

ELVS end of life vehicle solutions

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August 7, 2009

To: Terry Gray, RIDEM; Kevin Greene/Becky Jayne, ILEPA; Robin Heston, NJDEP; Rob Powers, UtDSHW; Lori Segal, MaDEP; Susan Speake, ADEQ; Theresa Stiner, IaDEM

cc: Christine Arcari, VaDEQ; Jim Berlow, USEPA; Mike Brailsford, NCDENR; Gary Gulka, VtDEC; Eric Melaro, SCDHEC; Hilary Miller, MdDE; Steve Mojonier, Stacey Pfeffer, Hani Sharaya, IDEM; Chris Piehler, LDEQ; Lauren Young, TCEQ.

The End of Life Vehicle Solutions Corporation (ELVS) previously filed a mercury minimization or recovery plan in your state representing all of our members, a group of vehicle manufacturers that produced vehicles that may have contained a mercury switch. Under each state's law, manufacturers were allowed to file their mercury plan either individually or as a group. General Motors Corporation was included under the ELVS plan.

Following their federally structured bankruptcy, General Motors Company ("new GM") informed ELVS that it has resigned as a member of ELVS and is not responsible for mercury switches from older vehicles produced by General Motors Corporation, now known as Motors Liquidation Company ("old GM"). Old GM has not communicated with ELVS, and has stopped funding ELVS. We are uncertain as to whether there will be any funding provided to cover the state mandated costs of collection, recycling, and bounty payments for General Motors vehicles.

We remain hopeful that in the near future old GM will agree to fund mercury legacy costs, or that new GM will voluntarily step up to the responsibility. However in the meantime, because GM's switch share is 54.34%, ELVS members are unable to absorb such a large proportion of the bounty costs. Therefore, beginning with the July bucket returns, ELVS will no longer pay GM's share of bounty payments to recyclers.

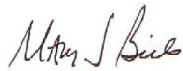
In states where VINs or Make/Model forms are required when submitting switches to ELVS, listed GM switches will be deleted from the bounty payment. In states where segregation of switches based on manufacturer was not permitted, payments will be reduced according to the GM percentage share. ELVS will maintain records of unpaid amounts should funding for GM switch bounties be available in the future.

We wish to make it clear; however, that the ELVS Board has agreed to continue to recycle any GM switches that arrive at our waste contractor in our collection buckets

as long as funds permit. Therefore, the non-bounty states will see no changes at this time. At some point, however, if ELVS remains unfunded for the GM costs, we will no longer be able to accept GM switches for recycling and will adjust our website and educational materials accordingly.

Once we receive a decision from Motors Liquidation, ELVS will amend our existing compliance plan in each state. We hope to know soon but wanted to make you aware of the situation.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mary J. Bills".

Mary J. Bills
Executive Director
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