

MURPHY ROAD RECYCLING (MRR) LEGAL ISSUES

Status of Documents

The Master Agreement between CCSWA and MRR and the Municipal Participation Agreement between MRR and each Municipality which wants to receive MRR vendor services are completed documents.

Term of Agreements

The Master Agreement, which contains the substantive provisions of MRR recycling and solid waste disposal service to the Municipalities, as well as establishing the relationship between CCSWA and MRR, remains effective as long as any Municipal Participation Agreement remains in effect. Each Municipal Participation Agreement, when signed by MRR and a Municipality, has a term of five years with two 2-year extension options upon the mutual agreement of MRR and the Municipality.

Municipal Participation Agreement Service Options

There are four service options under a Municipal Participation Agreement:

- (1) Recycling services only,
- (2) Recycling and Bulky Waste disposal services only,
- (3) Recycling and full Acceptable Solid Waste disposal services combined,
and
- (4) Full Acceptable Solid Waste disposal services only.

Permit and Indemnification Issues

There are no permit issues in connection with MRR's recycling and Bulky Waste disposal services. However, at MRR's insistence, the recycling and Bulky Waste service provisions of the documents will not become effective until the CCSWA member municipalities have collectively committed 10,000 tons of Acceptable Recyclables to MRR via executed Participation Agreements.

Since MRR is not currently permitted to dispose of Acceptable Solid Waste (other than Bulky Waste), the Acceptable Solid Waste disposal service provisions of the agreements (other than Bulky Waste) will not become effective until CCSWA signs a certificate stating that the required permits for full Acceptable Solid Waste disposal service have been received. CCSWA will not recommend that a member municipality execute such an agreement for such full Acceptable Solid Waste disposal service until the permits therefor have been received, and MRR is prohibited from executing such an agreement prior to that date.