LUMPKIN COUNTY RESOLUTION 2010-08

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LUMPKIN COUNTY FOR THE PURPOSE OF READOPTING THE REVISED AND AMENDED TEN-YEAR SOLID WASTE MANAGEMENT PLAN (2004 TO 2013) AND ASSOCIATED SHORT TERM WORK PROGRAM; AND FOR OTHER PURPOSES; AT THE REGULAR MEETING OF THE BOARD HELD THE 17TH DAY OF FEBRUARY, 2010.

Whereas, the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 requires jurisdictions to adopt solid waste management plans regarding waste management and waste management planning; and

Whereas, Lumpkin County, jointly with the City of Dahlonega, adopted a Ten-Year Solid Waste Management Plan 2004-2013 ("SWMP") in the past and updated the plan in 2004; and

Whereas, the evolution of the law suggests that the SWMP should be amended in accordance with the regulations of the Georgia Department of Community Affairs (DCA), the Act, and recent case decisions from the appellate courts in Georgia, and whereas the County has prepared an amended SWMP, which document being voluminous is incorporated herein by reference, including a revised Short Term Work Program (STWP); and

Whereas, DCA Rules, Chapter 110-4-3-.05, the County submitted the amended SWMP and amended STWP to the Georgia Mountains Regional Commission (GMRC) for review, which approved and submitted the documents to the Department of Community Affairs, which by regulation had sixty days from July 24, 2009 to determine whether the amended SWMP and STWP met the minimum planning standards and procedures as set forth in DCA Rules, Chapter 110-4-3; and

Whereas, the DCA has failed to notify the GMRC of any deficiencies in the SWMP or STWP as amended, but has likewise failed to notify the GMRC of its approval of the either; and

Whereas, upon the recommendation of the GMRC, the County would like to proceed to adopt and enforce the amended SWMP and STWP, and the DCA's decision being four months overdue, and the County believing the amended SWMP and STWP satisfy the state minimum planning standards and procedures:

NOW THEREFORE BE IT RESOLVED, AND IT HEREBY IS RESOLVED, by virtue of the authority vested in the Board of Commissioners by law, that the amended Ten-Year Solid Waste Management Plan (2004-2013), attached hereto as Exhibit "A" and incorporated herein by reference, having been approved by the Georgia Mountains Regional Commission and not objected to by the State Department of Community Affairs, is hereby adopted as the official solid waste management plan for Lumpkin County.

BE IT FURTHER RESOLVED, that the amended Short Term Work Program, incorporated into said Ten-Year Solid Waste Management Plan, is also adopted as the short term work program under said plan for Lumpkin County.

RESOLVED, ADOPTED AND EFFECTIVE, this 17th day of February, 2010.

John Raber, Chairman
Lumpkin County Board of Commissioners

Attest:

Ruth A. Bohac
Clerk, Lumpkin County

Exhibit "A"

THE LUMPKIN COUNTY TEN-YEAR SOLID WASTE MANAGEMENT PLAN 2004-2013
AND ASSOCIATED
SHORT TERM WORK PROGRAM
CONSISTS OF THE FOLLOWING DOCUMENTS:

LUMPKIN COUNTY TEN-YEAR SOLID WASTE MANAGEMENT PLAN IMPLEMENTATION STRATEGY UPDATE
LUMPKIN COUNTY UPDATED SHORT TERM WORK PROGRAM
LUMPKIN COUNTY TEN-YEAR SOLID WASTE MANAGEMENT PLAN 2004-2013
AND APPENDICES THERETO:
Appendix1 - Solid Waste Facilities County Wide
Appendix 2 - Solid Waste Facilities (Zoomed In View)
Appendix 3 - FEMA Flood Zones
Appendix 4 - Future Land Use
Appendix 5 - Historic Resources
Appendix 6 - Land Limitation Assessment Areas
Appendix 7 - Steep Slopes
Appendix 8 - Watersheds
Appendix 9 - Wetlands

LUMPKIN COUNTY TEN-YEAR SOLID WASTE PLAN IMPLEMENTATION STRATEGY UPDATE

Plan Element	Status
Increased Public Awareness	Complete; made policy
Establish office for public information	Complete.
Business Recycling Outreach Program	Complete; made policy
Community Recognition and Award Program	Complete; made policy
School Poster Programs and Newspaper Columns	Complete; made policy
Waste Statistics and Reporting Improvements	Complete; made policy
151 Recycling Drop-Off Depot	Complete
2nd Recycling Drop-Off Depot	Complete
3rd Recycling Drop-Off Depot	In Progress.
Waste Hauler Recycling Policy Initiatives	Complete; made policy
Seasonal Events & Collection Efforts	Complete; made policy
Mandatory County and City Government Recycling	Complete; made policy
Community Composting Program	Complete; made policy
Increased Regulatory Enforcement	Complete; made policy
Establish C&D Materials Transfer Station	Complete
Proposed Code Amendments	Cancelled*
Establish County Environmental Commission	Complete
Employ Environmental Educator	Complete

* The Proposed Code Amendments goal is being achieved through the current JSWMP amendments proposed for adoption herewith.

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The County continues to have more than ten years of disposal capacity for inert waste, at the existing incounty facility, and for C & D and MSW waste, through transfer stations that deliver waste out of County to landfills in Gwinnetl and Forsyth Counties, pursuant to the plan.

LUMPKIN COUNTY UPDATED SHORT TERM WORK PROGRAM (STWP)

Ongoing Policies

- Campaign to Increase Public Awareness
- Business Recycling Outreach Program
- Community Recognition and Award Program
- School Poster Programs and Newspaper Columns
- Waste Hauler Recycling Policy Initiatives
- Seasonal Events & Collection Efforts
- Mandatory County and City Government Recycling
- Community Composting Program
- Maintain Improved Waste Statistical Reporting
- Maintain Vigorous Regulatory Enforcement

Future Projects - Waste Reduction Element	*Year*	*Dept.*	*Cost*	*Funding*
*3rd Recycling Drop-Off Depot	2009	Public Works	$15,000	General Fund

* Although this 3rd Recycling Drop-Off Depot was a future project at the time this plan was submitted for review, it has subsequently been completed as excepted.

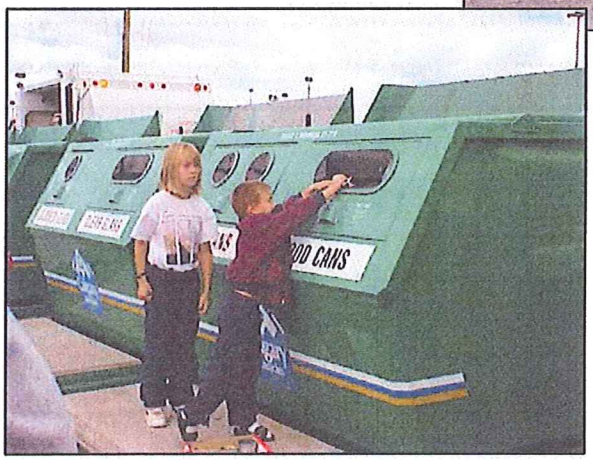
The County continues to have more than ten years of disposal capacity for inert waste, as the existing in-county facility, and for C & D and MSW waste, through transfer stations that deliver waste out of County to landfills in Gwinnett and Forsyth Counties, pursuant to the Plan.

Ten-Year Solid Waste Management Plan

Lumpkin County and The City of Dahlonega

2004-2013

As Amended



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Introduction

Authorization

The preparation of this solid waste management plan was authorized by the Lumpkin County Commission and the Dahlonega City Council.

Objectives

The objective of this plan is to meet the requirements of the Georgia Comprehensive Solid Waste Management Act of 1990 as they pertain to Lumpkin County and The City of Dahlonega. The primary goals of both this act and the respective governments are:

1. To insure that appropriate actions are taken by both Lumpkin County and The City of Dahlonega to reduce by a 25% per capita rate the solid waste production from citizen, commercial, and industrial sources, in both a constructive and realistic manner.
2. To insure that local community solid waste management systems are adequate and sustainable for meeting the reduction, collection, handling, and disposal needs of the citizens of Lumpkin County and The City of Dahlonega for the ensuing ten-year period.

The plan will address both the minimum planning standards and various procedures promulgated by the Georgia Solid Waste Management Act and the special circumstances concerning Lumpkin County and The City of Dahlonega with respect to solid waste management services. These plan objectives are based on the following goals:

1. Providing for the assurance of adequate and sustainable solid waste collection and disposal capacity within the proscribed planning areas for at least ten years from the date of plan completion.

2. Promoting various programs to reduce by 25% the per capita rate of municipal solid waste disposed of statewide in solid waste facilities. (Base year of study considered to be 1992)

3. Identifying solid waste handling facilities within the plan's area according to relative size and operational design.

4. Identifying various land regions in the planning area unsuitable for solid waste handling facilities based on environmental concerns, land-use restrictions, or geographical factors.

Definitions

(1) "Active Life" means the period of operation beginning with the initial receipt of solid waste and ending at completion of closure activities.
(2) "Active Portion" means that part of a solid waste handling facility or landfill unit that has received or is receiving wastes and that has not been closed.
(3) "Aquifer" means a geological formation, group of formations, or portion of a formation capable of yielding significant quantities of ground water to wells or springs.
(4) "Affected County" means, in addition to the county in which a facility is or is proposed to be located, each county contiguous to the host county and each county and municipality within a county that has a written agreement with the facility to dispose of solid waste.
(5) "Asbestos-Containing Waste" means any solid waste containing more than 1 percent, by weight, of naturally occurring hydrated mineral silicates separable into commercially used fibers, specifically the asbestiform varieties of serpentine, chrysotile, cummingtonite- grunerite, amosite, riebeckite, crocidolite, anthophyllite, tremolite, and actinolite.
(6) "Baling" means a volume reduction technique whereby solid waste is compressed into bales.

(7) "Biomedical Waste" means any solid waste which contains pathological waste, biological waste, cultures, and stocks of infectious agents and associated biologicals, contaminated animal carcasses (body parts, their bedding, and other wastes from such animals), chemotherapy waste, discarded medical equipment and parts, not including expendable supplies and materials, which have not been decontaminated, as further defined in Rule 391-3-4-.15.

(8) "Boiler" means a device as defined in Chapter 391-3-11, the Rules for Hazardous Waste Management.

(9) "Certificate" means a document issued by a college or university of the University System of Georgia or other organization approved by the Director, stating that the operator has met the requirements of the Board for the specified operator classification of the certification program.

(10) "Closure" means a procedure approved by the Division which provides for the cessation of waste receipt at a solid waste disposal site and for the securing of the site in preparation for post-closure.

(11) "Collector" means the person or persons as defined herein who, under agreements, verbal or written, with or without compensation does the work of collecting and/or transporting solid wastes, from industries, offices, retail outlets, businesses, institutions, and/or similar locations, or from residential dwellings, provided however, that this definition shall not include an individual collecting and/or transporting waste from his own single family dwelling unit.

(12) "Commercial solid waste" means all types of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial wastes.

(13) "Composting" means the controlled biological decomposition of organic matter into a stable, odor free humus.

(14) "Construction/Demolition Waste" means waste building materials and rubble resulting from construction, remodeling, repair, and demolition operations on pavements, houses, commercial buildings and other structures. Such wastes include, but are not limited to asbestos containing waste, wood, bricks, metal,

concrete, wall board, paper, cardboard, inert waste landfill material, and other nonputrescible wastes which have a low potential for groundwater contamination.
(15) "Detected" means statistically significant evidence of contamination has been determined to exist by using methods specified in Rule 391-3-4-.14.
(16) "Director" means the Director of the Environmental Protection Division of the Department of Natural Resources.
(17) "Disposal Facility" means any facility or location where the final disposition of solid waste occurs and includes, but is not limited to, land filling and solid waste thermal treatment technology facilities.
(18) "Division" means the Environmental Protection Division of the Department of Natural Resources.
(19) "Existing MSWLF or landfill unit" means:
(a) any municipal solid waste landfill or landfill unit that is receiving solid waste as of October 9, 1993 and meets either of the following two conditions:
1. disposed of over 100 tons per day (TPD) of solid waste between October 9, 1991 and October 9, 1992 (or other dates consistent with Federal standards and as may be approved by the Director), or;
2. is on the National Priorities List (NPL), as found in appendix B to 40 CFR, Part 300.
(b) any municipal solid waste landfill or landfill unit that is receiving solid waste as of April 9, 1994 and meets the following two conditions:
1. disposed of 100 tons or less per day of solid waste between October 9, 1991 and October 9, 1992, and disposes of no more than an average of 100 TPD of solid waste each month between October 9, 1993 and April 9, 1994(or other dates consistent with Federal standards and as may be approved by the Director), and;
2. is not on the National Priorities List (NPL), as found in appendix B to 40 CFR, Part 300. (c) Waste placement in existing units must be consistent with past operating practices or modified practices to ensure good management.
(20) "Generator" means any person in Georgia or in any other

state who creates solid waste. (21) "Garbage" means food waste including waste accumulations of animal or vegetable matter used or intended for use as food, or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables.

(22) "Groundwater" means water below the land surface in a zone of saturation.

(23) "Hazardous Waste" means any solid waste which has been defined as a hazardous waste in regulations promulgated by the Board of Natural Resources, Chapter 391-3-11.

(24) "Household waste" means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

(25) "Host Local Government" means the host county or other local host governmental jurisdiction within whose boundaries a municipal solid waste disposal facility is located.

(26) "Industrial Furnace" means a device as defined in Chapter 391-3-11, the Rules for Hazardous Waste Management.

(27) "Industrial Waste" means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under the Hazardous Waste Management Act and regulations promulgated by the Board of Natural Resources, Chapter 391-3-11. Such waste includes, but is not limited to, wastes resulting from the following manufacturing processes: Electric power generation; fertilizer/agricultural chemicals; food and related products/byproducts; inorganic chemicals; iron and steel manufacturing; leather and leather products, nonferrous metals manufacturing/ foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile

manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and gas waste.

(28) "Inert Waste Landfill" means a disposal facility accepting only wastes that will not or are not likely to cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This definition excludes industrial and demolition waste not specifically listed above.

(29) "Lateral expansion" means a horizontal expansion of the waste boundaries of an existing MSWLF unit or landfill unit.

(30) "Leachate" means a liquid that has passed through or emerged from solid waste and contains soluble, suspended, or miscible materials removed from such wastes.

(31) "Landfill Unit" means an area of land on which or an excavation in which solid waste is placed for permanent disposal and which is not a land application unit, surface impoundment, injection well, or compost pile. Permanent disposal requires the placement of daily, intermediate, and/or final earth, synthetic, or a combination of earth and synthetic cover over the solid waste.

(32) "Leachate Collection System" means a system at a landfill for collection of the leachate which may percolate through the waste and into the soils surrounding the landfill.

(33) "Liner" means a continuous layer of natural or man-made materials, beneath or on the sides of a disposal site or disposal site cell which restricts the downward or lateral escape of solid waste, solid waste constituents, or leachate.

(34) "Liquid Waste" means any waste material that is determined to contain "free liquids" as defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for the Evaluation of Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846).

(35) "Materials Recovery Facility" means a solid waste handling facility that provides for the extraction from solid waste of recoverable materials, materials suitable for use as a fuel or soil amendment, or any combination of such materials.

(36) "Monofill" means a method of solid waste disposal that involves the landfilling of one waste type or wastes having very similar characteristics in a segregated trench or area which is physically separated from dissimilar or incompatible waste.

(37) "Municipal Solid Waste" means any solid waste derived from households, including garbage, trash, and sanitary waste in septic tanks and means solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, and day use recreation areas. The term includes yard trimmings and commercial solid waste, but does not include solid waste from mining, agricultural, or silvicultural operations or industrial processes or operations.

(38) "Municipal Solid Waste Landfill (MSWLF) Unit" means a discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR Part 257.2. A MSWLF unit also may receive other types of solid waste, such as commercial solid waste, nonhazardous sludge, small quantity generator waste and industrial solid waste. Such a landfill may be publicly or privately owned. A MSWLF unit may be a new MSWLF unit, an existing MSWLF unit or a lateral expansion.

(39) "Municipal Solid Waste Disposal Facility" means any facility or location where the final deposition of any amount of municipal solid waste occurs, whether or not mixed with or including commercial or industrial solid waste, and includes, but is not limited to, municipal solid waste landfills and solid waste thermal

treatment technology facilities.

(40) "Municipal Solid Waste Disposal Facility Operator" means the operator certified in accordance with Rule 391-3-4-.18 and stationed on the site who is in responsible charge of and has direct supervision of the daily field operations of a municipal solid waste disposal facility to ensure that the facility operates in compliance with the permit.

(41) "Municipal Solid Waste Landfill" means a disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludges, or small quantity generator hazardous wastes, is disposed of by means of placing an approved cover thereon.

(42) "New MSWLF Unit" means any municipal solid waste landfill unit that has not received waste prior to October 9, 1993.

(43) "Open Burning" means the combustion of solid waste without:

a. Control of combustion air to maintain adequate temperature for efficient combustion;

b. Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

c. Control of the emission of the combustion products.

(44) "Open Dump" means a disposal facility at which solid waste from one or more sources is left to decompose, burn or to otherwise create a threat to human health or the environment.

(45) "Operating Record" means written records including, but not limited to, permit applications, monitoring reports, inspection reports, and other demonstrations of compliance with this Chapter, which records are kept on file at the facility or at an alternative location as approved by the Division.

(46) "Operator" means the person(s) responsible for the overall operation of a facility or part of a facility.

(47) "Owner" means the person(s) who owns a facility or part of a facility.

(48) "Person" means the State of Georgia or any other state or any agency or institution thereof, and any municipality, county, political subdivision, public or private corporation, solid waste authority, special district empowered to engage in solid waste management activities, individual, partnership, association or other entity in Georgia or any other state. This term also includes any officer or governing or managing body of any municipality, political subdivision, solid waste authority, special district empowered to engage in solid waste activities, or public or private corporation in Georgia or any other state. This term also includes employees, departments, and agencies of the federal government.

(49) "Post-closure" means a procedure approved by the Division to provide for long-term financial assurance, monitoring, and maintenance of a solid waste disposal facility to protect human health and the environment.

(50) "Private Industry Solid Waste Disposal Facility" means a disposal facility which is operated exclusively by and for a private solid waste generator for the purpose of accepting solid waste generated exclusively by said private solid waste generator.

(51) "Processing Operation" means any method, system or other treatment designed to change the physical form or chemical content of solid waste and includes all aspects of its management (administration, personnel, land, equipment, buildings and other elements).

(52) "Putrescible Wastes" means wastes that are capable of being quickly decomposed by microorganisms. Examples of putrescible wastes include but are not necessarily limited to kitchen wastes, animal manure, offal, hatchery and poultry processing plant wastes, dead animals, garbage and wastes which are contaminated by such

wastes.

(53) "Run-off" means any rainwater, leachate, or other liquid that drains over land from any part of a facility.

(54) "Run-on" means any rainwater, leachate, or other liquid that drains over land onto any part of a facility.

(55) "Recovered Materials" means those materials which have known use, reuse, or recycling potential; can be feasibly used, reused or recycled; and have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not requiring subsequent separation and processing.

(56) "Recovered Materials Processing Facility" means a facility engaged solely in the storage, processing, and resale or reuse of recovered materials. Such term shall not include a solid waste handling facility; provided, however, any solid waste generated by such facility shall be subject to all applicable laws and regulations relating to such solid waste.

(57) "Recycling" means any process by which materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

(58) "Regional Landfill or Regional Solid Waste Disposal Facility" means a facility owned by a county, municipality, or special district empowered to engage in solid waste management activities, or any combination thereof, which serves two or more or any combination of counties, municipalities, or special solid waste districts.

(59) "Relevant Point of Compliance" is a vertical surface located at the hydraulically downgradient limit of the waste management unit boundary that extends down into the uppermost aquifer underlying the facility. This point will be specified by the Director and shall be no more that 150 meters from the waste

management unit boundary and shall be located on land owned by the owner of the landfill unit. The downgradient monitoring system must be installed at this point, and monitoring conducted to ensure that the concentration values listed in Table 1 of Rule 391-3-4-.07 will not be exceeded in the uppermost aquifer.

(60) "Saturated Zone" means that part of the earth's crust in which all voids are filled with water.

(61) "Scavenge" means the unpermitted removal of solid waste from a solid waste handling facility.

(62) "Shredding" means the process by which solid waste is cut or torn into small pieces for final disposal or further processing.

(63) "Significant Groundwater Recharge Areas" means any area as designated on Hydrologic Atlas 18 Most Significant Ground-Water Recharge Areas of Georgia, 1989, as published by the Georgia Geologic Survey, Environmental Protection Division, Georgia Department of Natural Resources, unless an applicant for a solid waste handling permit or other interested party can demonstrate to the satisfaction of the Director that an area designated on Hydrologic Atlas 18 is or is not, in fact, a significant groundwater recharge area.

(64) "Sludge" means any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

(65) "Solid Waste" means any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities, but does not include recovered

materials; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or by-product material as defined by the federal Atomic Energy Act of 1954, as amended (68 Stat. 923).

(66) "Solid Waste Handling" means the storage, collection, transportation, treatment, utilization, processing, or disposal of solid waste, or any combination of such activities.

(67) "Solid Waste Handling Facility" means any facility, the primary purpose of which is the storage, collection, transportation, treatment, utilization, processing, or disposal, or any combination thereof, of solid waste.

(68) "Solid Waste Handling Permit" means written authorization granted to a person by the Director to engage in solid waste handling.

(69) "Solid Waste Management Act" or the "Act", wherever referred to in these Rules, means the Georgia Comprehensive Solid Waste Management Act, O.C.G.A. 12-8-20, et seq.

(70) "Solid Waste Thermal Treatment Technology" means any solid waste handling facility, the purpose of which is to reduce the amount of solid waste to be disposed of through a process of combustion, with or without the process of waste to energy.

(71) "Tire" means a continuous solid or pneumatic rubber covering designed for encircling the wheel of a motor vehicle and which is neither attached to the motor vehicle nor a part of the motor vehicle as original equipment.

(72) "Transfer Station" means a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

(73) "Uppermost Aquifer" means the geologic formation nearest

the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the solid waste handling facility's property boundary.
(74) "Vertical Expansion" means the expansion of a landfill beyond the approved maximum final elevations and within the approved waste management boundaries of the existing permit.
(75) "Waste Management Unit Boundary" means a vertical surface located at the hydraulically downgradient limit of the unit. This vertical surface extends down into the uppermost aquifer.
(76) "Waste-to-Energy Facility" means a solid waste handling facility that provides for the extraction and utilization of energy from municipal solid waste through a process of combustion.
(77) "Yard Trimmings" means leaves, brush, grass, clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance other than mining, agricultural, and silvacultural operations.

Background Information

Lumpkin County is approximately 286 square miles and located within the foothills of the Appalachian Mountains in Northeast Georgia. The county's population growth was 44.2% from 1990 to 2000 and is accelerating primarily through migration (87% of change). Growth rates will likely more than double the county within the next ten years and community leaders have recognized the planning urgency and responded, most notably, through formation of the county's first Land-Use Code. Other ordinances, including a solid waste ordinance, a scrap tire ordinance, and a soil and sedimentation control ordinance have been passed to alleviate environmental pressures resulting from increased development, yet in dealing with solid waste reduction and related solid waste issues, the county has many challenges ahead.

The City of Dahlonega has a population of 3,638 with a ten-year (1990-2000) growth percentage of 13.3%. Dahlonega is a rapidly expanding center of commercial activity within Lumpkin County. The city hosts many fairs and festivals throughout the year – including The Gold Rush Days Festival, The Bear on the Square Festival, The Wildflower Festival, The Mountain Music Fair, and The Dahlonega International Film Festival – which draw hundreds of thousands of visitors yearly. The city's picturesque square is also the center of much local activity with music and eateries that appeal to an eclectic variety of interests. Dahlonega, an Official Tree City, has enthusiastically invested in many green initiatives including reforestation programs, city park expansion, and beautification programs most recently. The city has begun our new millennium with a progressive push to reinvigorate the adventurous and entrepreneurial spirit that so symbolizes its past history.

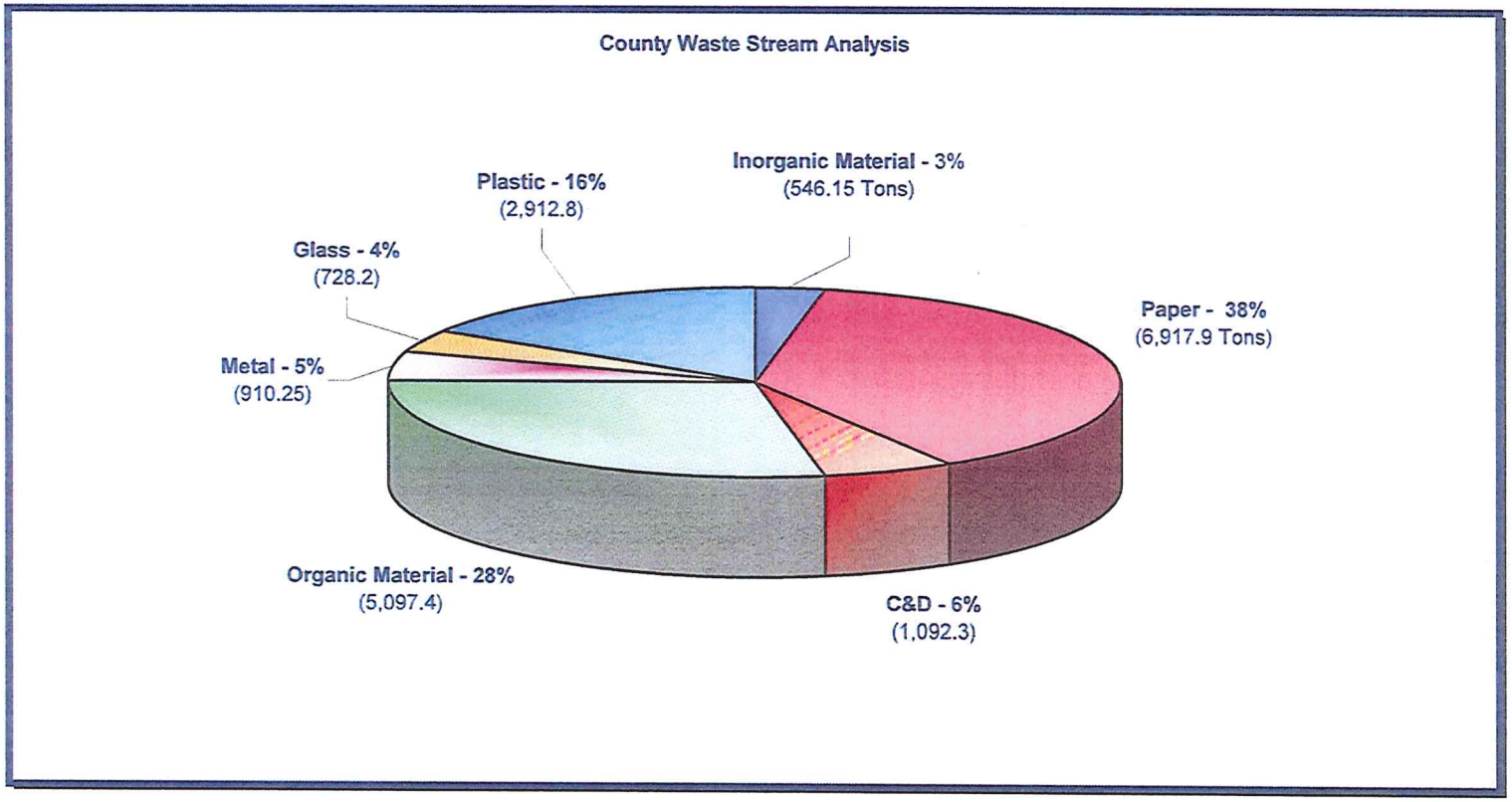
Upon assuming office in January 2001, the present County Commission recognized a great disparity in fees collected and the actual costs of operating the county's solid waste management system. The county was also behind in planned activities for post-closure at the former city/county landfill. Further, the former county administration had written and received a GEFA grant ($100,000) specifically geared toward recycling services and facilities (1998) and had utilized these funds for the construction of a waste transfer facility instead. Without facilities or a budget for services, few realistic recycling services were being provided for interested citizens, even as the costs for waste transfer and the tonnage amount of municipal waste were increasing. County administrators immediately formed a two-phase strategy. In order to bring management expenses more in line with service revenues, fees must be increased and operations streamlined. In order to lower transfer fees, waste tonnage diversion must be improved through increased recycling rates.

Even as consideration for these realities was underway, both the county and city were examining options for future waste management activities. The City of Dahlonega, in order to maintain a greater degree of control over waste management costs and waste

reduction initiatives, made plans to and in 2003 constructed a waste transfer center adjacent to the city's wastewater treatment plant.

Waste Stream Analysis

***Figures based on Department of Community Affairs Waste Characterization Study**
***Total Tons for Lumpkin County in 2003 = 18,205 (EPD Landfill Volume Reports)**



Waste Stream Analysis

Waste Generators and Components

Residential – Residential waste production is constituted by a combination of organic materials such as food waste and yard trimmings; various small bulk inorganic wastes due primarily to product packaging and general residential activities; plastic derived primarily from product packaging and beverage bottles; metal primarily derived from cans and product packaging; paper in the form of corrugated containers, magazines, newspapers, product packaging and various other sources; and glass derived from food and beverage packaging.

Commercial – Commercial waste production is constituted by a combination of organic materials primarily including food waste and yard trimmings; various large bulk inorganic materials due primarily to packaging and general commercial activity; plastic derived from product packaging and various commercial activities; metal derived from product packaging; paper in the form of corrugated containers, product packaging, and various mixed papers; and glass derived primarily from product packaging and various lesser sources.

Industrial – Industrial waste production is constituted by a combination of various large bulk inorganic materials related to production processes and raw materials; plastic derived from product packaging, production processes, and various containers; metal derived from product packaging and production processes; paper derived from production processes, product packaging, and various mixed uses; and glass derived from production processes, product packaging, and raw material usage.

Development / Building Industry – Development and building industry waste production is constituted by a combination of organic materials including yard trimmings and various inert materials (brush, tree stumps); various inorganic materials incidental to development activities; plastic derived primarily from product packaging and development by-products; metal derived primarily from product packaging and incidental to development activities; paper derived from product packaging and incidental to development activities; glass derived primarily from packaging and incidental usage; and construction and demolition waste derived from and incidental to development activities.

Tourism / Special Events – Tourism and special events industry waste production is constituted by a combination of organic materials primarily including food waste; plastic derived from product packaging and beverage containers; metal primarily derived from product packaging and containers; paper primarily derived from corrugated containers, product packaging, and various mixed paper uses; and glass derived primarily from product packaging.

Waste Reduction Element Chapter 1

Inventory and Assessment of Existing Programs

According to the 2002 Georgia Solid Waste Management Update, the State of Georgia's 25% waste disposal reduction goals is a per capita reduction goal based upon all municipal solid waste disposed within the state. This figure does not exclude waste generated from out of state sources and disposed in landfills located within the state. The impact of out of state waste imports plays a role in the state achieving the 25% waste disposal reduction goal. The average amount of waste disposed in Georgia was recorded as 8.25 pounds per person per day including construction and demolition material and 6.05 pounds including only municipal waste and excluding out of state waste imports. This average is several pounds above the national average waste generation of approximately 4.0 pounds per person per day.

Lumpkin County

Currently, Lumpkin County's recycling efforts are concentrated within the county's waste transfer facility complex and include the recycling of scrap metals, newspapers, office paper, phonebooks, magazines, cardboard, aluminum cans, steel/tin cans, #1 and #2 plastics, and glass. The collection of these materials is realized through the county's affiliation with North Georgia Resource Management Authority (NGRMA), a Keep Our Mountains Beautiful affiliate. Lumpkin County is a founding and active member of this resource management authority. NGRMA signed a contract in early 2004 with Southeastern Paper Inc. (S&P) that included collection of the materials mentioned using a tractor-trailer provided by S&P. Within the provided trailer, S&P supplies collection boxes marked for their respective material and lining the inside trailer walls, providing easy access and identification for citizens. The contract includes all NGRMA member counties and provides a base material market value with the inclusion of percentage increases that are indexed for market fluctuation. The Lumpkin County Courthouse and Planning Offices also recycle mixed and office paper at this location. Some private waste haulers within the county are engaged in recycling scrap metals, but few of these businesses have found other materials to be profitable or feasible with limited volumes

Waste Reduction Element Chapter 1

Inventory and Assessment of Existing Programs

and the relatively high costs of material transfer. Waste Haulers and recyclers Working within Lumpkin County are not currently required to report the amounts of either recyclables or solid waste that is collected from county citizens.

The citizens of Lumpkin County do not currently have a variety of options regarding outreach and education concerning solid waste and recycling other than those conducted within the school system on individual administrators' (principals or teachers) prerogatives. NGRMA provides each school within the authority's member counties (k-12) with a curriculum package for environmental education, including materials concerning reuse and recycling, that is designed to provide class lessons and learning tools for different age groups. The county does employ one Environmental Compliance Officer who engages building industry members on the use of compost and mulch in erosion control, proper disposal of and recycling of construction debris, and other aspects of sustainable building practices, but due to the time limitations and capabilities of one individual and the demands of construction oversight in a fast growing community, little if any of the officer's time is spent on significant public education and outreach concerning recycling and material reuse. The officer's responsibilities do include inspecting the scrap tire industry as well as responding to citizen complaints concerning littering and illegal dumping.

The county's environmental officer has played a key role in attempts to establish a regional recycling cooperative including the participation of Lumpkin, Dawson, Banks, Union, and Towns counties that began with the submission of a waste reduction and recycling grant to the Georgia Environmental Facilities Authority (GEFA) in late 2001. This grant, now discontinued due to state government cutbacks in Solid Waste Trust Fund allocations, awarded $200,000 to Lumpkin County for the construction of a Recovered Materials Processing Facility (RMPF) that is to be the center of the regional

cooperative. Later grant awards in 2002 – in the amounts of $100,000 and $50,000 – are to go toward acquisition of a material transfer vehicle (Ford F-700) to be delivered to NGRMA in November 2004 and the first of many planned material drop-off depots, placed in commercial and high traffic areas, which will be placed within member counties region-wide. The 2002 depot grant, in particular, was awarded to Dawson for that county's initial depot site to be delivered in November 2004. NGRMA is to oversee the operations and administration of the regional cooperative and to be funded through both member county fees ($20,000 per year per member county) and the revenue from material brokerage. The cooperative was initially to have used GEFA grants for the establishment of depot sites within member counties, ideally one each per year for five years, in order to reach a 'saturation' point in year five of cooperative operations such that within each member county few if any citizens would reside more than ten miles from a material collection depot site. Instead, given the defunct nature of the yearly GEFA grant cycle, NGRMA will conduct outreach efforts within the private sector to encourage not only increases in devoted materials, but also corporate 'membership' within the cooperative itself which would include revenue donations per membership status, in a similar fashion to County/City Chambers of Commerce with a graduated scale. In particular, corporations with operations in more than one member county could be ideal for cooperative membership. These revenues will be applied to drop-off depot acquisition in addition to those revenues provided through member county general funds for the same.

Waste Reduction Element Chapter 1

Inventory and Assessment of Existing Programs

City of Dahlonega

The City of Dahlonega recycling program is primarily focused on curbside service throughout the city's jurisdiction. Materials are collected co-mingled in prescribed totes and later separated at the city's Waste Transfer/Recycling Facility located within the Public Works Complex. This facility is not open to public service, but rather serves as a processing site specifically for curbside collected materials. Recycled materials are then brokered to the greatest economic advantage. Materials currently collected include newspaper, magazines, office paper, phonebooks, cardboard, aluminum, metal/tin cans, glass, and plastics #1 and #2.

Waste Reduction Element Chapter 1

Needs and Goals

Lumpkin County and the City of Dahlonega share the goal of assuring, at a minimum, a 25% annual waste reduction – by means of reuse, recycling, and conservation – through the year 2014 in the amount of solid municipal waste being collected throughout both county and city jurisdictions.

Lumpkin County and The City of Dahlonega

1. **Waste Source Reduction –** Source reduction of waste will prove to be a highly effective component in reducing the overall level of both county and city waste production and transfer.

   A) Increasing Public Awareness – Both the county and the city need to expand public information programs concerning solid waste – the costs, who pays, and how both the volume and costs can be reduced. The establishment of an office of public information including aggressive information dissemination and real programmatic efforts, including intergovernmental participation are key to the success of this component.

   - The reuse of appliances, furniture, and clothing are ideal methods in addressing conspicuous consumption. The reuse of these products by donation to community non-profit organizations, churches, and civic groups should be emphasized. Where applicable Churches, local thrift shops, and consignment businesses should be included in this community networking effort.
   - Encouraging consumers and businesses to reduce their production of waste through more conscientious, 'smart' purchasing and use of various products – those with higher product life-spans and reusability – will educate the public with respect to wasteful packaging and purchasing practices.

- Building community recognition and awards programs with respect to schools, both governments, civic organizations, and businesses concerning waste reduction, recycling, and other environmental issues will help to raise awareness and support for programs that cannot thrive without a strong community network.
- Expanding public awareness and education concerning source reduction and recycling through poster programs, media campaigns, weekly newspaper columns, and radio announcements will compliment other efforts both from both public and private sources.

B) County Waste Policy – The county must create a waste policy which places an emphasis on statistics and reporting both to bring order into the local waste industry and to increase the government's ability to monitor its own activities, market trends, and waste industry developments. Commercial haulers, private businesses, and other solid waste facilities should report collection locations, volumes, and types of waste and /or recycled materials being collected from county residences and commercial activities – particularly concerning businesses and the development industry. These statistics would be an integral part of the county's efforts to analyze trends, assess efforts, and design waste policies. Programs aimed at both source reduction and material recycling can be better designed and targeted to affect those markets in highest need, providing for more effective and cost efficient programmatic efforts. Local government programs should be targeted to solving actual problems rather than 'best guess' scenarios and without appropriate

statistical information regarding local markets, program activities, and waste / recycling volumes public administrators are without dependable analysis, leading to sometimes wasteful and almost always ineffectual policies and actions. In addition to improved statistics and record keeping concerning the private waste industry, the county should emphasize responsible hauling practices in order to reduce instances of inadvertent littering along county and state thoroughfares. These programs should be part of a comprehensive and coordinated approach, including both incentives and punitive policy.

2. **Recycling** – The institution of effective recycling policies will inevitably prove to be the most effective waste reduction measure under local government control.

A) Recycling Drop-off Depots – Lumpkin County's initial material bin depot site will be delivered in November 2004. This site is the first of the approximately 6-8 sites necessary to reach a saturation point level within the entire county, meaning that at no time would any citizen reside more than ten miles from a drop-off depot. These sites will be placed in accordance to the Lumpkin County Future Land-Use Map, which outlines those areas within the county ideal for future growth and development as well as, and perhaps most important, where infrastructure will guide growth. These high-traffic nodes, traditional locations of both social and economic activity, will provide the high-profile ease and advantage citizens need to allow for maximum participation with minimum personal time sacrifice.

Waste Reduction Element Chapter 1
Needs and Goals

Within the county school system, ideally split bins should be placed at each school location, allowing for the highest number of materials to be collected and for each individual school to create a collection system with storage capability. Likewise, within North Georgia College and State University bins should be located to encourage participation and lower the physical barrier that may inhibit it.

In reference to industrial or commercial private industry material producers, bins should be placed on-site at these locations and serviced by the regional system. In order to exact the highest percentage of private industry participation, some form of 'by in' or dedication must be evident in order for success to be feasible. Without the marginal effort and economic investment provided by on-site bin locations (1-2 bins for instance, collecting 1-4 products), little realistic material tonnage will be gained from "encouraging" such participation from companies which are without appreciable system familiarity and even less cooperative enthusiasm.

B) Recycling Education and Outreach – The aforementioned county information office should offer brochures concerning program offerings, recycling system tours for new citizens including depot site and facility mapping and visits, and should host in-school events and classroom periods encouraging recycling and reuse and teaching children about the benefits of conservation oriented, sustainable living practices. Community outreach should be vigorous and informative, targeting both homeowners and private industry (commercial and industrial) with workshops and forums aimed at both incorporating participation and educating as to the benefits of such participation.

Waste Reduction Element Chapter 1
Needs and Goals

County government should build successful partnerships with local organizations such as the Lumpkin County Homebuilders Association, in order to network with key source producers of possible bulk materials and enlist field professionals to increase the legitimacy of participation within the larger community.

C) Private Waste Hauler Policy – The private waste industry (haulers, collectors) should be encouraged to increase their recycling activities and offerings. Through reasonable and feasible incentives private haulers should be helped to offer collection of primary recyclables (paper, plastic, aluminum, and glass), assisting not only in improving the services of these businesses, but the overall county participation percentage as well.

D) County Education System – As mentioned before, levels of both outreach and participation within respective school systems – NGCSU and the Lumpkin County School System – should be expanded.

E) County Seasonal and Events Collection Policy – NGRMA has included a clause in negotiations with the equipment supply company for both material collection bins and the material transfer vehicle (V-Quip, Inc.) which specifies the inclusion of a special events trailer (3-6 yd. bin containers) without charge given the purchase of 19 material collection bins (3 large sites of 8 bins each, or 5 small sites of 4-bins each). Equipment of this type will be integral to capturing the potential windfall of materials discarded in seasonal and special events yearly throughout NGRMA member counties. These events – The Gold Rush Days, The Wildflower Festival, Bear on the Square, Mountain Music

Fest, and The Wine Country Festival in Lumpkin County alone – draw several hundred thousand tourists and travelers to our region yearly and generate many thousand tons of primary materials (PETE, HDPE, OCC, Aluminum) that largely are left untapped. From both the material tonnage and the public relations perspectives, these opportunities must be expanded and capitalized.

F) County and City Government Recycling Policy – County and City governments should install mandatory programs within government facilities in order to set an example for the private industry and maintain a level of consistency in program offerings and administration actions.

3. **Composting** – Composting is an environmentally and ecologically beneficial alternative to land-filling organic materials – yard waste, vegetable waste – that we might instead return to rich humus. By doing so we both reduce the volume of materials we landfill and we enrich our own gardens and landscaping.

A) Home Composting – Efforts to encourage home composting should increase including seminars and workshops in conjunction with the County Extension Service. Although instruction on home composting is readily available in the Extension Office, outreach on a wide scale has not been instituted.

B) Neighborhood Composting – Efforts to encourage homeowners associations and neighborhood groups to actively promote composting

will be increased, also in conjunction with the Extension Office and likewise through community workshops and organizations such as 4-H, The Future Farmers of America, and The Boy Girl Scouts.

C) Community Composting – Efforts in relation to the establishment of community compost or mulch programs have been lacking. Although 'Bring one to the Chipper' programs have been accomplished in the past, the community does not have an established or routine location to access mulch or compost materials. With the construction of the regional recycling facility, the county will establish an on-site area where community composting may take place. By using recycling facility equipment (front-end loader), the county will turn the composting materials and will make finished compost routinely available to county citizens.

Waste Collection Element Chapter 2

Inventory and Assessment of Existing Programs

Lumpkin County

Solid Waste Collection

Currently, county citizens have two options in disposing of their waste: to contract with one of many private waste haulers and receive the offered services from this business, or to personally dispose of materials at the county operated waste transfer center located adjacent to the former county landfill location, closed in 1998. **Table 2.1** illustrates known private waste collection companies and their offered services. The county government considered placing manned waste collection centers in conjunction with planned recycling drop-off depots, but this option proved to be cost prohibitive, due not only to the costs associated with depot construction within each of the four county districts, but also to topographical concerns given the county's mountainous terrain and thus the higher costs of waste transfer. **Chart 2.1** illustrates the county's waste production for the last ten years. Lumpkin County's solid waste production for 2003 was 18,205.33 tons. .

Table 2.1 – Solid Waste Service Providers and offered Services

Waste Collection Company	Waste Collection Services	Scrap Metal Recycling	General Recycling Services	waste transfer services	Transfer / Landfilling Inert Materials
Ken's Recycling Inc.	X	X			
Burnett's Garbage Services	X				
AAA Sanitation Services	X	X	X	X	
Ronny Sisk Garbage Collection	X				
HWY. 400 Inert Landfill					X
Robinson Contracting		X	X	X	

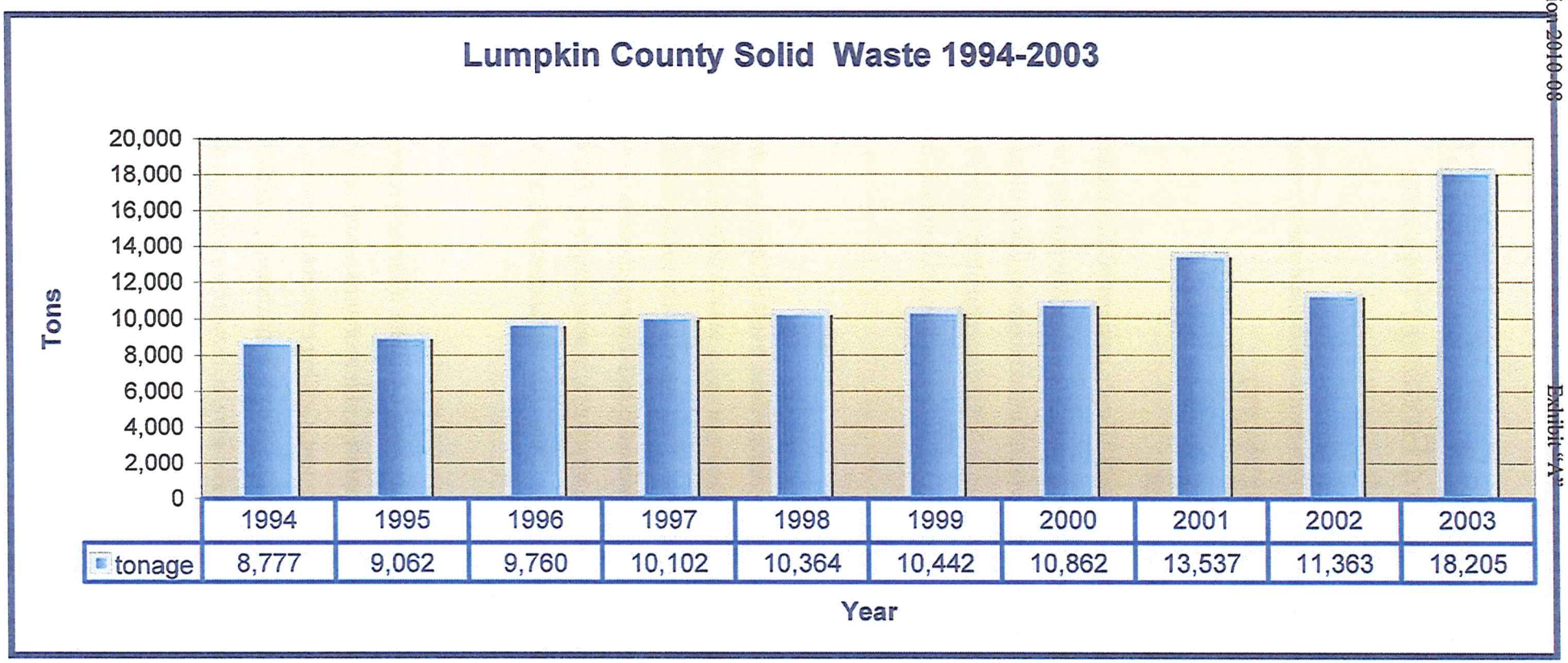

Lumpkin County Solid Waste 1994-2003
Tons
20,000
18,000
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
0
1994 1995 1996 1997 1998 1999 2000 2001 2002 2003
tonage 8,777 9,062 9,760 10,102 10,364 10,442 10,862 13,537 11,363 18,205
Year

Chart 2.1

Waste Collection Element Chapter 2

Inventory and Assessment of Existing Programs

Recycling Collection

Currently, recycling operations are also conducted within the county's waste transfer complex. (See Chapter 1 Waste Reduction Element)

Environmental Code Enforcement

Lumpkin County's sole Code Enforcement Officer's responsibilities include soil erosion and sedimentation control and inspections, scrap tire industry regulation, solid waste ordinance enforcement, fielding citizen complaints concerning litter, illegal dumping, illegal burning, land-use code enforcement, subdivision regulatory enforcement, environmental education and outreach, recycling education and outreach, and enforcement of all other county codes.

City of Dahlonega

The City of Dahlonega offers curbside waste services to all citizens on a daily basis, while curbside recycling services are offered one day a week (Wednesday). The city's curbside service is operated as an enterprise fund and entirely supported from those funds created through service revenues. All waste collected through curbside service is taken to the city's waste transfer center within the city public works complex. The City's solid waste production for 2003 was 3,375 tons. **Chart 2.2** illustrates the city's waste production for the past ten years.

Code Enforcement

The City of Dahlonega's sole Code Enforcement Officer's (Marshal) responsibilities include soil erosion and sedimentation control and inspections, scrap tire industry regulation, solid waste ordinance enforcement, fielding citizen complaints concerning litter, illegal dumping, illegal burning, land-use code enforcement, subdivision regulatory enforcement, environmental education and outreach, recycling education and outreach, and enforcement of all other city codes.

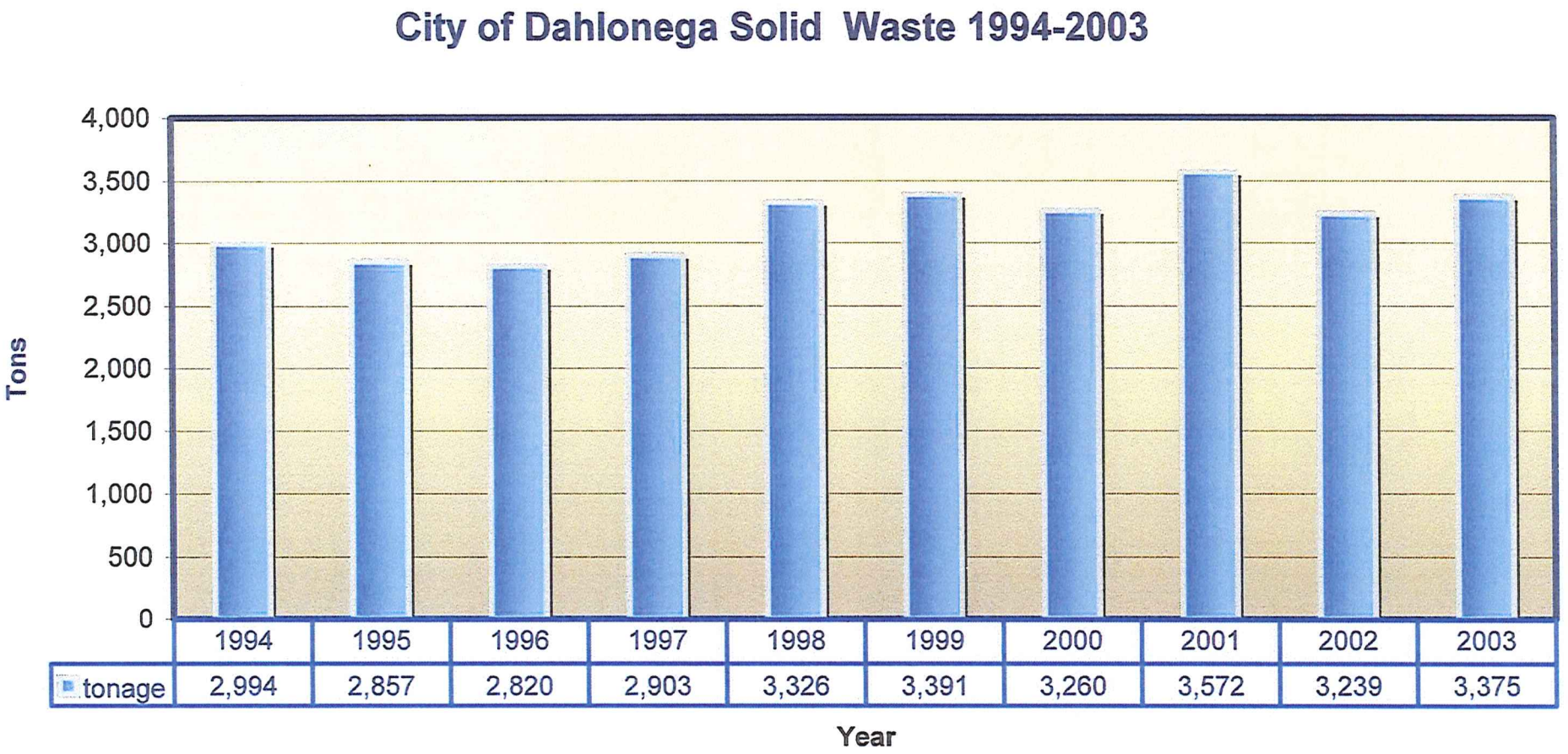

City of Dahlonega Solid Waste 1994-2003
Tons
4,000
3,500
3,000
2,500
2,000
1,500
1,000
500
0
1994 1995 1996 1997 1998 1999 2000 2001 2002 2003
tonage 2,994 2,857 2,820 2,903 3,326 3,391 3,260 3,572 3,239 3,375
Year

Chart 2.2

Waste Collection Element Chapter 2

Needs and Goals

Lumpkin County and the City of Dahlonega share the goal of insuring cost efficient and operationally effective waste collection services to respective citizens for the subsequent ten-year plan period. Either through sound and sustainable regulatory efforts or direct municipal service delivery, both the county and the city will assure citizen needs are satisfied.

County and city waste collection systems should operate in a manner that insures waste collection is efficient and effective and that individual properties and public roadways are free from litter, instances of illegal dumping, and general refuse. Recycling depots should be established as soon as possible to ensure that the maximum volume of materials is collected. With increased migration and the likelihood of drastic trends in population increases to continue, the county and city should make serious efforts and take strong steps to control and discourage illegal littering and dumping. These efforts should be instituted through expansion of the county's environmental compliance office. County administrators are currently considering the creation of a county marshal's office and if developments toward this end take place, likewise should such enforcement action, including a significant public outreach and education element, take place. Clearly, a single officer directing policy enforcement – given that such enforcement includes waste as well as many other environmental concerns – is painfully inadequate to bring about significant change and more particularly so with expected and drastic increases in population and tourist/commuter traffic within the next five to ten years.

County waste collection will continue to be privatized due to many factors. Private collection companies adequately handle waste collection throughout the county and this free market competition has maintained a reasonable market price index as well as emphasizing efficient services. Due to our county's topography, government subsidized or municipal owned county-wide collection systems are not feasible.

Waste Collection Element Chapter 2

Needs and Goals

The county should develop a regulatory waste collection policy requiring private waste haulers who conduct business within our jurisdiction to obtain collection permits. These permits should contain quarterly reporting requirements for volumes of waste and recyclables. Also included should be mandatory requirements such as items to recycle (in the event mandatory recycling is ever instituted), tarp covers for waste loads, affidavits from waste destinations confirming load volumes, and collection parameters.

Considering mandatory recycling: if Lumpkin County has not reached or is evidenced to be incapable of reaching a 25% ten year waste reduction goal within the specified planning period, mandatory recycling parameters should be established to replace voluntary efforts. Significant reduction should be accomplished given effective and comprehensive recycling program offerings, increased and vigilant environmental compliance efforts, and education and outreach programs in coordination with private haulers, The City of Dahlonega, and the county school system, yet if these efforts prove futile further and serious consideration should be given to mandatory requirements by both the county and city governments.

Waste Disposal Element Chapter 3

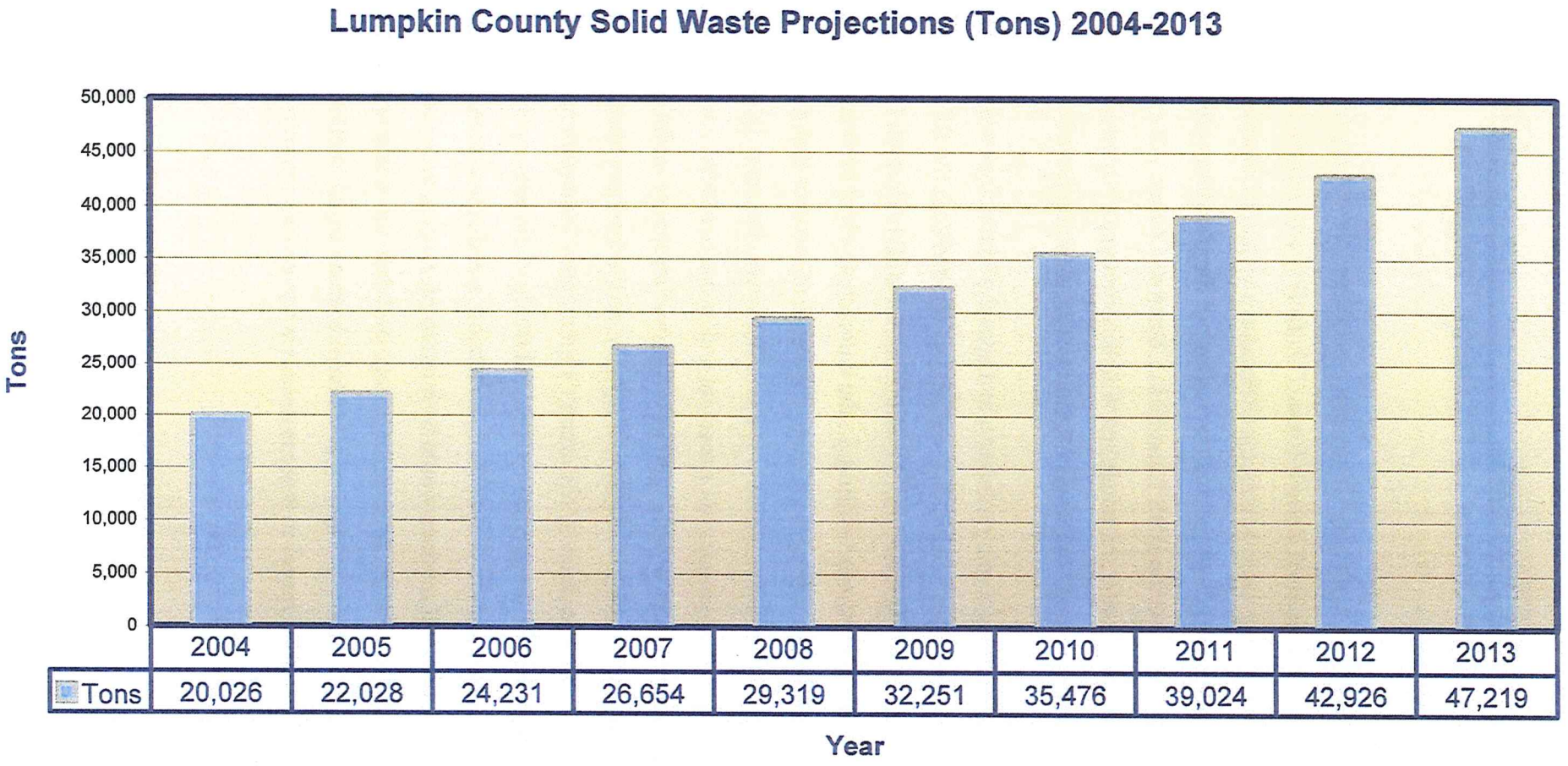
Inventory and Assessment of Existing Programs

Lumpkin County

In October 2004, the Lumpkin County Commission privatized the county transfer center located at the southern terminus of Barlow Road. This facility will remain in operation under the auspice of a local private contractor (Robinson's General Contracting), whose duties will include overseeing both the daily operations of the transfer center and the transfer of collected waste to Pine Bluff Landfill in Cherokee County. All employees of the former county transfer center are employed with this contractor's company. **Chart 3.1** illustrates the county's projected waste for the ensuing planning period.

In the event that the county's routine transfer and disposal of municipal waste is rendered impossible, other options are available. The county has utilized both the BFI-Richland Creek Rd. facility in Gwinnett County and Eagle Point Landfill in Forsyth County as alternatives for municipal waste landfilling. In the unfortunate event of weather related or man-made disasters which interrupt the routine collection of waste or that generate larger quantities of construction and demolition waste or other waste, the severity and particular scenario will dictate the planning region's reaction and/or use of special operations. More severe or widespread instances would require a countywide response orchestrated through the county's Emergency Management Agency, as the lead government within the planning jurisdiction, and overseen by the county's Emergency Management Agency Director. After providing for the general welfare and safety of citizens, operations will proceed with consideration given to reduction, collection, and disposal measures. Given that mass transfer or disposal routines would be interrupted, staging areas could be established that would provide for immediate storage of debris and waste until further arrangements could be made. Contingency plans have been arranged to allow for handling of collection and disposal in those instances when backup measures are necessary.

Chart 3.1



***Projections are based on average yearly (percentage) increase in county waste production for previous ten-year planning period.**

Waste Disposal Element Chapter 3

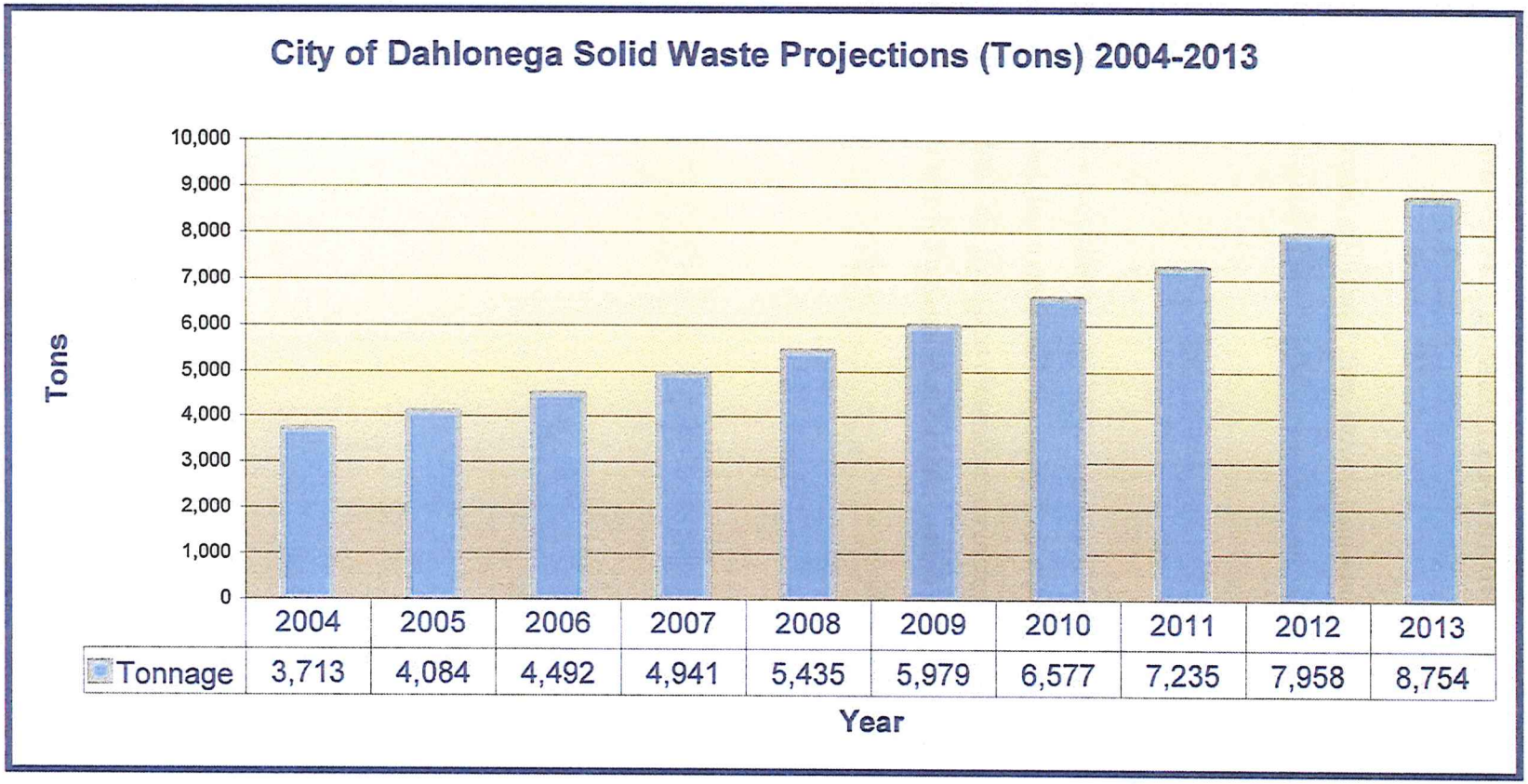
Inventory and Assessment of Existing Programs

Inert waste disposal is possible through a private inert landfill located off of Burnt Stand RD. adjacent to Hwy. 400. This location accepts all inert debris and currently landfills this debris.

City of Dahlonega

In 2003 the city developed a waste transfer center to serve only that waste which is collected through the city's curbside collection service. Both municipal solid waste and recyclables are collected through this program and transferred via the city's facility to Eagle Point Landfill in Forsyth County. **Chart 3.2** illustrates the city's projected waste for the ensuing planning period.

Chart 3.2



***Projections are based on average yearly (percentage) increase in city waste production for previous ten-year planning period.**

Waste Disposal Element Chapter 3

Needs and Goals

Lumpkin County and The City of Dahlonega share the goal of insuring that the solid waste treatment and disposal facilities serving both local governments and the respective planning region meet regulatory requirements and are in place when needed to support and facilitate effective solid waste handing programs today and for the ensuing ten year planning period, thereby maintaining the quality of citizen life and continuing the community's environmentally sustainable growth.

Disposal options that were considered by the county included waste drop-off depots in conjunction with the aforementioned recycling depots, but were discarded in favor of the privatization option. Construction and demolition materials (C&D) are not accepted at either the county or city transfer stations, however the private inert landfill mentioned before is currently constructing a C&D transfer station to allow for the disposal of these materials in one of many area county (Hall, Forsyth) C&D landfills. This facility is expected to open for business in the spring of 2005. Due to outstanding growth within the building and development community of the use of mulch for temporary soil stabilization, the owner of this facility is considering the grinding of inert materials for viable market use and it is expected that once the inert facility is operating successfully in C&D transfer that this option will be much more economically feasible. Ongoing discussions with county officials and the owner of this facility will continue toward that end.

Land Limitation Element Chapter 4

Inventory and Assessment of Existing Programs

Lumpkin County is limited in suitable areas for a solid waste landfill because of many physical and geological features, as well as existing land uses such as development, historic sites, and an airport, as well as infrastructure limitations. In fact, there are few areas within the County which the Plan identifies as suitable for solid waste facilities. Relevant siting criteria and environmental limitations, include water supply watersheds, spring and wellhead protection areas, wetlands, protected river corridors, flood plains, geology, faults, soil suitability, and disturbance of endangered species areas. Relevant land use limitations including existing land uses, land use restrictions, the airport, historic sites, and other data. The County is already served by a MSW transfer station, with a second MSW transfer station serving the City. C & D waste is disposed of by a private transfer station in the south end of the County, co-located with an inert landfill. The County has a regional recycling center and is served by private waste haulers. All waste, other than inert, is transferred to existing landfills in surrounding counties.

Needs and Goals

There are several needs and goals for this Land Limitation Element. One is to ensure that proposed solid waste handling facilities are compatible with surrounding areas and are sited in areas suitable for the location of such facilities based on natural environmental limitations and land use factors. Another purpose of this Land Limitation Element is to provide an assessment of areas in Lumpkin County which are unsuitable for solid waste handling facilities. Unsuitability is determined based on environmental criteria, land use criteria, and a variety of other criteria, including the County's Future Land Use Map. Environmental criteria, also known as natural environmental limitations, include water supply watersheds, spring and wellhead protection areas, wetlands, protected river corridors, flood plains, geology, faults and soil suitability.

Lumpkin County does not anticipate opening a new solid waste handling facility within its jurisdictional boundaries in the foreseeable future. This Plan is intended to apply to any expansions and renewals of any existing solid waste handling facilities in the County and to all future facilities and their expansions. It is also intended to apply to any proposed expansion of any existing grandfathered non-conforming use. Future waste disposal facilities, whether landfill or thermal energy, or other, should be constructed on a size-need basis dependent upon waste generated within the County and its municipality and not oversized to handle or dispose of imported waste. If any suitable disposal sites or sites for any solid waste handling facility can later be found in the County after an complete examination of particular sites and after a thorough analysis of all criteria determined to be necessary for choosing a suitable site, Lumpkin County must conserve its scarce suitable disposal sites and must limit use of such sites to disposal of wastes generated from only within the County. It is the goal of Lumpkin County to consider the following items in determining the suitability of any proposed location of any solid waste handling facility.

Suitable Sites for Solid Waste Handling Facilities

Those areas suitable for solid waste handling facilities shall include areas not restricted by one of the environmental limitations or land use limitations listed below and which are not otherwise subject to prohibition or restriction in accordance with this Multi-jurisdictional Solid Waste Management Plan, Rule 391-3-4 of the Georgia Department of Natural Resources, Chapter 110-4-3 of the Rules of the Georgia Department of Community Affairs, the Georgia Solid Waste Management Act, OCGA 12-8-20 *et seq.*, the City of Dahlonega Zoning Ordinance 91-9, the Lumpkin County Land-Use Code, and other applicable federal, state and local law. The areas affected by one or more of the following environmental limitations or land limitations are shown on the Land Limitation Assessment Area in Appendix A, which overlays all the following limitations onto one map.

Environmental Limitations

The following environmental limitations must be satisfied prior to approval of any solid waste handling facility, or expansion of any solid waste handling facility, or the renewal of a solid waste handling permit. Numerous limitations listed below refer to the Georgia Digital Environmental Atlas, which is available online at http://ga-ims.er.usgs.gov/ website/atlas/ info.htm. Given the scale of this Atlas, an individualized determination may need to be made by Lumpkin County to determine the exact boundaries of any particular listed element. Additional data may be developed by the County or received from the applicant to make such determination. Interpretation of whether a proposed solid waste handling facility is or is not in an area depicted on such may shall be made by Lumpkin County. Location of *any part* of a solid waste handling facility, or *any part* of the lot or parcel of land containing such facility, within an area restricted below, shall be prohibited.

(1) Water Supply Watershed Areas.

The sole water supply reservoir in Lumpkin County, the Yahoola Reservoir, and its watershed are also key resources to be protected. The criteria for location a solid waste handling facility in a water supply watershed are as follows:

a. Within a seven mile radius of a public water intake, no solid waste handling facility shall be constructed within a 200 foot buffer on both sides of a perennial stream. No impervious surface shall be constructed within 300 feet of either side of the stream.

b. In small water supply watersheds (with basis of less than 100 square miles), outside the seven mile radius discussed above, no solid waste handling facility shall be constructed within a 100 foot buffer on both sides of a perennial stream. No impervious surface shall be constructed within 150 feet of either side of the stream.

c. No solid waste handling facility shall be located in a 500 foot buffer around water supply reservoirs.

d. Any landfill located anywhere within a small water supply watershed must have synthetic liner and lechate collection system.

e. No Municipal Solid Waste Disposal Facility shall be located within two miles of any surface water intake point, as such are listed on Georgia EPD's list of municipal and industrial surface water withdrawal permit locations.

The Yahoola Reservoir and its associated watershed are shown on a map in Appendix A.

(2) Groundwater

No solid waste handling facility shall be located within one-half mile of a groundwater withdrawal location listed on the Georgia EPD's list of municipal and industrial ground water withdrawal permit locations.

(3) Spring and Wellhead Protection Areas

No solid waste handling facility shall be located within 1000 feet of the boundary of any area designed as an inner or outer management zone of a public water supply spring or well for which a wellhead protection plan has been mapped by EPD. No solid waste handling facility shall be located within 1000 feet of any water supply spring or well, public or private. No solid waste handling facility shall be located within 1000 feet of any existing drinking water source listed on the Georgia EPD's list of Drinking Water Sources.

Prior to the commencement of the construction of any landfill within the County, the owner/operator of the proposed landfill shall obtain from all "state waters" and from all water supply wells, public and private, located within one mile of the boundaries of all property owned by the owner/operator of the landfill, a water sample, which shall be analyzed for all constituents listed in Appendix I and Appendix II to 40 CFR Part 258,

Subpart E, as amended, 56 Fed. Reg. 51032-51039 (October 9, 1991), by a properly accredited laboratory approved by the Lumpkin County Board of Commissioners. These samples shall contain the exact location from which they were obtained (by GIS survey), the name and mailing address of the property owner who owns the land from which the water sample was taken, and the name and address of the principle users of the water supply well, if different from the owner of the property upon which the well is located. The results of the individual analysis shall be certified by the laboratory, submitted to each property owner from whose property a sample was taken, and a copy filed with Lumpkin County.

All wells to be included in the groundwater monitoring program required by the Georgia Environmental Protection Division shall be monitored quarterly for all constituents in Appendix I to 40 CFR Part 258, Subpart E, as amended, 56 Fed. Reg. 51032-51039 (October 9, 1991), and shall be monitored annually for all constituents in Appendix II to 40 CFR Part 258, Subpart E, as amended, 56 Fed. Reg. 51032-51039 (October 9, 1991). Copies of all monitoring test well results shall be delivered to Lumpkin County promptly upon receipt by the owner/operator.

(5) Wetlands Areas

No solid waste handling facility shall be located in a wetland, or within 250 feet of a wetland, as wetlands are defined by the Code of Federal Regulations, 33 CFR part 328.3(b). Some wetland areas (but not necessarily all such areas) are shown on the Georgia Digital Environmental Atlas, under the "Lakes and Wetlands." Reduced versions of these maps are included in Appendix A to this Plan.

(6) Major Rivers and Protected River Corridor Areas

Protection of the Etowah River watershed and the Upper Chattahoochee watershed, and the associated Etowah River and Chestatee River, is a key goal of this Plan. Those rivers feed two major drinking water reservoirs within the state, Lake Allatoona and Lake Sydney Lanier, respectively. A protected river is defined as any perennial river or water course that has an average annual flow of at least 400 cubic feet per second. The Georgia

DNR has deemed rivers of this size to be of vital importance to Georgia. The Etowah River and the Chestatee River meet this definition. Such rivers are shown as "Major Rivers" on the Georgia Digital Environmental Atlas. In addition, protected River Corridors are shown on the Atlas. "River Corridors" are five hundred foot wide corridors centered around the indicated rivers and their tributaries. A reduced version of the Atlas map is included in Appendix A to this Plan. No solid waste handling facility may be located within 500 feet of the river bank of any Major River or within 500 feet of the boundary of any protected River Corridor.

(7) Floodplains

No solid waste handling facility may be located in any 100 year floodplain as shown on any FIRM floodplain map, or as shown by any competent study of floodplain areas more recent or up to date than the existing FIRM maps. No Municipal Solid Waste Disposal Facility may be located within 250 feet of a 100 year floodplain. Floodplains are shown in a map attached as Appendix A.

(8) Geology

No solid waste handling facility may be located in any area of unstable or unsuitable geology. Factors equating to unstable or unsuitable geology include:

a. On-site or local soil conditions that may result in significant differential settling;

b. Locations that are susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the landfill structural components responsible for preventing releases from a landfill.

c. Karst terrains, meaning areas where karst topography, with its characteristic surface and subterranean features, is developed as the result of dissolution of limestone, dolomite, or other soluble rock. Characteristic

physiographic features present in karst terrains include, but are not limited to, sinkholes, sinking streams, caves, large springs, and blind valleys.

d. Locations susceptible to mass movement meaning those areas of influence (i.e., areas characterized as having an active or substantial possibility of mass movement) where the movement of earth material at, beneath, or adjacent to the landfill unit, because of natural or man-induced events, results in the downslope transport of soil and rock material by means of gravitational influence. Areas of mass movement include, but are not limited to, landslides, avalanches, debris slides and flows, soil fluction, block sliding, and rock fall.

e. Poor foundation conditions, meaning means those areas where features exist which indicate that a natural or man-induced event may result in inadequate foundation support for the structural components of a landfill unit.

(9) Hydrology

Unless a more restrictive requirement applies, no solid waste handling facility shall be located within 200 feet of lake, stream or river. Some river and stream areas (but not necessarily all such areas) are shown on the Georgia Digital Environmental Atlas under the "Lakes and Wetlands" and "Hydrology" layers.

(10) Seismic Impact Zones or Fault Areas

No solid waste handling facility may be located in any seismic impact zone, or within 200 feet of a fault that displaced in Holocene time. A seismic impact zone means an area with a ten percent or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull, will exceed 0.10g in 250 years. Maximum horizontal acceleration in lithified earth material means the maximum expected horizontal acceleration depicted on a seismic hazard map, with a 90 percent or grate probability that the acceleration will not be exceeded in 250

years, or the maximum expected horizontal acceleration based on a site-specific seismic risk assessment. Lithified earth material means all rock, including naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. No solid waste handling facility may be located in within 200 feet of a fault shown on the Digital Environmental Atlas of Georgia.

(11) Steep slopes

Areas with a slope gradient in excess of 25% are not suitable for solid waste handling facilities. Steep mountains slopes shall include the crests, summits, and ridge tops which lie at elevations higher than those of adjacent steep mountains slopes (even though the crest, summits, and ridge tops may have a slope of less than 25%). Such areas are shown on a map included in Appendix A. No solid waste handling facility may be located in an area of steep slopes.

(12) EPD Limitations

The following restrictions on the siting of landfills are incorporated by reference herein.

- Criteria for Water Supply Watersheds
  391-3-16-.01
- Criteria For Protection of Groundwater Recharge Areas
  391-3-16-.02
- Criteria for Wetlands Protection
  391-3-16-.03
- Criteria for River Corridor Protection
  391-3-16-.04
- Criteria for Mountain Protection
  391-3-16-.05

Land Use Limitations

Overview and Introduction

The following land use limitations must be satisfied prior to approval of any solid waste handling facility, renewal of a permit from the EPD or EPA, or expansion of any solid waste handling facility.

(1) Existing Land Uses

No solid waste handling facility shall be located within ½ mile of a jurisdictional boundary without the permission of the adjoining jurisdiction. No solid waste handling facility shall be located within 1,000 feet of a residentially-used parcel or subdivision, school or college, or public park.

(2) Zoning and Land Use Ordinances

Solid waste handling facilities must conform to all local zoning and land use ordinances. Landfills are Intensive Industrial uses requiring Special Land Use Approval under the Lumpkin County Land Use Code. Landfills are conditional uses in the industrial (I) district in the City of Dahlonega Zoning Ordinance. However, the City of Dahlonega deems all those areas lying within the city limits as unsuitable for the installation of solid waste handling facilities. Given that the city owns and operates its own solid waste transfer and recycling facilities and operates curbside collection systems for said materials, facilities outside of those parameters are deemed beyond the realm of acceptable development. Floodplain areas, watershed areas, and residential / commercial development densities are further factors involved in this prohibition.

(3) Airport

There is one airport currently located in Lumpkin County: Lumpkin County Airport (Wimpy Airport). Owners or operators proposing to site new Municipal Solid Waste Landfills and lateral expansions of such facilities within a five-mile radius of any public-use or private-use airport runway end or airstrip runway end used by turbojet or piston-type aircraft must notify the affected airport and the Federal Aviation Administration (FAA).

No solid waste handling facility shall be located within 5,000 feet of any airport or airstrip used by piston, turboprop or jet powered aircraft, which includes the Lumpkin County Airport. No MSW landfill shall be located within 10,000 feet of any airport or airstrip used by turboprop or jet powered aircraft, which includes the Lumpkin County Airport.

(4) Traffic and Transportation

Solid waste handling facilities should only be located in locations where the traffic and transportation infrastructure is suitable for such uses. No such facility shall be permitted if the infrastructure is incapable of handling the anticipated traffic, either in volume or weight terms, or for safety reasons. Most County roads are not built to sufficient standard to handle heavy waste hauling vehicles. Facility entrances shall be limited to within one-half mile of the intersection of the access road with a major road or state highway, as detailed on maps in the Appendix. The Applicant shall detail its plans for truck traffic, rail traffic and any other sort of transportation of the waste to the facility. The Applicant shall be required to provide a traffic study of existing road, rail and other transport capacities and the impact of the proposed facility on such capacities. In addition, any road approaching a solid waste handling facility would have to be paved to include storm drainage, proper striping and signage, and turn lanes according to Georgia DOT specifications.

(5) National Forest

Lumpkin County contains a portion of the Chattahoochee National Forest, part of which is in Federal ownership and part of which is in private ownership. No solid waste handling facility shall be located within or within one-half mile of the boundary of the National Forest, including both federally- and privately-owned lands.

(6) The maps presented in this Plan as attachments, exhibits, and in the appendices cover many of the criteria as of the adoption date of this plan. To the extent such maps are revised or amended in the future, such changes are incorporated herein.

Procedures for Determining Plan Consistency

In order for the Georgia Department of Natural Resources, Environmental Protection Division (EPD) to issue or renew a permit for a solid waste handling facility, the facility or facility expansion must be consistent with a local government's solid waste management plan. See Rules of the Georgia Department of Natural Resources (Georgia DNR), Environmental Protection Division Chapter 391-3-4 Solid Waste Management (Rules); and the Georgia Comprehensive Solid Waste Management Ac, O.C.G.A. 12-8-20 et seq. In addition to the Georgia DNR regulations and Lumpkin County's ordinances, the County will also use the following criteria to determine whether the issuance of the requested permit is consistent with the County's Solid Waste Management Plan:

In order for the Georgia EPD and Lumpkin County to determine whether an application for siting renewal, or expansions of a solid waste handling facility is consistent with this Plan, the following procedures shall be followed in submitting an application, notifying the public, and evaluating the impact of the proposed facility or expansion on the Plan. No solid waste handling facility shall be deemed consistent with this Plan unless it receives an approval issued by the governing authority of Lumpkin County and any affected jurisdiction. No proposed facility or facility expansion will be sited in the planning area without a letter from the governing authority of the County (and of any affected municipality) stating that the facility is consistent with the Joint Solid Waste Management Plan. To determine if a proposed facility or facilities expansion is consistent with the Plan, an owner/operation of the facility shall:

(1) At least 60 days prior to filing for a solid waste handling permit, or notifying EPD in the case of a solid waste handling facility that is permitted by rule, submit to the County a written statement (known as an Application for Determination of Plan Consistency) documenting the following:

A. How the proposed facility or facility expansion will meet the specific goals and needs identified in the JSWMP, including specifically:

(1) Impact on Reduction and Recycling

The Applicant must submit information on how the proposed facility or expansion impacts the impacts the waste reduction and recycling efforts of the County. The needs and goals of Chapter 1 of this Plan shall be referenced in this analysis. A financial analysis shall be included.

(2) Impact on Waste Handling and Collection

The Applicant must submit information on how the proposed facility or expansion impacts the waste handling and collection capability of the County. The needs and goals of Chapter 2 of this Plan shall be referenced in this analysis. A financial analysis shall be included.

(3) Impact on Disposal

The Applicant must submit information on how the proposed facility or expansion impacts the disposal capability of the County. The needs and goals of Chapter 3 of this Plan shall be referenced in this analysis. A financial analysis shall be included.

(4) Consistency with Environmental Limitations

The Applicant must submit detailed information on how the proposed facility or expansion impacts each of the specific Environmental Limitations detailed previously in this Chapter.

(5) Consistency with Land Use Limitations

The Applicant must submit detailed information on how the proposed facility or expansion impacts each of the specific Land Use Limitations detailed previously in this Chapter.

(6) Effect on State's and County's 25 percent per capita disposal reduction goal.

The Applicant must submit information on the effect the facility will have upon waste generated within the State achieving the States' 25 percent per capita disposal reduction goal and must submit information that all generating jurisdictions from which waste will be received are part of an approved solid waste management plan and have a strategy to meet, and are actively engage in meeting, the goal to reduce by 25 percent the per capita rate of municipal solid waste disposed statewide in solid waste facilities as compared with the per capita municipal solid waste disposal rate in fiscal year 1992.

(7) Vehicle Traffic and Safety; Road Conditions

The Applicant must submit information on how the proposed facility or expansion impacts vehicle traffic and safety, as well as road conditions. Operation hours, estimated traffic, traffic routes, dust generation, noise, light and odor are all factors that should be analyzed.

(8) Financial Viability of Existing Solid Waste Management System

The Applicant must submit information on how the proposed facility or expansion will impact the financial viability of the existing solid waste management system. In accordance with Murray County v. R & J Murray, LLC, the County considers it significant if the proposed facility will have a negative impact on the County's ability to operate the exiting waste management facilities.

(9) Individual and Business Solid Waste Management Rules

The Applicant must submit information on how the proposed facility or expansion will impact individual and business solid waste management rates.

(10) Natural and Cultural Resources

The Applicant must submit information on how the proposed facility or expansion will impact existing and nearby natural and cultural resources, within a two mile radius, including Historic Sites, lakes and rivers used for recreation, public parks, schools and other public facilities.

(11) Current Solid Waste Management Infrastructure, Public and Private

The Applicant must submit information on how the proposed facility or expansion will impact the current solid waste management infrastructure, both public and private.

B. The owner/operator must demonstrate how he and any future owner/operators will satisfy the financial assurance provisions of this plan and local ordinances.

C. The owner/operator must demonstrate how the proposed facility is consistent with local zoning and land use ordinances.

D. The owner/operator must demonstrate how the proposed facility is sited in an area deemed suitable according to the criteria listed in the JSWMP.

Public Notification and Hearing Procedures

The Applicant must demonstrate that it has satisfied the following public notification requirements for submission of its Application for a Determination of Plan Consistency. In the event the applications is for a facility to be located entirely within the County and not within the City of Dahlonega, only the County must hold hearings. In the event the proposed facility is to be partially or wholly within the municipality, the municipality shall also hold hearings. References below to "governing authority" shall mean either just the County or both the County and Dahlonega, as applicable.

(1) Application Submission and Hearing Schedule

Upon receipt of an Application for Determination of Plan Consistency, the governing authority shall have seven business days to review the application for completeness. In the event two governing authorities are holding hearings, then both must approve the application's completeness. If the application is incomplete, the governing authority shall return the application with the deficiencies noted. The application may be resubmitted once the deficiencies are corrected. If the application is accepted as complete, the Applicant shall be advised of the date of 1) the initial hearing, 2) the public comment hearing, and 3) the decision hearing.

a. The initial hearing must be held within thirty days of the date the application was deemed complete, and may be a called meeting.

b. The public comment hearing shall be held within fifteen days after the initial hearing, but no sooner than one week after the initial hearing; it may be a called meeting.

c. The decision hearing shall be the next regularly scheduled governing body's hearing after the public comment hearing, provided that occurs at least three business days after the public comment hearing. The decision hearing may not occur at a called meeting.

(2) Mailed Notice

Upon receipt of notice of the schedule for the three hearings, the Applicant shall cause to be mailed, via first class mail with proof of mailing, a letter advising all property owners any portion of whose property is within five hundred feet of the boundaries of the parcel or lot containing the proposed facility, of the time, place and purpose of the initial hearing, the public comment hearing, and the decision hearing. Such notice shall contain a summary description of the proposed facility, including its size and purpose, the owner of the parcel or tract of land, the owner of the facility, the proposed operator of the

facility, and Applicant for the approval. The Applicant shall also cause a letter containing the above information to be mailed, along with a full and complete copy of the Application, to the legal organ, to each newspaper, radio station, and television station in Lumpkin County. Letters shall be mailed and postmarked at least ten days prior to the date of the initial hearing. Proof of such mailing must be submitted to the governing authority at least three days prior to the initial hearing, along with a list of all owners. Ownership shall be determined based on Lumpkin County tax records as of the date of the application. Failure to provide proper notice shall cause the hearings to be continued and the hearing schedule to be reset and re-noticed.

(3) Published and Posted Notice

The Applicant shall also be required to pay for notice to be published in the official legal organ of the County (as designated under O.C.G.A. § 9-13-142). The notice shall be published at least three times in the legal organ. Each notice shall be at least four inches by six inches, shall be published as an advertisement in the general news section of the paper (not the legal notices or classified section) and shall contain a bold heading stating "Notice of Public Hearing, Proposed Solid Waste Facility." Each notice shall further state the time, place and purpose of the initial hearing, the public comment hearing, and the decision hearing; and shall further contain a summary description of the proposed facility, including its size and purpose, the owner of the parcel or tract of land, the owner of the facility, the proposed operator of the facility, and Applicant for the approval. The first notice shall be published at least one week before the initial hearing. The second notice shall be published after the initial hearing but at least one week before the public comment hearing, and may omit information regarding the initial hearing. The final notice shall be published at least one week before the decision hearing, and may omit information regarding the initial hearing and public comment hearing, provided it has occurred.. In the event two governing authorities are holding hearings, then both must be referenced in the notice. Failure to provide proper notice shall cause the hearings to be continued and the hearing schedule to be reset and re-noticed.

The initial notice regarding all three hearings must be posted at a prominent place of public notice at the Lumpkin County Courthouse, Dahlonega City Hall, and every U. S. Post Office in the County (if permitted by the Postmaster), at least one week before the initial hearing..

(4) Application Copies and Fee

The Applicant shall be required to submit fifteen copies of the application to each involved governing authority. Copies of the application shall be made available to the public for review for no charge. The Applicant shall also submit a fee of $1,000 for review to each involved governing authority.

(5) Initial Hearing

The governing body shall hold three hearings on the application, and shall make its decision at a third hearing. At the initial hearing, the applicant shall present its application. This shall be a public meeting (i.e., open to the public), but public comments will not be received. The purpose of such hearing is to present the application to the public. The applicant shall have up to one hour to present its application, unless an extension is granted by the governing body. The members of the governing body will have the opportunity to ask questions of the Applicant, and members shall request any further information desired from the Applicant. The governing authority may also request independent experts be retained by the Applicant, or by the County, to verify the Applicant's information or develop new and additional information.

(6) Public Comment Hearing

The second hearing is the public comment hearing. This is a public meeting and comments will be received. At the public comment hearing, the Applicant shall first present its application presentation again, and any supplemental information requested by the governing authority. The Applicant and its supporters shall have one hour and opponents shall have one hour. The governing authority shall have the opportunity to ask questions of the staff, any experts, the applicant, supporters and opponents. The hearing shall be transcribed or recorded so that it may be transcribed later if necessary. The

Applicant and supporters shall be granted equal time as opponents. The minimum time allowed per side is one hour unless less is requested. More time than the minimum may be allowed at the discretion of the governing authority if the application is extremely complex, or the number of witnesses or speakers warrants a further extension. If the governing body determines that there are a great number of opponents with the same interest (for example, members of the same neighborhood), the governing authority may require that a spokesman be designated. The opponents may also be represented by one or more attorneys. The applicant, supporters and opponents shall have the right to provide testimony, including expert testimony, in support of their position. Each party shall have a reasonable opportunity to raise questions to be put to the other side, in an orderly manner as controlled by the governing authority. At the close of the evidence at the public comment hearing, the governing authority shall discuss the application. No vote shall be taken at this time.

(7) Decision Hearing

The decision hearing is the hearing to make a decision whether to grant or deny the determination of plan consistency. The decision hearing shall be the next regularly scheduled governing body meeting after the public comment hearing, provided there is at least three business days between such hearings. At the decision hearing, the governing body will reconvene to consider proposed written decisions, which may be submitted by any party at any time prior to the hearing or at the hearing. No further evidence will be received, but comments regarding any proposed decision may be made and public comments may be taken regarding proposed decisions. Any member of the governing authority may make a motion to put forth any proposed written decision or a verbal motion, regarding the decision.

(8) Determination of Plan Consistency

The written decision, known as the "Determination of Plan Consistency", should be based on the evidence in the record and the criteria in the Plan. Written decisions may be supplemented with further conditions proposed at that hearing. No vote shall be final until a written decision is adopted by the governing body. The decision shall state

whether the application is consistent with the Plan or not, and why it is deemed consistent or inconsistent. To be consistent, the application must satisfactorily address all of the criteria listed above as relevant to the siting of a solid waste handling facility. Failure to satisfactorily address all of the above criteria shall require a determination of inconsistency with the JSWMP. The governing authority shall notify the Applicant by sending a copy of the written decision within five days of the decision hearing.

(9) Appeal Procedures

In the event the governing body or bodies find that the application is not consistent with the Plan, the Applicant shall have the right to appeal to the Superior Court of Lumpkin County within thirty days of the date of the written decision (or the last of two written decisions, if two are issued by the county and the municipality). The Applicant shall also have the right to address the inconsistencies, resubmit the application and begin the process again. Such a resubmission shall not occur within three months of the date of the denial.

In the event the Applicant chooses to appeal, the Applicant shall file a copy of the appeal with the County governing authority, and the County Clerk, assisted by the County Attorney, shall forward a copy of the entire record (including all evidence submitted by all sides) to the Superior Court as soon as is practicable, along with the minutes of the hearings, copies of the tapes or transcriptions of the hearings, the written decision, a copy of the Joint Solid Waste Management Plan, and all other relevant ordinances, maps and documents. The appeal shall be based on the record evidence.

Assessment of the Land Limitation Element

Based on the siting criteria identified above and the exhibits and appendices of this Plan, Lumpkin County is of limited suitability for siting solid waste handling facilities. The procedures described above, once put into place, will help ensure that facilities sited in the County are consistent with this Plan and that natural environmental resources and cultural and historic places and resources, as well as the citizens of the County, will be protected. The Joint Solid Waste Management Ordinance is an important part of the

health, safety and welfare of the people of Lumpkin County and an important part of protecting the natural environmental resources and the cultural and historic places and resources in the County and its municipalities.

Regulatory Needs

The Lumpkin County Commission should amend those sections within the Land-Use Code applicable to Special Land-Use Approval to include provisions related to compliance with this Multi-jurisdictional Solid Waste Management Plan and whether the application has received a Determination of Plan Consistence that is positive. Further, these amendments should address anticipated impacts of proposed facilities on current solid waste management facilities and infrastructure; the anticipated impact proposed facilities will have upon adequate collection and disposal capabilities within the planning area; and the effect proposed facilities will have upon waste generated within the state achieving the state's 25% per capita waste disposal reduction goal. Specific reference should be made to provisions of the Solid Waste Management Plan in analysis of proposed waste collection, disposal, transfer, recovery, or reduction facilities in order that planning consistency be established and that continuity in waste policy be strictly established.

Public Education/Outreach Element Ch. 5

Inventory and Assessment of Existing Programs

Lumpkin County is a founding member of Keep Our Mountains Beautiful, a Keep America Beautiful Affiliate. Certified in 1999 KOMB is the second regional affiliate in the state of Georgia. From 1999 through 2003 KOMB had an environmental specialist who, using the Waste in Place Curriculum as well as other educational components, worked with children within the Lumpkin County School System to help them understand the importance of protecting our natural resources. Presentations are made to civic organizations and businesses in an effort to increase their awareness of our environment and the need to implement recycling programs within the community and their businesses. Educational totes made up of learning materials and worksheets were provided to each school system to allow teachers to take programs into their classrooms at any time and the teachers were trained in all the provided materials. Bring-One-for-the-Chipper, Adopt-A-Road programs, Litter abatement, America Recycles Day and the Great American Clean-up are all programs implemented by KOMB. Working with the county's Code Compliance Office and the City of Dahlonega, these and other educational programs have had a positive impact in Lumpkin County.

Public Education/Outreach Element Ch. 5

Needs and Goals

With the establishment of the Regional Recycling Cooperative administrated through the North Georgia Resource Management Authority, the county and city will be greatly accelerating their role in both public education and private industry outreach. Each member county within the regional cooperative has agreed to the establishment of an environmental commission consisting of nine (9) members including county representatives, city representatives, and local citizens. This commission will make recommendations to the county commission and city council concerning environmental issues with respect to solid waste, recycling, and water resources. The environmental commission will also help to involve and educate the community concerning environmental problems and issues, organize events concerning natural resources and recycling such as Earth Day, chipping programs, and community composting, and Coordinate with government and non-profit entities concerning environmental program efforts and community needs.

The county should hire an environmental educator to be staffed through the Environmental Compliance Office, whose duties would include in-school programs, coordinating with the citizen commission, public information brochures and presentations, and private industry outreach with respect to recycling cooperation. This educator would have extensive contact and cooperation with NGRMA and be heavily involved with regional cooperative efforts as well. Programmatic duties would involve expansion of workplace recycling efforts, the adopt-a-stream program, the adopt-a-road program, and in-school youth group organization.

Legal Provisions

SEVERABILITY

If any paragraph, subparagraph, sentence, clause, phrase or any portion of this Plan be declared invalid or unconstitutional by a court of competent jurisdiction, or if any provision of any part of this Plan as applied to any particular situation or set of circumstances be declared invalid, or unconstitutional, such invalidity shall not be construed to affect the portions of this Plan not so held to be invalid, or the application of this Plan or other circumstances not so held to be invalid. It is hereby declared to be the intent of the governing authorities to provide for separable and devisable parts and he does hereby readopt any and all parts hereof as may not be held invalid for any reason.

REPEALER AND EFFECTIVE DATE

This Plan replaces the prior Joint Solid Waste Management Plan. In the event all of this Plan is struck down as void, unconstitutional or invalid, including therefore this provision, that prior ordinance shall be considered to not have been repealed, and shall therefore still be in effect.

Appendix

List of Charts and Tables

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County and City Solid Waste Facilities Detail Map **App.2**

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Historic Sites Map **App.5**

Land Limitation Assessment Map for Future Solid Waste Facilities **App.6**

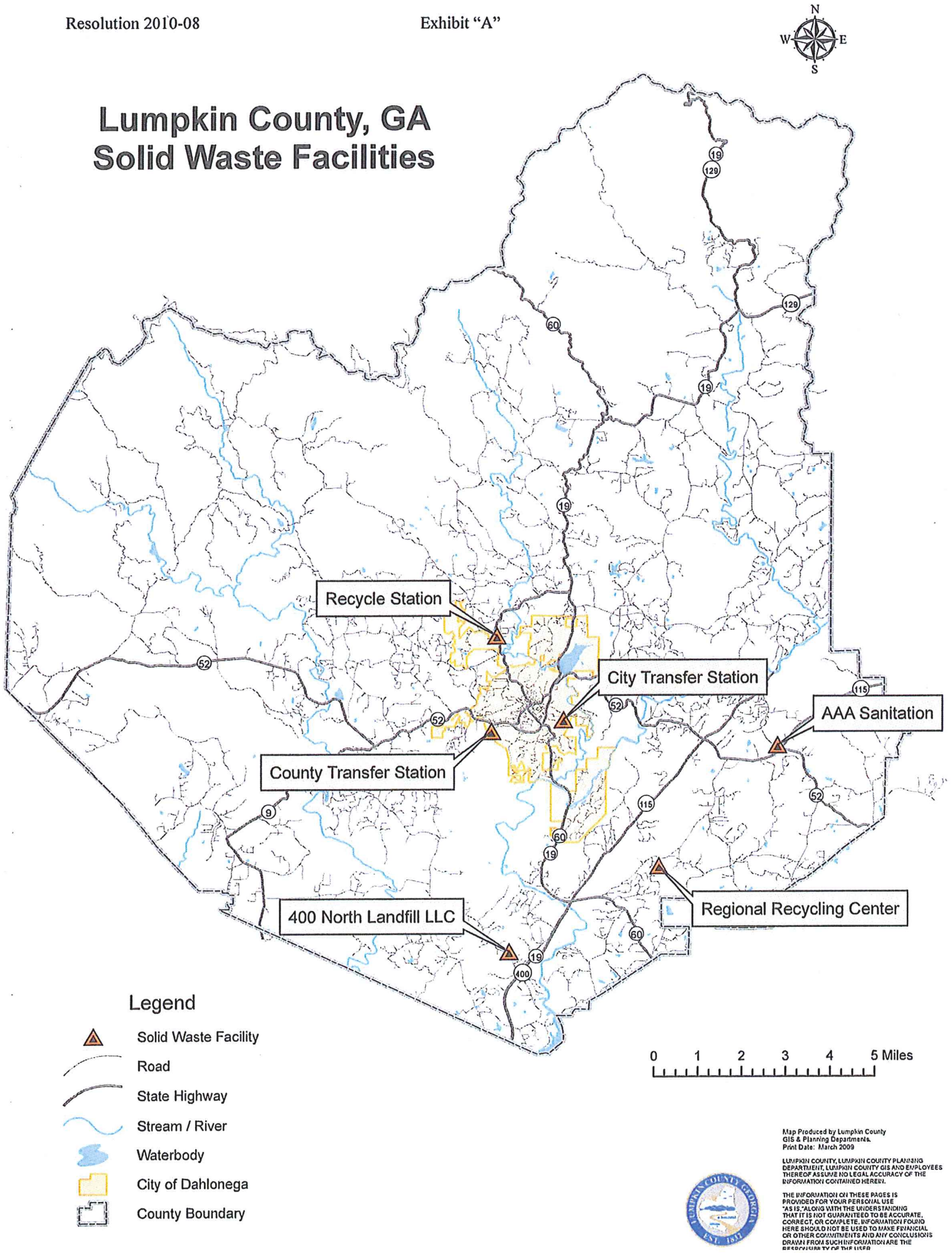
Steep Slopes Map **App.7**

Water Supply Watershed Map **App.8**

Wetlands Map **App.9**

Resolution 2010-08

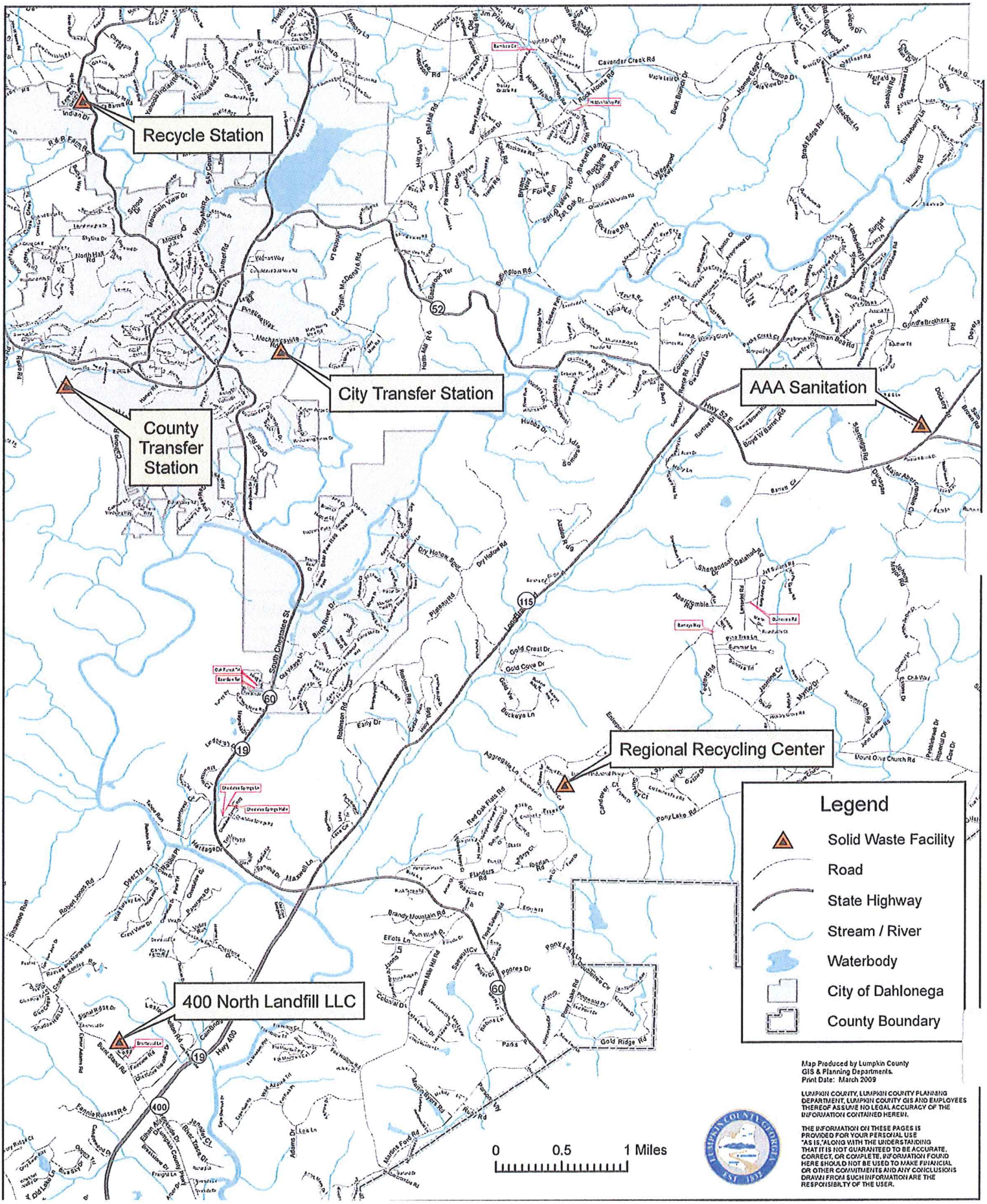
Exhibit "A"



Resolution 2010-08

Exhibit A

Lumpkin County, GA
Solid Waste Facilities



Map Produced by Lumpkin County GIS & Planning Departments.
Print Date: March 2009

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Resolution 2010-08

Exhibit "A"

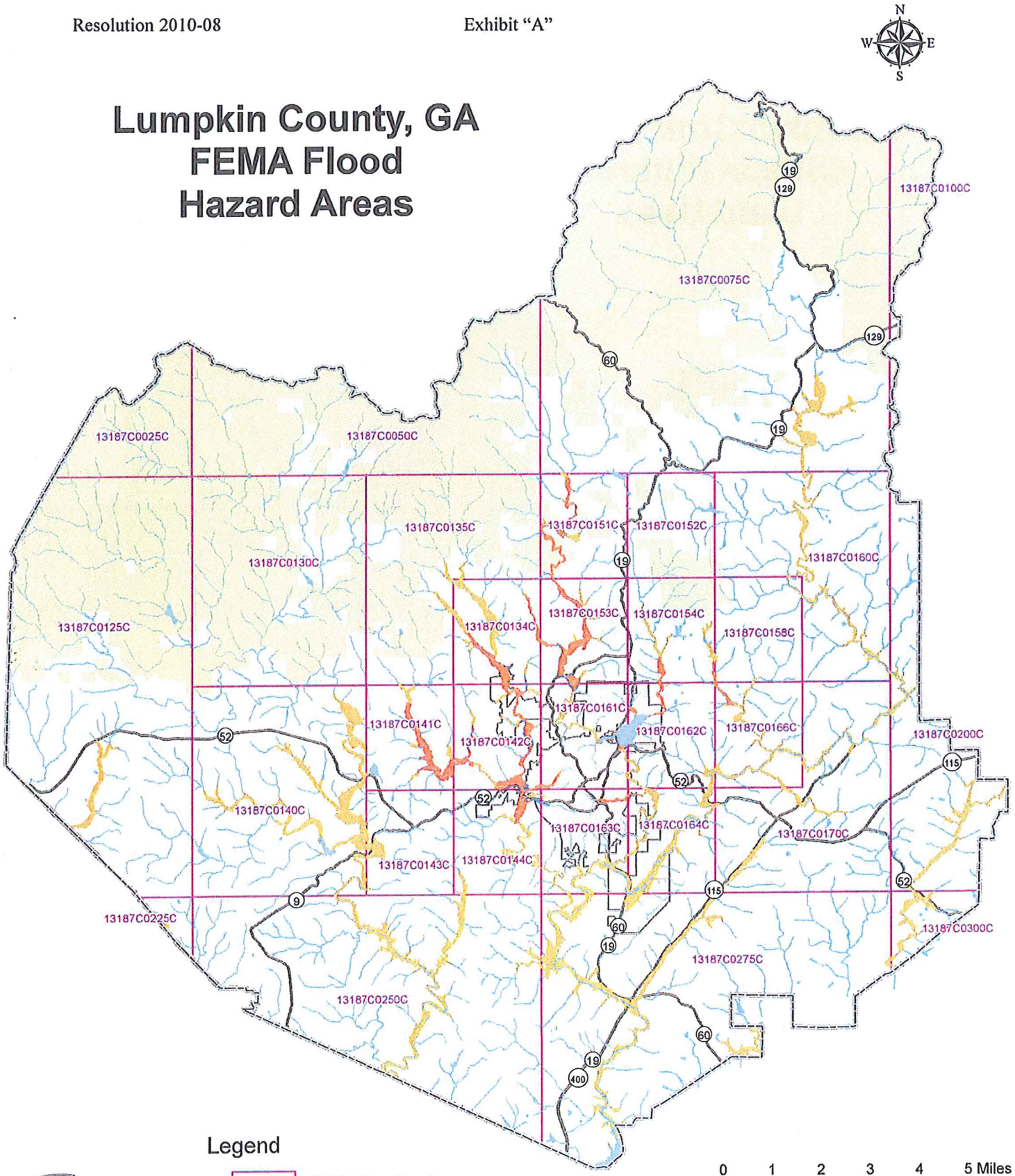

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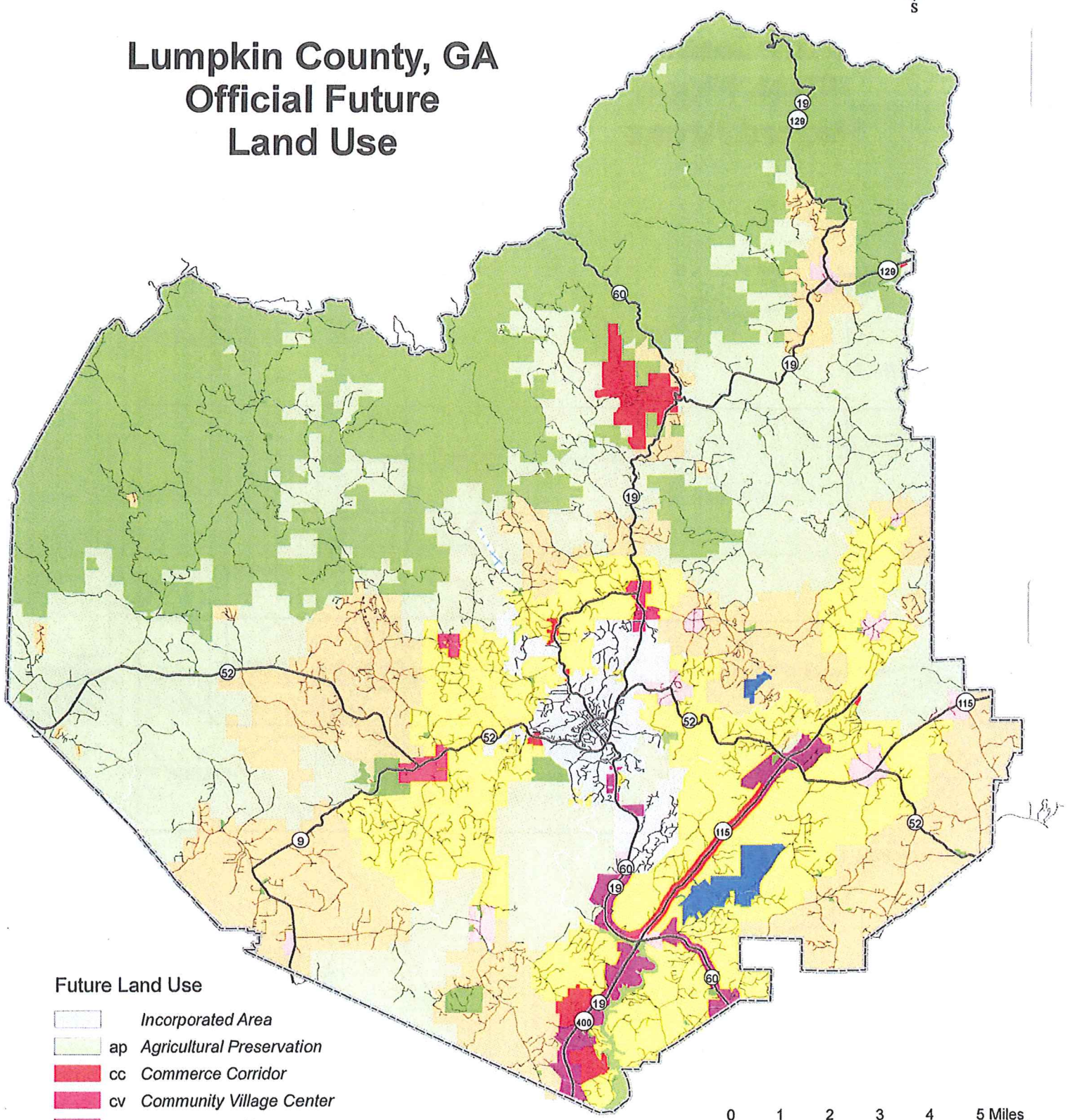
Exhibit "A"

Lumpkin County, GA Official Future Land Use



Future Land Use

- *Incorporated Area*
- ap *Agricultural Preservation*
- cc *Commerce Corridor*
- cv *Community Village Center*
- gc *Gateway Corridor*
- i *Industrial*
- n *Neighborhood Village Center*
- pi *Public/Institutional*
- rg *Residential Growth Areas*
- roc *Recreation/Open Space/Conservation*
- rp *Rural Places*
- tcu *Transportation/Communication/Utilities*

- Road
- State Highway
- County Boundary

Map Produced by Lumpkin County GIS & Planning Departments.
Print Date: March 2009

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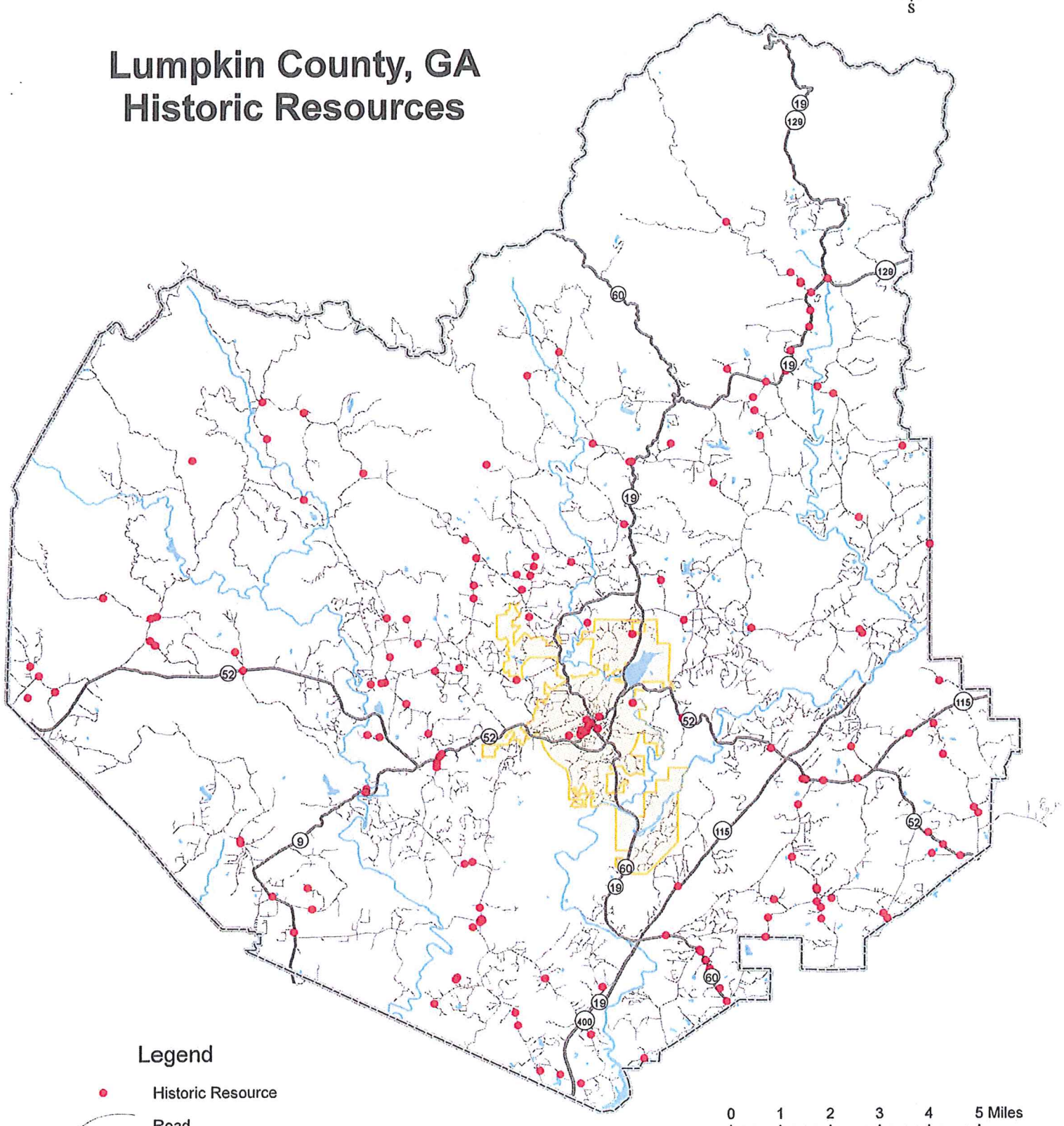
Resolution 2010-08

Exhibit "A"

Lumpkin County, GA
Historic Resources



Legend

- Historic Resource
- Road
- State Highway
- Stream / River
- Waterbody
- City of Dahlonega
- County Boundary

Map Produced by Lumpkin County GIS & Planning Departments.
Print Date: March 2009

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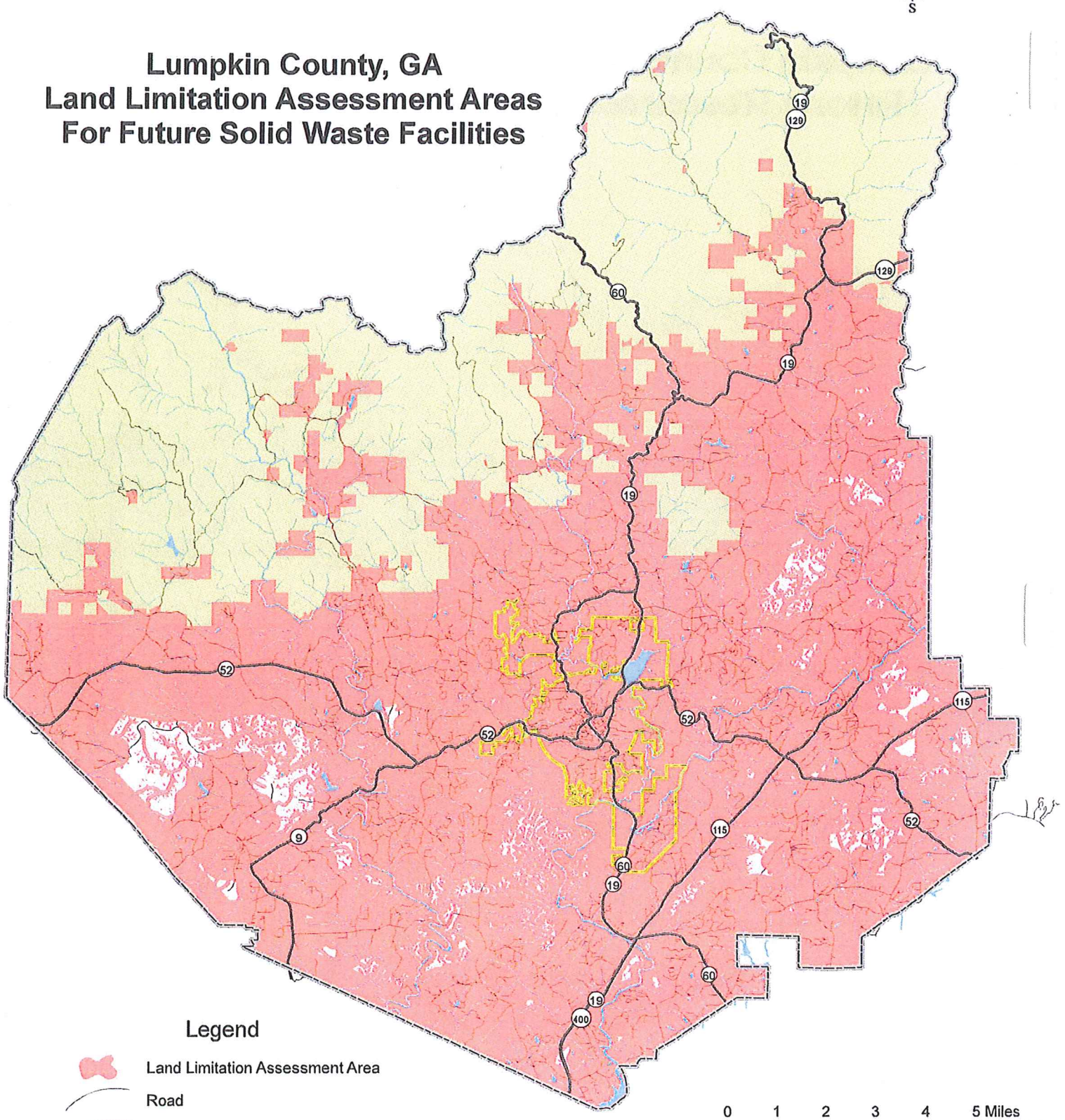
Exhibit "A"

Lumpkin County, GA
Land Limitation Assessment Areas
For Future Solid Waste Facilities



Legend

- Land Limitation Assessment Area
- Road
- State Highway
- Stream / River
- Waterbody
- National Forest
- City of Dahlonega
- County Boundary

0 1 2 3 4 5 Miles

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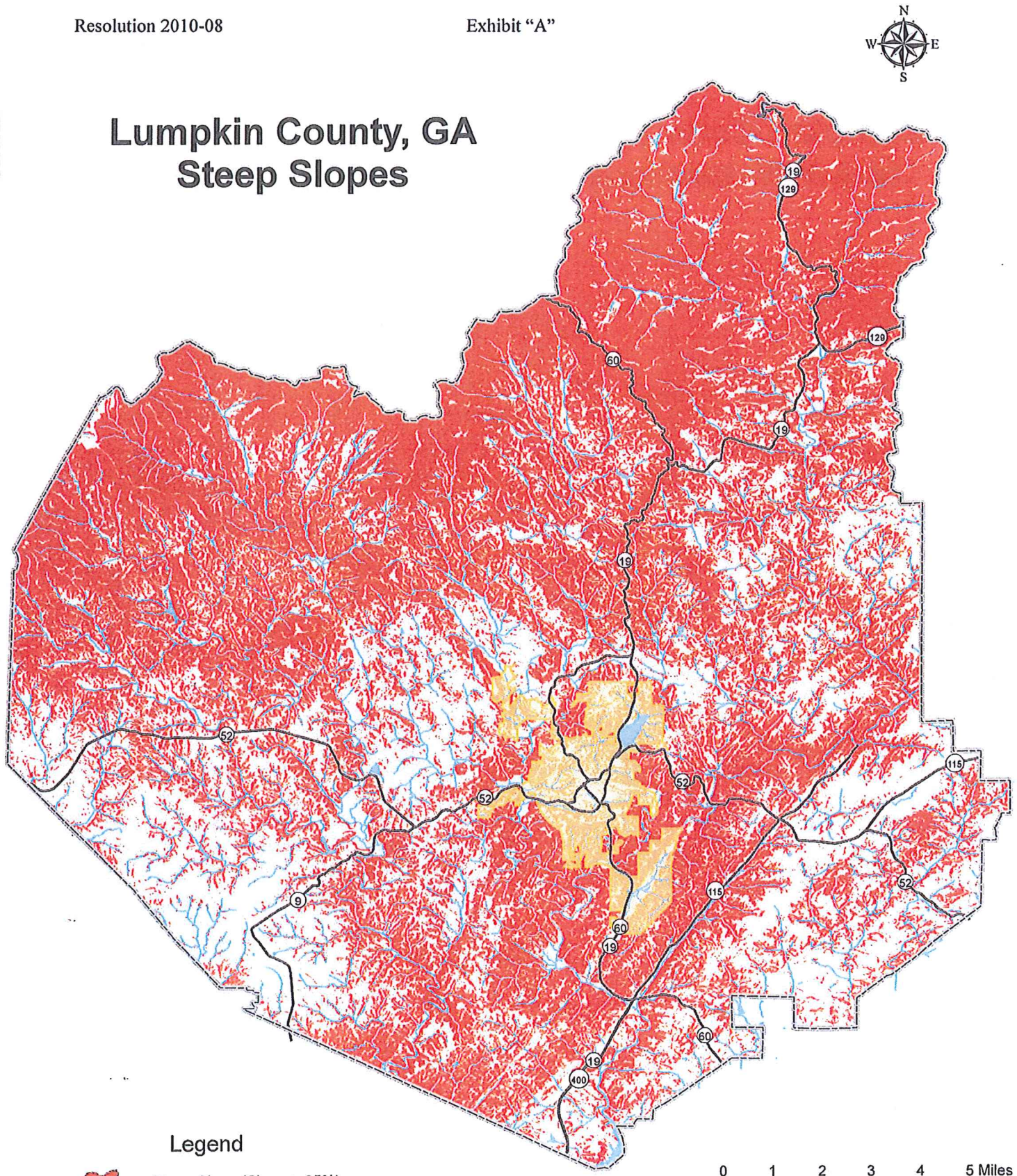

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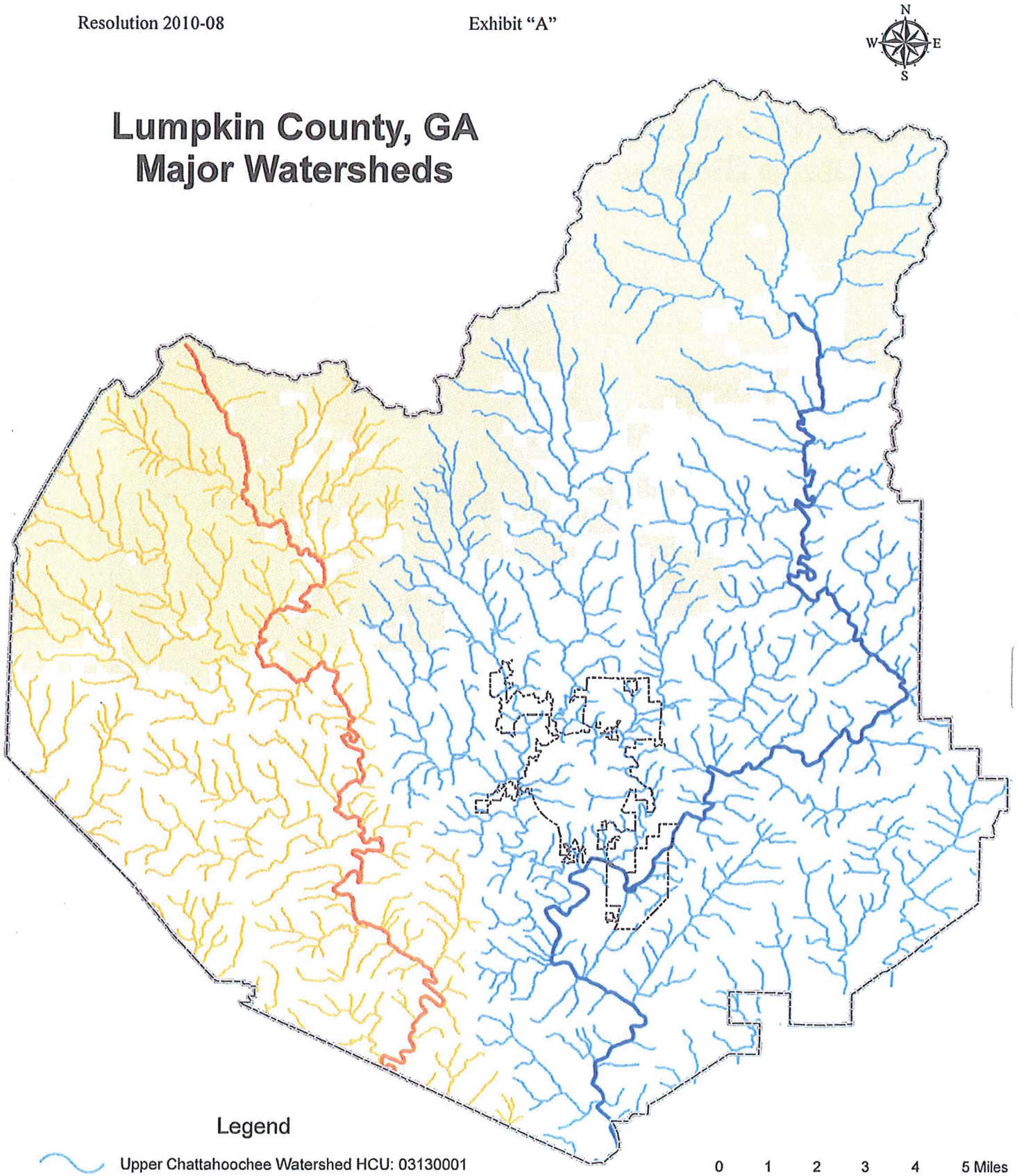

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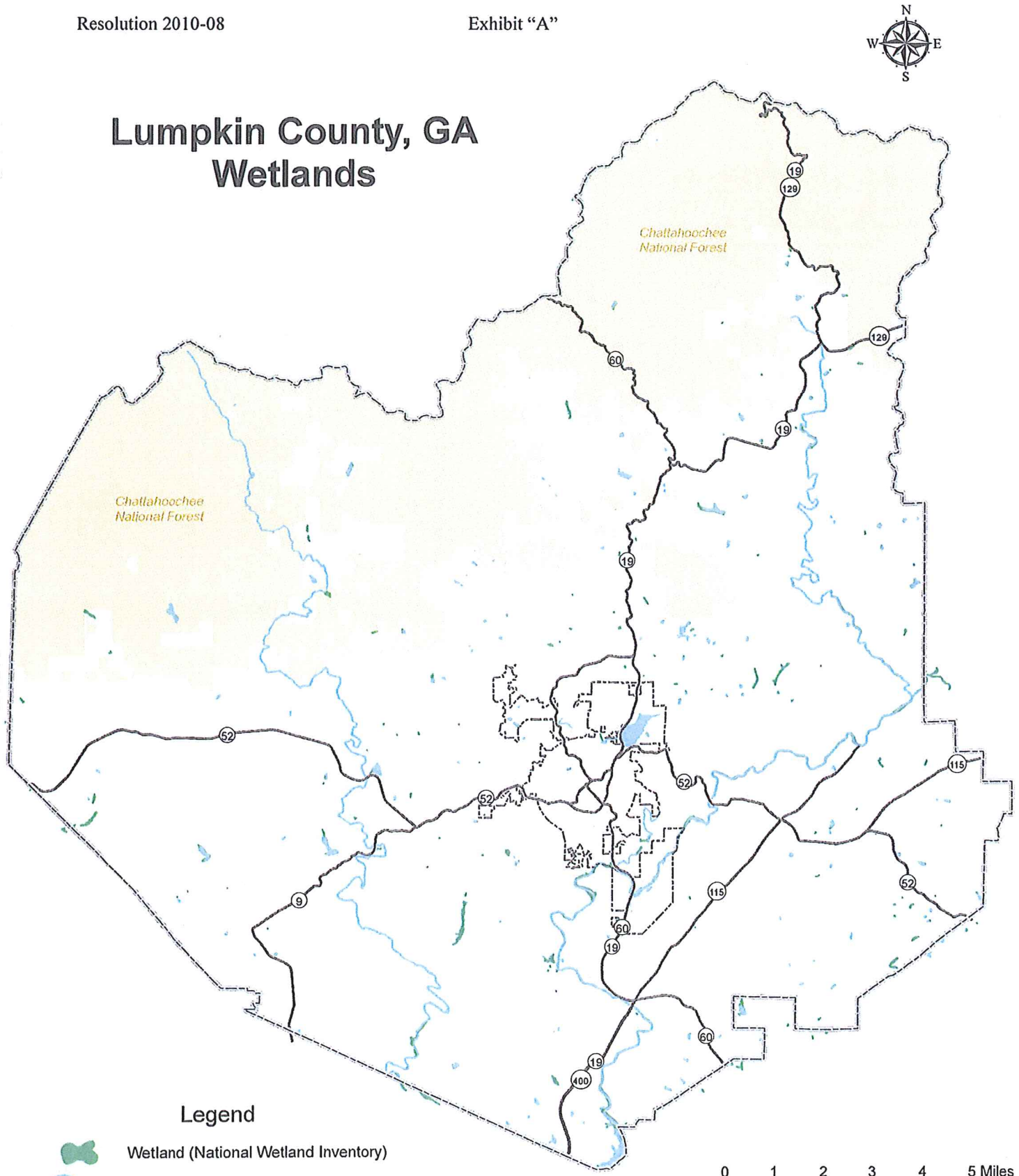

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