

Release and Waiver of Liability, Assumption of Risk, and Indemnity Agreement

# U.S. Department of Energy Waves to Water 2022, Jennette’s Pier

# Nags Head, North Carolina, April 2022 EVENT

The U.S. Department of Energy’s Waves to Water Prize is a 5-Stage competition that intends to accelerate technology innovation in wave energy powered desalination systems. These small, modular, cost-competitive desalination systems hold the potential to deliver clean water to communities for disaster relief purposes, and to remote communities throughout the globe. This final testing event in partnership with the Coastal Studies Institute at Jennette’s Pier is the culmination of over three years of work.

IN CONSIDERATION of being permitted to participate in any way in the EVENT, and/or being permitted to enter for any purpose any RESTRICTED AREA(S) (defined as any area which requires special authorization, credentials or permission to enter, or any area to which admission by the general public is restricted or prohibited), I for myself, personal representatives, and assigns, agree:

1. I know the nature of the EVENT and believe that I am qualified to participate in the EVENT.
2. Acknowledging that this document is to provide me with notice of possible outcomes, I UNDERSTAND that: (a) THE ACTIVITIES OF THE EVENT COULD BE DANGEROUS and participation in the EVENT and/or entry into RESTRICTED AREAS could involve, ***BUT NOT BE LIMITED TO***, PROPERTY LOSS, AND/OR RISKS AND DANGERS OF SERIOUS BODILY INJURY (“RISKS”); (b) these Risks and dangers may be caused by my own actions, or inactions, the actions or inactions of others participating in the EVENT, the rules of the EVENT, the condition and layout of the premises and equipment, transportation, or THE ACTIONS OR INACTIONS OF THE “RELEASEES” identified in Paragraph 4 below; (c) there may be OTHER RISKS NOT KNOWN TO ME, or that are not readily foreseeable at this time.
3. Having read the previous paragraphs, I know, understand and appreciate that these risks are inherent in the EVENT, and with such knowledge, I consent to participate in the EVENT and/or entry into RESTRICTED AREAS and HEREBY ACCEPT AND ASSUME ALL SUCH RISKS, KNOWN AND UNKNOWN, AND ASSUME ALL RESPONSIBILITY FOR THE LOSSES, COSTS AND/OR DAMAGES EVEN IF CAUSED, IN WHOLE OR IN PART, BY THE “RELEASEES” identified below.
4. I HEREBY RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE the promoters, participants, sanctioning organizations or any subdivision thereof, officials, rescue personnel, any persons in any RESTRICTED AREA, sponsors, officers, employees, agents, owners and lessees of the premises used to conduct the EVENT, to include, but not be limited to the National Renewable Energy Laboratory, Alliance for Sustainable Energy, LLC and its member organizations; the U.S. Department of Energy; the Coastal Studies Institute and its affiliates; the City of Nags Head; North Carolina Aquariums as the operator of Jennette’s Pier as the premises or EVENT; inspectors, surveyors, underwriters, consultants, volunteers and other persons or entities who give recommendations, directions, or instructions or engage in risk evaluation or loss control activities regarding the premises or EVENT; and each of them, their directors, officers, agents, and employees, all for the purposes herein referred to as “RELEASEES,” from all liability to me, my personal representatives, assigns, heirs, and next of kin, FOR ANY AND ALL CLAIMS, DEMANDS, LOSSES, OR DAMAGES, CAUSED OR ALLEGED TO BE CAUSED IN WHOLE OR IN PART BY THE “RELEASEES.

# I HAVE READ THIS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK, AND INDEMNITY AGREEMENT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT.

Signature of Participant Date Printed Name of Participant

Witnessed Date Printed Name of Witness

Team Member **□** Team Name Organizer (including Jury Members and Observers) **□** Staff (including DOE Members and Subcontractors) **□** Media **□**

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