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## SECOND AMENDED HOST COMMUNITY AGREEMENT

The parties to this Second Amended Host Community Agreement are the Town of Lewiston, a municipal corporation, in Niagara County, New York ("the Town") and Modern Landfill, Inc. ("Modern"), a New York business corporation engaged in the business of solid waste management in the Town of Lewiston.

WHEREAS, the Town of Lewiston and Modern entered into a Host Community Agreement and Host Community Agreement Modification dated October 23, 1995 and December 28, 1995, respectively (collectively "Original Agreement") under which the Town would serve as a host community for the continued operation of Modern's sanitary landfill on Harold Road in the Town of Lewiston; and

WHEREAS, the Town of Lewiston and Modern entered into an Amended Host Community Agreement on July 15, 1999, to modify certain of the provisions contained in the Original Agreement; and

WHEREAS, Modern and the Town now seek to modify the Amended Host Community Agreement to allow Modern to increase the volume and tonnage of waste that it is authorized to receive for disposal at its facility annually and during each calendar quarter.

NOW, therefore, it is mutually agreed by and between the Town of Lewiston and Modern that the Amended Host Community Agreement be modified as follows:

Article C, Section (1)(a) shall be modified to state:

Modern may not accept for landfilling more than 242,400 tons of solid waste per quarter or more than 808,000 tons per year at its facility, exclusive of all waste received pursuant to Article E of this agreement.

and

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Article E, Section (4)(k) shall be modified to state:

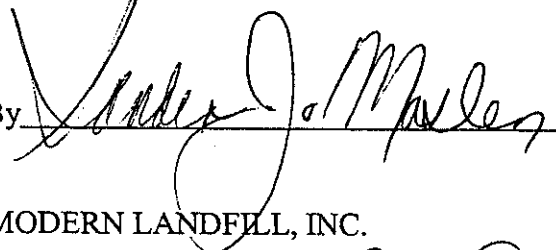
The Town may, at its option, direct Modern to pay the tipping fees set forth in Article E, Sections (3) and (4) of this Agreement to the accounts of the Town of Lewiston.

The remaining Amended Host Community Agreement entered into on July 15, 1999, shall remain in full force and effect.

DATED: September 22, 2003

TOWN OF LEWISTON

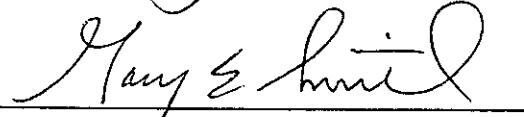
By



A handwritten signature in black ink, appearing to read "James J. Miller", is written over a horizontal line. The signature is cursive and somewhat stylized.

MODERN LANDFILL, INC.

By



A handwritten signature in black ink, appearing to read "Mary E. Smith", is written over a horizontal line. The signature is cursive and somewhat stylized.