



# POLK-BURNETT ELECTRIC COOPERATIVE

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PolkBurnett.com



Branch Office: 7298 State Road 70 • Webster, WI 54893

## MATERIAL & EQUIPMENT WAIVER & HOLD HARMLESS AGREEMENT

It is agreed and understood by signature below that the following statements apply to any items sold, transferred, given away, or are in any other manner received by me from the cooperative:

1. Any and all items are received "as is."
2. Without exception, Polk-Burnett does not warranty any item regardless of its condition, nature of application, usefulness or longevity, and some of the items may be unsafe.
  - a. Poles, pole sections & crossarms cannot be used as load bearing units. This is due, but not limited to, physical damage, internal/external decay, insect damage, checking, weather, aging or a combination of same, all or some of which may not be visible.
  - b. Poles, pole sections & crossarms contain pentachlorophenol, creosote, chromated copper arsenate or other types of wood preservatives that may present certain hazards. Burning of the treated parts may be dangerous to your health and is prohibited by the Environmental Protection Agency (EPA). Material Safety Data Sheets (MSDS) for wood preservatives may be provided to you from the Cooperative upon request or you may find them on our web site, [www.polkburnett.com](http://www.polkburnett.com).
  - c. Poles, pole sections & crossarms may contain nails, bolts, staples, wire and other foreign material, which may cause damage and/or injury.
  - d. Poles, pole sections & crossarms are heavy in weight and due to their size are difficult to handle, especially loading and unloading for transporting.
  - e. Any maintenance or replacement of any item received is solely the responsibility of the party receiving the item.
  - f. Securing the load for transportation for item(s) received from the Cooperative is the responsibility of the receiving party.
3. Based on the above hazard and warning advisory information, I understand that Polk-Burnett Electric Cooperative disclaims and makes no warranty of any nature as to any item it transfers to me, nor does the Cooperative warrant or represent their fitness for any particular purpose.
4. I specifically waive, release, indemnify and hold Polk-Burnett harmless from any claim of any nature whatsoever for liability, personal or bodily injury, property damage, or harm to the environment that may be brought by me, my heirs, representatives, successors, customers, transferees, or any government agency, for any such liability, injury, damage, or harm arising out of my use/misuse or transfer to another of the items I purchased or received from Polk-Burnett.

I have read and fully understand the statements made above and acknowledge the conditions under which the item(s) is being received. Polk-Burnett has provided me with the MSDS and the possible hazards they present.

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_

Date: \_\_\_\_\_ Member: Yes/No \_\_\_\_\_