

Project Developer's Attestation of Regulatory Compliance

The undersigned, on behalf of [Element Markets, LLC] (the "Project Developer"),
 in connection with [Erie County Landfill]
[CAR# 444] (the "Project"), hereby attests, represents and warrants to the Climate Action Reserve (the
 "Reserve"), as of the date set forth below, as follows:

1. For the period beginning on [4/8/2011] and ending on [12/31/2011] (the "Reporting Period"), at all times during the date(s) indicated below, the Project was in material compliance with all Laws. For purposes hereof, "Laws" means any and all laws, statutes, rules, regulations, ordinances, court orders, governmental agency action, enforcement action, or other legally binding mandates, including without limitation any of the foregoing issued, enacted or otherwise rendered effective by any federal, state, local or foreign governmental or regulatory agency, commission, department, board, court or other authority having jurisdiction over the Project.

Date(s) of material compliance 4/8/2011 - 12/31/2011

2. The Project Developer has disclosed to the Project Verifiers in writing any and all instances of non-compliance of the Project with any Law during the Reporting Period. For purposes hereof, "Project Verifiers" means any and all third party verifiers approved by the Reserve and assigned to the Project.
3. The undersigned is a duly qualified and acting officer of the Project Developer holding the title indicated on the signature page hereof and is expressly authorized to execute and deliver this Attestation on behalf of the Project Developer, thereby rendering this Attestation binding on the Project Developer.

The Project Developer recognizes, acknowledges and agrees that (i) this Attestation may be relied upon by the Reserve and/or any user of the Climate Action Reserve program, and each of their respective successors and assigns (including, without limitation, reliance in connection with the issuance and transfer of Climate Reserve Tonnes in respect of the Project); and (ii) in the event of any breach of any of any paragraphs 1 through 3 hereof, the Reserve shall be entitled to pursue any rights and remedies available at law or in equity (including, without limitation, rights to indemnification pursuant to the Reserve's Terms of Use, which incorporates this Attestation by reference) in any court of competent jurisdiction.

IN WITNESS WHEREOF, the undersigned has executed this Attestation on behalf of the Project Developer this [16th] day of [January], 20[12].

PROJECT DEVELOPER¹

By: 

Name: Michael Taylor

Title: Senior Vice President

Organization: Element Markets, LLC

Address: 3555 Timmons Lane, Suite 900
HOUSTON, TX 77027

¹ If the Project Developer is a corporation, partnership or other legal entity, this Attestation must be executed by an officer of the Project Developer who is legally authorized to bind the Project Developer. If the Project Developer is an individual, this Attestation must be executed by the individual and revised accordingly.