

VERMONT LAMP RECYCLING PROGRAM REIMBURSEMENT PARTICIPATION AGREEMENT

Manufacturers of general purpose mercury-containing lamps are required under Vermont law to provide a program in Vermont to collect waste compact fluorescent lamps (waste CFLs) and waste, non-CFL, general purpose mercury-containing lamps (waste general purpose mercury containing lamps) from “covered entities;” A “covered entity” is any person who presents: 1) any number of waste CFLs, or 2) 10 or fewer waste non-CFL, general purpose mercury-containing lamps. Under this program, lamp manufacturers are covering the cost of recycling of waste CFLs and waste general purpose mercury-containing lamps for proper disposal.

A municipality may utilize the manufacturers’ vendor to collect and recycle waste CFLs and general purpose mercury-containing lamps at no charge (see “Municipal Participation Agreement” at www.lamprecycle.org/vermont) or receive reimbursement for eligible waste lamps recycled through a vendor of the municipality’s choice. To be eligible to receive reimbursement for lamps collected and recycled by a self-selected vendor under the Vermont mercury-containing Lamp Recycling Program (the “Program”), the municipality (referred to herein as “Participant”) must sign this Participation Agreement and return it to the Manufacturers’ Coordinator at the address shown on page 3.

It is understood that the Manufacturers’ Coordinator and the manufacturers of mercury-containing lamps are not agents or employees of the Participant. The manufacturers of mercury-containing lamps shall be responsible for the reimbursement of recycling costs of eligible waste lamps materials collected from covered entities congruent with the reimbursement rates identified on page 3.

The Participant certifies to the lamp manufacturers that collection location(s) meet the following criteria:

- The Participant accepts mercury-containing lamps and has a system in place that segregates waste CFLs and general purpose mercury-containing lamps presented by covered entities from waste CFLs and general purpose mercury-containing lamps presented by large generators of waste lamps (non-covered entities), or alternatively, if the Participant commingles lamps from covered and non-covered entities, the Participant utilizes a system to document the amount of lamps collected from non-covered entities and the municipality agrees to pay for the costs of the storing, transporting, and recycling of the mercury-containing lamps from non-covered entities.
- The system must be designed to facilitate collection and processing of any number of waste CFLs and 10 or fewer waste, non-CFL general purpose mercury-containing lamps, regardless of manufacturer, which are being disposed by covered entities.
- Allowable lamps include waste CFLs and waste general purpose mercury-containing lamps including linear fluorescent lamps that are less than or equal to 8 feet in length, U-tube or Circline fluorescent lamps, and high intensity discharge (HID) lamps. Waste lamps from non-covered entities will not be accepted for recycling under this program.
- The Participant has a mechanism for tracking the quantity, type of mercury-containing lamp, and date when allowable lamps were disposed of by covered entities
- The Participant agrees to submit a signed affidavit with the appropriate supporting documentation that confirms the validity of all reimbursement claims
- The Participant agrees to submit no more than four reimbursement claims per calendar year
- The system must include a mechanism for identifying generators disposing of 25 or more CFLs at collection locations and reporting the name and contact information of each such generator to the Program annually.

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(Continued from page 1)

- Costs incurred at the Participant's site for accepting and storing waste lamps are not eligible for reimbursement under this Program, nor are the lamp manufacturers responsible for ineligible waste.
- Staff has been trained in the proper handling and storage of universal waste and emergency procedures in the event of breakage for tasks of accepting and processing waste lamps through this program.
- The Participant complies with all applicable requirements of Vermont's universal waste law and regulations.
- The Participant maintains a storage facility for waste CFLs and waste general purpose lamps that is secure, weather tight and complies with all local, state, and federal regulations. Such a facility shall hold a current Solid Waste Management Certification under §6-303 of the Vermont Solid Waste Management Rules and comply with the Facility Management Plan and facility operational standards of the Certification.
- The Participant ensures that collection containers are located in an area supervised by staff and ensures that all mercury-containing waste CFLs and waste general purpose mercury-containing lamps are handled in a manner to avoid incidental breakage. The Program will not accept intentionally broken or intentionally crushed lamps.

To the extent of the Participant's available liability coverage under its 'PACIF' Coverage Documents and any other available liability insurance coverage and as a condition of its participation in the Program, and in exchange for the sponsoring manufacturers' financial support for the Program and other good and valuable consideration including the mutual promises contained herein, Participant agrees to hold harmless, including to defend and to indemnify, the sponsoring manufacturers of mercury-containing lamps supporting the Program and the Manufacturers' Coordinator, their respective directors, officers, employees, representatives, agents, parents, subsidiaries, affiliates, successors and assigns, jointly and severally (collectively "Indemnitees"), from any and all demands, claims, actions, causes of action, lawsuits, losses, damages, injuries, penalties, fines, expenses, injunctions, settlements and judgments of any kind or nature, including attorneys' fees and costs, and also including attorneys' fees and costs incurred to enforce this hold harmless obligation (collectively "liabilities"), whether such liabilities are contingent or mature, and whether such liabilities are premised on a violation, breach, or failure to comply with any statute, ordinance, administrative regulation, or under any theory of common law, at law or in equity, asserted by any person, corporation or other entity, including governmental entity, arising out of or related to in any way the Participant's failure to comply with the criteria set forth above, or the errors or omissions or other fault, whether accidental or intentional, of the Participant, its employees, agents, or representatives, prior to or during collection and transfer of the household lamp waste for management and recycling under the Program, whether or not such liabilities occur or arise at the Participant's premises. This hold harmless obligation applies to a claim made by an employee of the Participant against an Indemnitee.

By its signature below, the Participant agrees to the foregoing criteria and terms.

Name of Municipality

Authorized Signature

Name (Please print)

Date

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Complete this Participation Agreement to be eligible to receive reimbursement for eligible lamps under the mercury-containing lamp recycling collection Program. Upon receipt of a completed and signed form, the Manufacturers' Coordinator will send a confirmation letter confirming that the Participant is eligible to submit claims for reimbursement. Please allow ten business days for processing. Please keep a copy of this form for your records.

Participation Agreements should be sent to the Manufacturers' Coordinator, Madeleine Bugel, via:

Mail: Director of Lamp Recycling Initiatives
National Electrical Manufacturers Association
1300 North 17th Street
Suite 900
Rosslyn, VA 22209

Email: Madeleine.Bugel@nema.org

Participants that have received confirmation of reimbursement eligibility may download reimbursement claim forms from the Program's website, <http://www.lamprecycle.org/vermont>.

For additional information about the Program, please contact the manufacturers' coordinator at:

Phone: (703)-841-3222
Email: Madeleine.Bugel@nema.org

Rates for reimbursement of eligible waste mercury-containing lamps by covered entities:

Type	Reimbursement Amount (EA)
4ft Linear Lamps	\$ 0.21
CFLs, Circular	\$ 0.29
8ft Linear Lamps	\$ 0.42
U-tubes	\$ 0.21
HIDs	\$ 0.42

Note: All Fields Required for Grey Portion of Application

Participant Administrator for Lamp Recycling Program

Name of Participant: _____

Participant Point of Contact: _____

Mailing Address 1: _____

Mailing Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (____) _____ Email: _____

VERMONT LAMP RECYCLING PROGRAM REIMBURSEMENT PARTICIPATION AGREEMENT

Primary Collection Site for Disposal of Allowable Waste Mercury-Containing Lamps by Covered Entities

Same as Participant Administrator

Name of Collection Site: _____

Collection Site Point of Contact: _____

Shipping Address 1: _____

Shipping Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (____) _____

Additional Collection Site(s) for Disposal of Allowable Waste Mercury-Containing Lamps by Covered Entities (Optional)

Name of Collection Site: _____

Collection Site Point of Contact: _____

Shipping Address 1: _____

Shipping Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (____) _____

Name of Collection Site: _____

Collection Site Point of Contact: _____

Shipping Address 1: _____

Shipping Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (____) _____

VERMONT LAMP RECYCLING PROGRAM REIMBURSEMENT PARTICIPATION AGREEMENT

Name of Collection Site: _____

Collection Site Point of Contact: _____

Shipping Address 1: _____

Shipping Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (_____)_____

Name of Collection Site: _____

Collection Site Point of Contact: _____

Shipping Address 1: _____

Shipping Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (_____)_____

Name of Collection Site: _____

Collection Site Point of Contact: _____

Shipping Address 1: _____

Shipping Address 2: _____

City: _____ State: _____ ZIP: _____

Phone: (_____)_____

If additional collection sites need to be listed under the purview of the Participant Administrator, please reprint this page and append to submitted application.

For inquiries about the program, please contact the program coordinator at 703-841-3222.