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**Sussex County**

DELAWARE  
sussexcountyde.gov

**INDUSTRIAL REVENUE BOND COMMITTEE**

**AGENDA**

**March 17, 2021 – 10:00 a.m.**

**SUSSEX COUNTY COUNCIL CHAMBERS**

**PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA**

1. Public Hearing - Application for Industrial Revenue Bond

Applicant: BDG DE, LLC, a Delaware limited liability company and wholly-owned subsidiary of Bioenergy Devco, LLC

Amount: not to exceed \$60,000,000

Application: BDG DE, LLC, a Delaware limited liability company and wholly-owned subsidiary of Bioenergy Devco, LLC ( collectively, the “Applicant”), is requesting the issuance of the County’s tax-exempt revenue bonds (the “Bonds”) to finance, together with other available funds, the costs of the acquisition, construction, installation and equipping of certain solid waste disposal facilities, with a capacity of up to approximately 200,000 tons for the processing of chicken-related waste streams to raw biogas and organic digestate, including, but not limited to, one or more anaerobic digesters, tanks, pipes, pumps, valves, a CHP generator, and such other buildings and/or equipment necessary or desirable in connection with such solid waste disposal facilities located at 28338 Environ Way Seaford, Delaware 19973 (the “Project”). The project will be owned and/or operated by the Applicant or one or more of its affiliates. The Bonds may be issued in one or more series pursuant to a plan of finance. The Bonds will be limited obligations of the County, payable solely from the revenues of the Applicant and the Project and any credit enhancement obtained for the benefit of the holders of the Bonds. The County will have no financial liability for the Bonds.

Date Posted: March 10, 2021 at 9:00 a.m.



**-MEETING INSTRUCTIONS-**

The Industrial Revenue Bond Committee is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited and seating assignments will be enforced.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.

The County is required to provide a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay**. Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

**Conference Number: 1-302-394-5036**

**Conference Code: 570176**

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments during the Public Hearing.

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## NOTICE OF PUBLIC HEARING

Sussex County, Delaware (the “County”) hereby gives notice that a public hearing will be held at 10:00 a.m., Wednesday, March 17, 2021 in the Sussex County Council Chamber, County Administration Building, 2 The Circle, Georgetown, Delaware and by teleconference (Dial-in Number: (302) 394-5036; Passcode: 570176), by the Industrial Revenue Bond Review Committee with respect to the application of BDG DE, LLC, a Delaware limited liability company and wholly-owned subsidiary of Bioenergy Devco, LLC (collectively, the “Applicant”), requesting the issuance of up to \$60,000,000 of the County’s tax-exempt revenue bonds (the “Bonds”) to finance, together with other available funds, the costs of the acquisition, construction, installation and equipping of certain solid waste disposal facilities, with a capacity of up to approximately 200,000 tons for the processing of chicken-related waste streams to raw biogas and organic digestate, including, but not limited to, one or more anaerobic digesters, tanks, pipes, pumps, valves, a CHP generator, and such other buildings and/or equipment necessary or desirable in connection with such solid waste disposal facilities, located at 28338 Enviro Way, Seaford, Delaware 19973 (the “Project”), and to pay for certain costs of issuing the Bonds. The Project will be owned and/or operated by the Applicant or one or more of its affiliates. The Bonds may be issued in one or more series pursuant to a plan of finance.

The Bonds will be limited obligations of the County, payable solely from the revenues of the Applicant and the Project and any credit enhancement obtained for the benefit of the holders of the Bonds. The County will have no financial liability for the Bonds.

The hearing is being held pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended. Interested persons will be given a reasonable opportunity to be heard at the aforesaid time and place. Copies of the application may be inspected and written comments may be submitted in advance of the hearing by contacting Gina Jennings, Finance Director, Sussex County, Delaware at (302) 855-7741.

