

# Eastern Idaho Regional Solid Waste District

## Creation Proposal

Clark County Idaho has requested neighboring counties to consider joining them to form a Regional Solid Waste District, as allowed under Idaho Code Title 31 Chapter 49. The creation of the District is to facilitate the construction and long term operation of the proposed Eastern Idaho Regional Waste to Energy Facility to be located at the Centennial Energy Park in Dubois Idaho.

Clark County's Goal in this proposal is singular – **Job Creation**. Clark County has developed the Regional Waste to Energy concept with support of the Governor's Office and the Idaho Department of Commerce. In conducting the due diligence process that is required when taking upon a project of this magnitude, Clark County has discovered the following issues:

1. Financing for a Waste to Energy Plant of this type is only available through the issuance of revenue bonds.
2. Revenue Bonds for this type of facility can only be issued if the income has been secured.
3. Income is secured in two ways for a Waste to Energy Facility:
  - a. Solid Waste streams have to be committed
  - b. Electrical Power sales contract has to be in place
4. Securing waste streams, i.e., long term contract, requires one of two actions by the individual counties:
  - a. Seek Voter Approval – 2/3 majority
  - b. Participate in a Solid Waste District as allowed under Idaho Code Title 31 Chap. 49
5. By creation of a regional solid waste district, the counties can identify by resolution where and how the waste is to be managed.
6. By creation of a regional solid waste district, the counties can work together to manage the waste disposal costs, thus lowering the counties' reliance on fees or property taxes.
7. By creation of a regional solid waste district, the counties can all realize the cost savings and potential income from the waste to energy conversion technology.
8. Revenue Bonds can be issued through two avenues:
  - a. A conduit bond – bonds issued on behalf of a private facility owner through the County as authorized by a simple majority vote (no liability to the county) – No county or district control on the operations or costs, no revenue sharing.
  - b. Straight revenue bonds, based on revenue and expenses from the facility, issued by resolution by the District (no liability to the participating counties or the district). Facility controlled by a District Board comprised of one commissioner from each participating county – similar to Southern Idaho Regional Waste District in Twin Falls.
9. Clark County has chosen the Dynamis Energy technology for deployment in the Regional Waste to Energy Plant. In support of the due diligence currently being conducted by Clark County, Dynamis Energy has offered to issue a performance bond for the total value of the plant, **guaranteeing** that the technology will perform as promised.

10. Dynamis Energy has already begun discussions with Idaho DEQ on Air Quality permits. Further work with Idaho DEQ is contingent on Dynamis receiving a request to construct a Regional Plant (Idaho DEQ's requirement – work can't be done until a project is formally identified).
11. The location of the proposed plant is based on the need to create living wage jobs in Clark County. While a central location may be more logical, this effort has a singular goal – **job creation** in Clark County. We have developed this proposal in such a way that it creates the desired jobs while providing a benefit to our neighbors, including strengthening the regional economy.
12. District creation documents are draft based on the Southern Idaho Waste District; revisions are expected through participative negotiations. This is not an all or nothing request.
13. The district can be formed for no other reason than to continue the process of:
  - a. Identifying the actual waste tonnage to be diverted from landfills
  - b. Identifying the potential emissions that can be expected from operations of the Plant using the Dynamis Technology
  - c. Permits from DEQ can be applied for
  - d. Identifying costs to divert waste and the impact on each county's budget
  - e. Plant purchase price can be negotiated
  - f. Formal Operations costs, including transportation, can be established
  - g. Power Purchase agreements can be explored based on the actual tonnage
  - h. Other preparatory tasks can be completed
14. Counties entering into the waste district face no risk. If the technology or cost benefit does not prove beneficial, the district will be dissolved by resolution just as it was created.

Clark County seeks support from its neighbors. Clark County understands that the approach and the associated technology are new. The Commission and staff have sought diligently to reduce the risk to Clark County and participating counties. The next step depends very much on the support of the neighboring counties; Clark County cannot succeed without it. Clark County seeks no funding from its neighbors – it has, and will continue to bear the costs. It seeks no funding from others. Clark County and the City of Dubois have, and will continue to shoulder the risk because failure for them to create jobs is **not** an option for their community.