



EXAMPLE

Legal Contract to Trade Form D

Trade Association - External Trading Between Two Trade Associations

Minnesota River Basin General Phosphorus Permit – Phase I (Permit)

| Date Received | | |
|---------------|-----|------|
| Month | Day | Year |
| | | |

The terms used in this form have the same meaning and definitions as used in the Permit. This form must be signed by both Trade Association Representatives in order to be valid. As stated in the Permit, Permittees may only enter into Legal Contracts to Trade up to September 30th of the trading year. Submit this form to: Water Quality Submittal Center, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, MN 55155-4194 by November 30th of the trading year.

Calendar Year

Year of Jordan Trading Unit (JTU) Transfer (use one form per year): 2009

Buyer Information

Provide the following information regarding the Trade Association that is the buyer in this contract.

Trade Association Name: The Tri-City Traders Trade Association ID No.: TA9998

Authorized Representative Name: Tom Tradewell Phone: 651-111-2222

Seller Information

Provide the following information regarding the Trade Association that is the seller in this contract.

Trade Association Name: The Phosphorus Eradicators Trade Association ID No.: TA9999

Authorized Representative Name: Joe Johnson Phone: 507-111-3333

Trade Information

| Buyer | | | Seller |
|--|----------------------------|--------------------------------------|---------------------------------|
| A. Buyer Chosen Increase to its Trade Association 5-Month Mass Phosphorus Limit (JTUs) | B. Buyer Trade Ratio | C. Total Number of JTUs Purchased | D. Total Number of JTUs Sold |
| <u>1000</u> | <u>1.2</u> | <u>1200</u> | <u>1200</u> |

A – Indicate the number of JTUs that the buyer wishes to increase its 5-Month Mass Phosphorus Limit due to this trade.

B – Enter the highest Trade Ratio of the members of the buyer Trade Association (i.e. either 1.1 or 1.2 as shown in Appendix B of the Permit).

C – Calculate the total number of JTUs purchased by the buying Trade Association ($C = A \times B$). This is equivalent to the number of JTUs purchased for the required increase to the buyer's 5-Month Mass Phosphorus Limit and for the JTUs required by the Trade Ratio.

D – Indicate the number of JTUs that were sold by this Trade Association in this contract. This is equivalent to the number of JTUs that the seller Trade Association's 5-Month Mass Phosphorus Limit will decrease due to this trade ($D = C$).

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Legal Contract to Trade
Form D
Trade Association - External Trading
Between Two Trade Associations

Minnesota River Basin General Phosphorus Permit – Phase I

Certification and Signatures

I certify under penalty of law that this document and any attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated 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 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 and imprisonment. I understand that the buyer Trade Association's 5-Month Mass Phosphorus Limit (JTUs) will be increased by the value listed in column A of the table above. I understand that the seller Trade Association's 5-Month Mass Phosphorus Limit (JTUs) will be decreased by the number of JTUs specified in column D of the table above. I further understand that if the total phosphorus discharge (in JTUs) of the members of a Trade Association exceed their Trade Association's Final Adjusted Phosphorus Limit, that each member Permittee of the Trade Association will be individually held responsible for meeting its own Final Adjusted Phosphorus Limit. I understand that this trade is not valid unless all facilities in these Trade Associations are Permittee's of the Minnesota River Basin General Phosphorus Permit (MNG420000). This Agreement shall be binding upon each party and its successors and assigns. If any party sells or otherwise conveys or assigns any of its right, title or interest in its facility, the conveyance shall not release the party from any obligation imposed by this Agreement, unless the party to whom the right, title or interest has been transferred or assigned agrees in writing to fulfill the obligations of this Agreement and the MPCA approves the transfer or assignment. The parties to this Agreement shall ensure the party's agents, contractors and subsidiaries comply with the terms and conditions of the Agreement. I certify that I have the authority to sign this contract of behalf of my Trade Association.

Buying Trade Association Representative: _____ June 1, 2009
Authorized Rep

Signature (Authorized Representative)

Date

Title

Selling Trade Association Representative: _____ June 11, 2009 Authorized Rep
Signature (Authorized Representative) *Date* *Title*