



AGENDA ITEM

TITLE

Termination of Landfill Gas Purchase Agreement and Nullification of Wellfield Maintenance Agreement With Timberline Energy, LLC, and Bill of Sale With Timberline Energy, LLC, Pertaining to Northwest Solid Waste Landfill

Termination of Landfill Gas Purchase Agreement and Nullification of Wellfield Maintenance Agreement With Timberline Energy, LLC, and Bill of Sale With Timberline Energy, LLC, Pertaining to Northwest Solid Waste Landfill

BRIEF OVERVIEW

In 2007, Hernando County entered into an agreement with Timberline Energy, LLC, to generate electricity at the NW Solid Waste Landfill.

The approved agreement dated 2007 is for a term of twenty (20) years and would have come to expire in 2027. In October of 2024, the electricity generating component of Timberline Energy, LLC's equipment experienced technical malfunctions and ceased to operate. Timberline Energy, LLC stated that the repairs are cost-prohibitive and a mutual termination of the agreement has been negotiated.

Timberline Energy, LLC and the Solid Waste Division desire to terminate the Landfill Gas Purchase Agreement, and to nullify the associated Wellfield Agreement which granted the Developer the exclusive right to claim and utilize any emission allowances and reduction credits associated with Carbon Reduction Tonnes (CRT) generated by the Landfill. CRTs are verified by the Climate Action Reserve and represent the capture and avoidance of

greenhouse gas emissions. CRTs represent one tonne of CO₂-equivalent (CO₂e) emissions

reduced or avoided.

Both parties agreed that the Developer shall remain the account holder of the Project in CAR's registry program and retain the exclusive right to generate CRTs for the 2025 Reporting Period, until such CRTs have been issued in accordance with the terms and conditions of this Termination Agreement. The 2025 reporting period is October 7, 2024, through October 6, 2025.

Upon the Emission Credit Termination Date, the County shall be entitled to the right to claim and utilize any emission allowances and reduction credits that may be associated with Landfill Gas, including, without limitation, any CRTs which may be generated by the Project after the Effective Date or earned for the 2025 - 2026 reporting period.

As set forth in the Termination of Landfill Gas Purchase Agreement and Wellfield

Maintenance Agreement, a Bill of Sale in favor of Hernando County was prepared and constitutes the entire understanding and agreement between the Buyer and Seller with respect to assets owned by NW Solid Waste Landfill and assets of Timberline Energy, LLC.

The Solid Waste Department is in favor of the early termination and is currently exploring other options relating to methane and CRTs.

FINANCIAL IMPACT

None at this time.

LEGAL NOTE

The Board has the authority to act on this item pursuant to Part II, Chapter 2, Article V of the Hernando County Code of Ordinances.

RECOMMENDATION

It is recommended that the Board approve and authorize the Chairman's signature on the attached following documents:

Termination of Landfill Gas Purchase Agreement and Nullification of Wellfield Maintenance Agreement with exhibits:
 Exhibit A Landfill Assets
 Exhibit B Description of Landfill Assets
 Exhibit C Account Holder Project Transfer Form
 Bill of Sale

REVIEW PROCESS

Scott Harper	Approved	08/28/2025 12:40 PM
Grace Sheppard	Approved	08/28/2025 1:43 PM
Gordon Onderdonk	Approved	08/29/2025 10:14 AM
Jodi Florio	Delegated	08/29/2025 11:59 AM
Erin Dohren	Approved	09/02/2025 9:54 AM
Albert Bertram	Approved	09/03/2025 9:56 AM
Carla Rossiter-Smith	Approved	09/03/2025 1:49 PM
Pamela Hare	Approved	09/03/2025 4:44 PM
Melissa Tartaglia	Approved	09/04/2025 7:50 AM
Heidi Prouse	Approved	09/04/2025 10:11 AM
Jeffrey Rogers	Approved	09/04/2025 11:15 AM
Colleen Conko	Approved	09/04/2025 11:26 AM