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**2024 RES-260**

**ACCEPTANCE OF FUNDS FROM CLEAN FUEL DANE LLC**

Clean Fuel Dane, LLC is in Noncompliance with the phosphorus removal requirements identified in the Dane County, Clean Fuel Dane, LLC, Third Amendment to Ground Lease. Biannual monitoring reports submitted to the County on September 25, 2024 indicated that less than 60% of phosphorus was removed over the 6-month period from January 2024 through June 2024.

Per the terms of the *Phosphorus Management Plan*, if the Lessee (Clean Fuel Dane, LLC) fails to remove a minimum of 60% of the phosphorus from the liquid and solid manure stream delivered to the Lessee's anaerobic digester, then the Lessee shall pay the County a phosphorus penalty of \$75,000 with respect to each such failure.

**THEREFORE, BE IT RESOLVED**, that the Dane County Board of Supervisors and the Dane County Executive hereby authorize acceptance of the \$75,000 penalty.

**BE IT FINALLY RESOLVED**, that the expense account LWRADMIN 20648 Conferences and Training be increased by \$15,000, that the following accounts be established in the Department of Land & Water Resources and that these funds shall carry forward until expended:

<b>Revenue Account Number</b>	<b>Account Title</b>	<b>Amount</b>
LWRWSMGT (NEW)	Phosphorus Removal Penalty Funds	\$75,000
<b>Expenditure Account Number</b>	<b>Account Title</b>	<b>Amount</b>
LWRWSMGT (NEW)	Operating Equipment and Rentals	\$60,000