

CARBON DIOXIDE SALE & PURCHASE AGREEMENT¹

BETWEEN BUYERCO INC.,

AS BUYER,

AND

SELLERCO INC.,

AS SELLER

[Date]

¹ [Note: Be advised that: (1) contract terms could later influence a determination by EPA or a State regulator that transition from Class II to Class VI is warranted under 40 C.F.R. § 144.19; (2) if offset/voluntary emission reduction credits are being sought, all deal documents could be subject to later assessment by a regulator or verifier as part of “additionality” requirements; (3) not all data elements under Subparts PP/RR/UU of the GHG Reporting Rule are necessarily confidential business information; and (4) it is conceivable that the terms of CO₂ Sale & Purchase Agreements, Emission Reduction Purchase Agreements and similar documents could come under scrutiny as part of PSD/Title V permitting under the federal Clean Air Act.]

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