

Project Developer's Attestation of Voluntary Implementation

The undersigned, on behalf of [Element Markets, LLC

(the "Project Developer"), in connection with [Erie County Landfill
_____] [CAR # 444] (the "Project")
located at [10102 Hoover Road Milan, OH 44846] (the "Property"),
hereby attests, represents and warrants to the Climate Action Reserve (the "Reserve"), as of the date set
forth below, as follows:

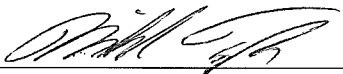
1. Except as otherwise expressly permitted under the protocol developed by the Reserve that applies to the Project, (i) the Project was implemented and established voluntarily and, at all times during the period beginning on [4/8/2011] and ending on [12/31/2011] (the "Reporting Period"), it was operated and conducted voluntarily; and (ii) none of such implementation or establishment of the Project, and none of such operation or conduct of the Project during the Reporting Period, was required by any law, statute, rule, regulation, ordinance, court order, governmental agency action, enforcement action, permitting condition, permit (including without limitation a Title V of 42 U.S.C. 7401, *et seq.* permit ("Title V Permit"), or Prevention of Significant Deterioration permit), or other legally binding mandate, 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 ("Law").
2. Except as otherwise expressly permitted under the protocol developed by the Reserve that applies to the Project, the Project was not established or implemented, and was not at any time during the Reporting Period operated or conducted, in anticipation of, or to avoid or satisfy the anticipated requirements of, any Law that would require or would have required the Project Developer to use the Property in the manner contemplated by 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 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.

[Signature on Next Page]

IN WITNESS WHEREOF, the undersigned has executed this Project Developer's Attestation of Voluntary Implementation 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 legally authorized to bind the entity. If the Project Developer is an individual, this Attestation must be executed by the individual and revised accordingly.