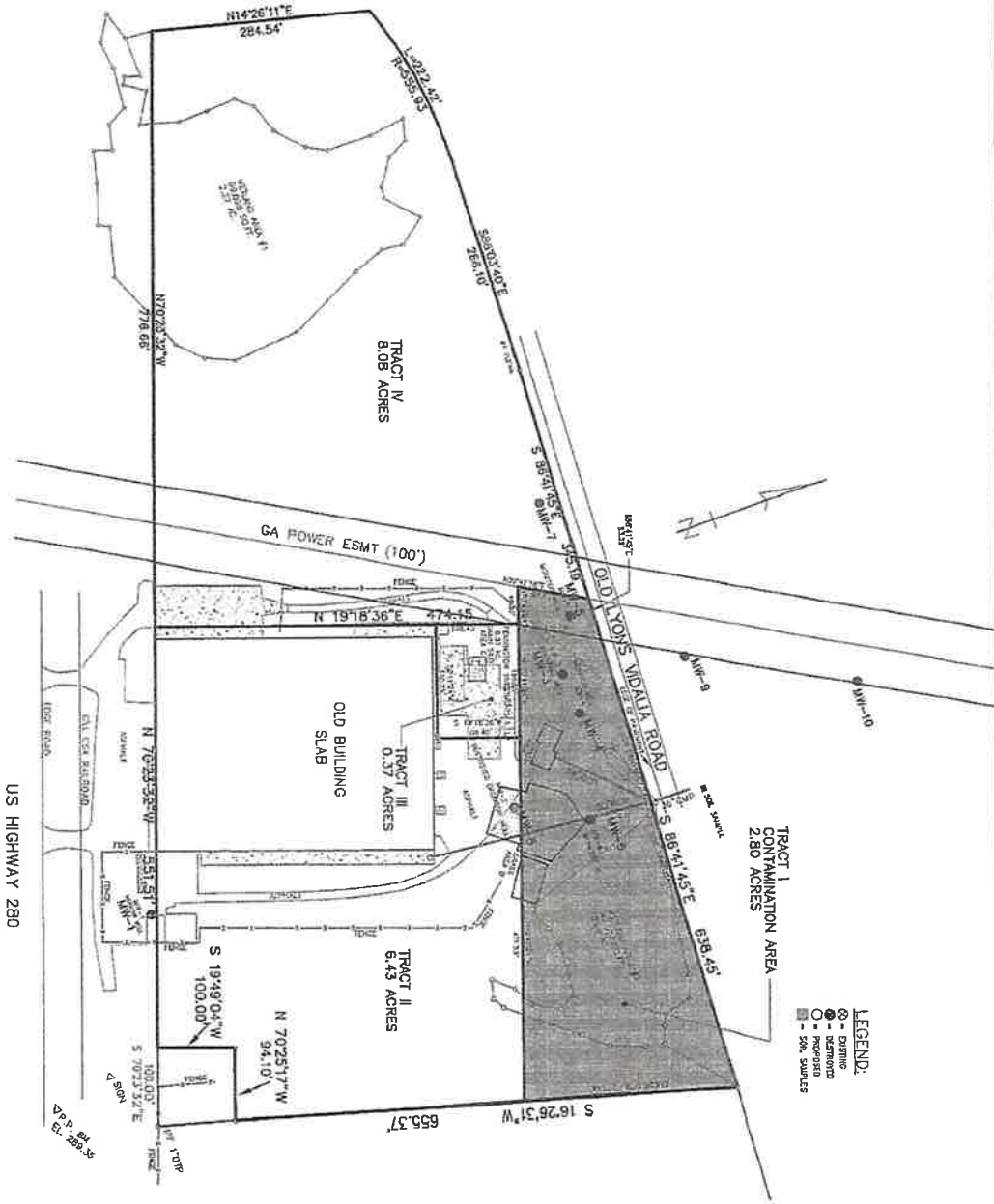
DATE	DESCRIPTION	AMOUNT
10/1/88	FOR RENT	100.00
10/1/88	FOR RENT	100.00
10/1/88	FOR RENT	100.00
10/1/88	FOR RENT	100.00

EDGAR W. FOLSOM  
SURVEYOR GENERAL

# Exhibit C

DOBBS ENVIRONMENTAL  
 4111 Robinson St. SW  
 Covington, GA, 30094  
 PH: (770) 766-2338

PRACEL MAP  
 FORMER PENNINGTON SEED WAREHOUSE  
 VIDALIA, TOOMBS COUNTY, GEORGIA  
 SCALE: 1"=100'



US HIGHWAY 280

Exhibit D

SITE USE and NON-RESIDENTIAL SOIL RRS MONITORING  
EVALUATION FORM

EP 0222

Former Pennington Seed Distribution Center, HSI Site# 10775  
Tract 1

TYPE	No.	Criteria Responses	YES	NO
Land Use	1	Does this HSRA site meet the definition of non-residential property as defined in HSRA Rule 391-3-19.02(2) ?  "Non-residential property means any property or portion of a property not currently being used for human habitation or for other purposes with a similar potential human exposure, at which activities have been or are being conducted that can be categorized in one of the 1987 Standard Industrial Classification major groups..."		
	1a	If no to 1, provide a written explanation (attached) to EPD within 30 days		
Exposure	2	Have all activity and use limitations dictated in the UEC and associated MMP for the site property and associated RUZ been maintained ?		
	2a	If No to 2, please explain and provide additional supporting documentation.		
	3	Is there evidence of groundwater usage on the property or adjacent Tract III (0.37 acres) property?		
	3a	If yes to 3, are corrective actions being taken?		
Property Instruments	4	Do all leases or other property instruments for the site have the applicable deed notice language inserted in them?		
	4a	If no to 4, provide a written explanation (attached) to EPD within 30 days.		
Inspections	5	Date of Inspection:		
	5a	Name of Inspector:		
	5b	Photographs showing current land use (attached).		

Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations

\_\_\_\_\_  
NAME(Please print or type)

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date