



# Forsyth County Recycling and Solid Waste Management Plan 2022-2031



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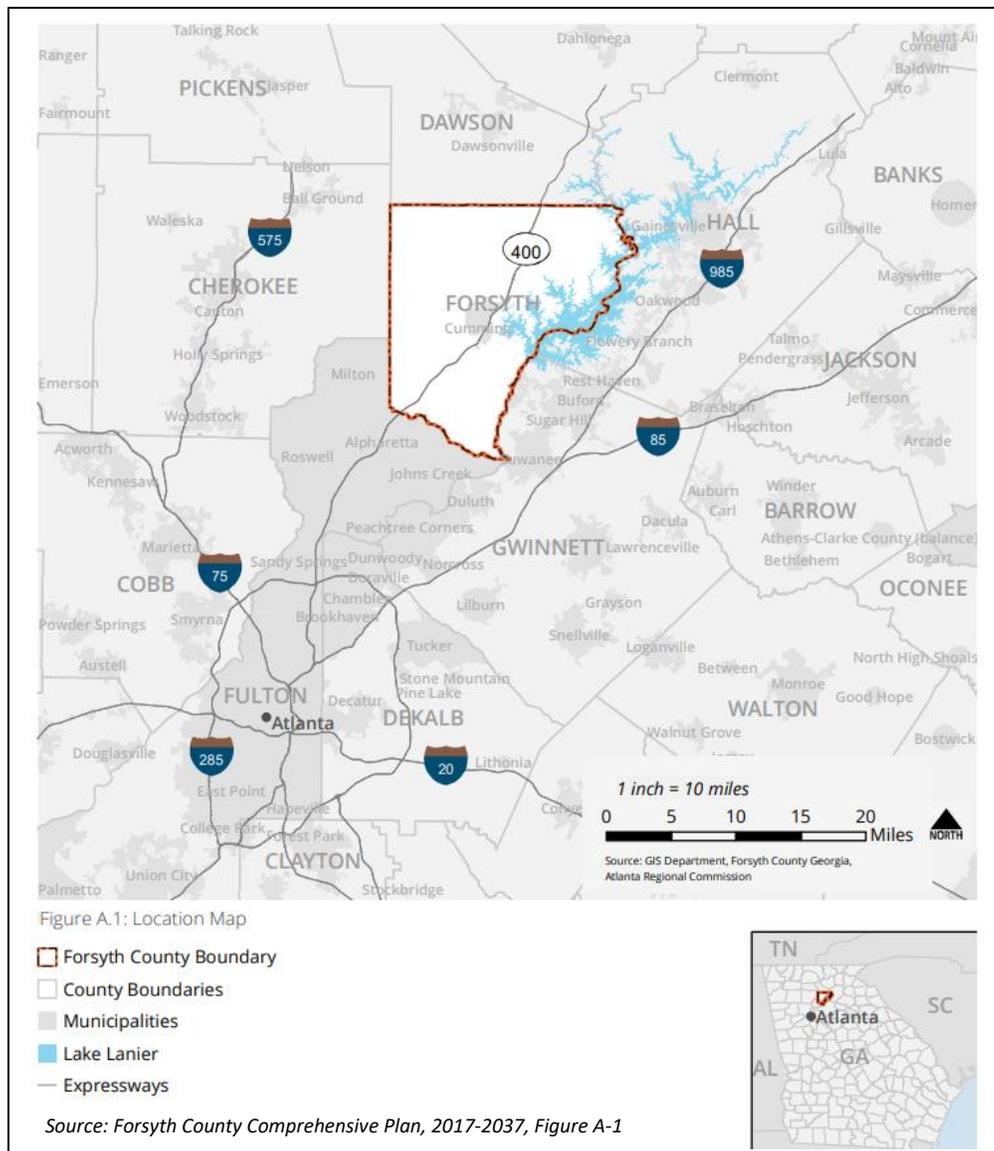
# 1 INTRODUCTION

## 1.1 DESCRIPTION OF THE AREA

### 1.1.1 Location

Forsyth County is located approximately thirty miles northeast of Atlanta, Georgia, sharing a border with Fulton and Gwinnett counties to the south, Hall County to the east, Dawson County to the north, and Cherokee County to the west (see Figure 1.1). Forsyth County encompasses almost 250 square miles, with Lake Lanier and the Chattahoochee River on its eastern border and Sawnee Mountain at the geographic heart of the County.

**Figure 1-1 Location of Forsyth County**



### 1.1.2 Population

Forsyth County has experienced significant population growth in recent decades, with the number of residents increasing by over 42 percent in the last decade alone. Table 1-1 shows this growth is expected to continue with a projected population of 340,844 by the end of the planning period in 2031. More than 97 percent of the population resides in the unincorporated portion of the County with less than 3 percent in Cumming, the County’s only incorporated area.

**Table 1-1 Historic and Projected Population of Forsyth County**

Year	Population
1990 <sup>1</sup>	44,083
2000 <sup>1</sup>	98,407
2010 <sup>1</sup>	175,511
2020 <sup>2</sup>	250,298
2030 <sup>2</sup>	334,204
1. Forsyth County Comprehensive Plan, 2017-2037 2. Georgia Governor’s Office of Planning and Budget	

## 1.2 THE RECYCLING AND SOLID WASTE MANAGEMENT PLAN

In 1991, Forsyth County adopted its first Ten Year Solid Waste Plan. A second ten-year plan was adopted in 2004. A five-year update to the 2004 plan was adopted in 2009. Since the last plan was updated, the State of Georgia issued new guidelines that requires local solid waste management plans to accomplish the following: 1) demonstrate ten years of collection capability; 2) demonstrate ten years of disposal capacity; 3) describe the type and size of solid waste handling facilities located within the jurisdiction, and 4) identify sites which are unsuitable for solid waste handling facilities based on environmental and land use factors. This Forsyth County Recycling and Solid Waste Plan addresses these State requirements. In addition, it identifies Forsyth County’s goals, strategies, and presents an action plan for the ten-year planning period from 2022 to 2031. The Plan is organized into the following sections.

- Section 2 describes the current recycling and solid waste management system in place.
- Section 3 projects the amount of solid waste requiring management over the ten-year planning period.
- Section 4 identifies goals and strategies for the next ten years.
- Section 5 contains an action plan to accomplish these goals and implement these strategies.

This plan was adopted by the Forsyth County Board of Commissioners on June 2, 2022.

## 2 CURRENT SOLID WASTE MANAGEMENT SYSTEM

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### 2.1 THE FORSYTH COUNTY RECYCLING AND SOLID WASTE DEPARTMENT

The primary responsibility for recycling and solid waste management in Forsyth County lies with the Forsyth County Recycling and Solid Waste Department (FCRSWD). The Department's mission is to manage the county's solid waste in an environmentally sound, cost-effective, socially responsible, and safe manner, in accordance with the vision of the Forsyth County Comprehensive Plan. The primary day to day functions of the department include operating public convenience centers, overseeing post-closure care of the closed Hightower Landfill, and public education and outreach.

Keep Forsyth County Beautiful (KFCB), an affiliate of the national organization Keep America Beautiful, is housed within the FCRSWD and administered by a memorandum of understanding with the Forsyth County government. KFCB's mission is to engage citizens in beautification, litter reduction, water quality, and recycling through education and community involvement.

### 2.2 SOURCE REDUCTION, REUSE, AND RECYCLING

#### 2.2.1 Source Reduction and Reuse

Source reduction (defined in Georgia law as actions taken to prevent the generation of waste in the first place) and reuse are the first steps in a hierarchy to reduce the amount of waste requiring disposal. Some of the source reduction and reuse activities in Forsyth County are listed below.

- The County provides bins at its convenience centers for collection of books and clothing for reuse.
- At the County surplus barn, discarded items from county departments can be retrieved by other departments for free or are sold to the public at an online auction.
- Forsyth County Schools, in partnership with Reaping Nature, operate a teacher re-use store.
- Goodwill and other thrift stores in the County, including The Place of Forsyth County, ABBA House, Humane Society, No Longer Bound, and Family Haven sell previously owned goods with the proceeds supporting charitable causes.
- Previously owned goods can be purchased or traded for reuse at church and community yard sales and through online marketplaces such as Nextdoor and Facebook.

The County promotes source reduction and reuse opportunities on its website and social media platforms and in KFCB's school programs and presentations.

#### 2.2.2 Residential Recycling

Forsyth County accepts recyclables at three convenience centers listed in Table 2-1. All three centers are open from Monday through Saturday from 7:30 a.m. to 5 p.m. The materials accepted at the convenience centers, and the amounts received in 2020, are shown in Table 2-2. The County has a contract with a local Recovered Materials Processing Facility (Forsyth County Materials Recovery) to take most of the materials (paper and containers) collected at the convenience centers.

**Table 2-1 Forsyth County Convenience Center Locations**

Facility	Address
Tolbert Street	351 Tolbert Street, Cumming, GA 30040
Old Atlanta	3678 Old Atlanta Road, Suwanee, GA 30024
Coal Mountain	3560 Settingdown Road, Cumming, GA 30028

**Table 2-2 Materials Received at Forsyth County Convenience Centers, 2020**

Material	Amount
Cardboard & Paperboard	687.7 Tons
Paper - Magazines, Office Paper, Junk Mail, Newspaper	343.7 Tons
Aluminum Cans	36.7 Tons
Steel/Tin Food Cans	37.2 Tons
Glass Jars and Bottles	505.1 Tons
Plastic Bottles and Jugs (#1 and #2 only)	197.9 Tons
Batteries (all types)	9.5 Tons
Used Motor Oil	9,051 Gallons
Oil Filters	2
Antifreeze	520 Gallons
Used Cooking Oil	1585 Gallons
Books	24.5 Tons
Scrap Metal	336.1 Tons
Tires (at Coal Mountain Location Only) <sup>1</sup>	1790 Tires
Electronics (at Tolbert St. Location Only) <sup>1</sup>	71.3
Paint <sup>1</sup>	18,525 Gallons
Empty Small Propane Canisters	2
Cloth Flags	2
Ink Cartridges	2
Clothing, Shoes, Textiles	2
<sup>1</sup> Fee charged to accept. <sup>2</sup> Amount not reported	

The County accepts most items at the convenience centers at no charge (except for tires, electronics, and paint). In fact, to further incentivize recycling, the County charges a lower fee for bagged household trash delivered to the convenience centers if residents also bring recyclables.

Some, but not all, of the private haulers that provide curbside collection of garbage to residents of Forsyth County also offer collection of recyclables to those customers. Those that do often charge a fee for this service.

Several private companies in Forsyth County accept specific materials for recycling. KFCB provides a list of where residents can deliver materials that are not accepted at the convenience centers on its website at [www.keepforsythcountybeautiful.org/disposal-resources](http://www.keepforsythcountybeautiful.org/disposal-resources)

### 2.2.3 Commercial, Industrial, and Institutional Recycling

Although some businesses in Forsyth County recycle, most work directly with private haulers, processors, and end users. They do not report these activities to the County. As a result, data are not available regarding how much is recycled and by which businesses.

Within Forsyth County government, recycling is available in the following buildings.

- Sexton Hall
- Administration Building
- Probate Court/Sherriff's Annex
- Superior & State Court House
- Tax Commissioner Office
- Magistrate and Public Safety
- Voter Registration Office
- Recycling & Solid Waste

Recycling is available to all Forsyth County schools through the Board of Education's waste collection contract. Participation is encouraged by the KFCB Green School program.

KFCB has portable recycling bins that can be borrowed for special events. These bins are regularly used for festivals, fairs, sporting and community events and celebrations, including the annual City of Cumming Fair.



### 2.2.4 Processors and Markets

The Forsyth County Materials Recovery (now operated by Waste Management), located at 5680 Shirlee Industrial Way N, processes household recyclables including paper, plastic (#1 and #2), cardboard, aluminum, and steel cans. This facility accepts materials from the County's convenience centers and from haulers inside and outside of Forsyth County. Other recyclers located in the County include United Recycling, a scrap metal recycler, and Atlanta Recycling Solutions, an R2 Certified Electronics Recycler.

### 2.2.5 Composting/Mulching

Yard trimmings, tree debris, and other organics are composted and mulched through the following programs and operations.

- Private companies located in Forsyth County, including Cowart Mulch and Smith Garden Products, accept a variety of yard and tree debris from citizens for a fee and make a mulch product.
- KFCB hosts Christmas Tree recycling from December 26<sup>th</sup> until late January each year. The trees are ground into chips and made available to residents at no cost.
- Five elementary schools are currently composting on various levels.
- The county chips trees trimmed in the right of-way and on county property making the chips available to the public at no charge year-round.

- The UGA Extension Office offers several classes and a variety of information on composting and mulching, poultry litter composting, vermiculture, etc.

## 2.3 COLLECTION

### 2.3.1 Solid Waste Collection

The Forsyth County convenience centers listed in Table 2-1 accept bagged household trash from County residents. Residents can bring up to five bags per day and each bag can hold up to thirty-two gallons. To encourage recycling at the convenience centers, which is free, residents pay fifty cents per bag of household garbage if they also bring recyclables and \$1 a bag if they do not. For any bags over the five-bag daily limit, residents pay \$2 per bag. Yard trimmings are not accepted at the convenience centers. Bulky metal appliances that do not contain freon are accepted at no charge. In 2020, 2,460 tons of trash were collected at the convenience centers.

Residents, businesses, and institutions in the unincorporated County arrange for curbside collection with one of the private haulers operating in the County, shown in Table 2-3.<sup>1</sup> Some homeowner associations arrange for curbside garbage collection at negotiated rates for their residents. Section 70-56 of the County code identifies basic requirements for private haulers operating within its jurisdiction, including requirements for vehicles to meet state standards, limits of collection hours, and indemnification of the County. Private haulers are not required to report any information, such as tons collected, to the County.

**Table 2-3 Private Haulers Operating in Forsyth County, 2021**

Hauler Name
Rakestraw Sanitation
Red Oak Sanitation
Republic Services
Residential Waste, LLC
Watson Sanitation, LLC
Waste Management
Beyond Recycling Services
Grogan Disposal Company
Allegiance Sanitation
Evans Garbage
Jones Sanitation
Longhorn Sanitation
CW Trash & Junk Removal
Caines Garbage Services

The City of Cumming contracts with a private hauler to collect garbage from residents that live inside the city limits. The current fee is \$15 a month which includes one “pickup” per week. Additional pickups cost

<sup>1</sup> The County maintains this list, along with contact information and the services offered on its website at [www.forsythco.com/Departments-Offices/Recycling-Solid-Waste/Waste-Haulers](http://www.forsythco.com/Departments-Offices/Recycling-Solid-Waste/Waste-Haulers) and on KFCB’s website at [www.keepforsythcountybeautiful.org/\\_files/ugd/0f9e47\\_a4a63f24ebdd48bfac13d6acf9230387.pdf](http://www.keepforsythcountybeautiful.org/_files/ugd/0f9e47_a4a63f24ebdd48bfac13d6acf9230387.pdf)

\$15 each. The City of Cumming Street Department manages the pickup of appliances, moving boxes, grass clippings, brush, etc. for residents within the city limits.

### 2.3.2 Household Hazardous Waste Collection

KFCB hosts a Household Hazardous Waste Collection event twice annually, in the spring and fall, at the Cumming Fairgrounds parking lot in partnership with Forsyth County Government and the City of Cumming. The items accepted at the events are listed in Table 2-4.

**Table 2-4 Materials Accepted at Forsyth County HHW Collection Events**

Material Type	
Aerosols (including aerosol paint)	Automotive products
Automotive products	Glues and epoxy
Batteries	Lawn Care Products
Chemicals	Mercury
Chlorinated solvents	Oils
Cleaners	Paints and stains
Cooking oil and grease	Pesticides
Electronics	Pool chemicals
Fire extinguishers	Propane gas cylinders
Flammables (lighter fluid and waste)	Solvents and varnishes
Fuels (kerosene, gasoline, diesel fuel)	Thermometers and thermostats
Fluorescent bulbs and ballasts	Wood preservatives
Aerosols (including aerosol paint)	

## 2.4 DISPOSAL

### 2.4.1 Eagle Point Landfill

The only municipal solid waste landfill located in Forsyth County is Eagle Point Landfill, Permit Number 058-012D (MSWL), owned and operated by Green for Life Environmental (GFL). The landfill is located at 8880 Old Federal Road, Ball Ground, GA. According to a September 2020 remaining capacity report submitted by the landfill operator to the Georgia Environmental Protection Division, the landfill received an average of 2,983 tons of waste per day. At this disposal rate, the currently permitted area would reach capacity in August 2034. As of January 2022, the operator has applied for a permit to expand the landfill.

Forsyth County entered into a Memorandum of Understanding (MOU) with the operator of Eagle Point Landfill in December 2017 and amended most recently in August 2020. The MOU guarantees air space for the County’s waste until calendar year 2038 or until the landfill closes, whichever is earlier. The landfill operator must give the County notice at least two years prior to closure. The MOU also commits the operator to pay Forsyth County a host fee for all tonnage delivered to the landfill. A copy of the MOU is included as Appendix A.

### 2.4.2 Greenleaf Recycling, LLC

Greenleaf Recycling, LLC operates a construction and demolition debris landfill, Permit Number 058-13D (C&D), at 4512 Keithbridge Road, Cumming, Georgia. As of December 2020, the landfill was expected to reach capacity by June 2021 based on an average disposal rate of 170.6 tons per day. In 2018, Greenleaf received a permit by rule to operate a transfer station to receive C&D and MSW at the same location,

Permit Number PBR-058-352TS. As of 2022, although Greenleaf Recycling had a small amount of capacity remaining at the C&D landfill, they were diverting all waste received to a transfer station on site.

### 2.4.3 Hightower Road Landfill

The Forsyth County-Hightower Road Landfill (Permit Numbers 0058-006D(SL), 58-009D (SL) and 0058-010D(SL)), located at 9480 Old Federal Rd, Ball Ground, was closed effective July 1999. The County maintains and monitors this closed landfill consistent with the conditions established for post-closure care provided by EPD.

The County lists all compliance reports associated with these facilities on its website at [www.forsythco.com/Departments-Offices/Recycling-Solid-Waste/Environmental-Compliance](http://www.forsythco.com/Departments-Offices/Recycling-Solid-Waste/Environmental-Compliance).

### 2.4.4 Addressing Illegal Disposal

Forsyth County and KFCB have the following initiatives to prevent and clean-up litter and illegal dumping within County borders.

- The Forsyth County Code Enforcement Department investigates illegal dumping. If the dumping is on private property, the property owner must clean up the dump and taking preventive measures to keep the dumping from reoccurring on the property. If the dumping is on the right-of-way or public property, the County investigates to determine who dumped the material. If there is enough evidence for a case to be made, cleaning the site is often part of the restitution. If the responsible party cannot be found or identified, the public entity responsible for the property cleans the dump and takes action to prevent reoccurrence if possible.
- As part of its Adopt-a-Road program, KFCB enlists citizen volunteers to remove litter that accumulates along county roadways. Individuals or groups adopt a mile (or more) section of road which they clean-up on a quarterly basis. Despite the pandemic in 2020, 58 active adopt-a-road groups removed 153 bags of litter from county roadways. In addition, KFCB also supports schools, clubs, businesses, and churches with “Special Days of Service.”
- The County contracts with a private contractor to remove litter from all state routes in Forsyth County. In 2020, the contractor cleaned 527 miles of state right-of way removing 3,185 bags of litter as well as a variety of bulky items.
- Each September, KFCB partners with the City of Cumming and the Lake Lanier Association for the annual Shore Sweep/Rivers Alive cleanup of Lake Lanier, its tributaries, and its shorelines. In 2020, 249 volunteers participated at the Bald Ridge and Port Royale sites in Forsyth County. Through this clean-up, 2.14 tons plus four dumpsters of trash were collected.
- The Great FoCo Cleanup is the County’s annual litter clean up event, held in conjunction with Keep America Beautiful’s nationwide Great American Cleanup. In March 2021, 243 volunteers cleaned twenty-eight roads and four parks, removing 105 bags of litter.
- The Community Action Crew is a monthly event that provides high school students the opportunity for service time and the chance to make a direct impact on the beauty of Forsyth

County. Projects include litter removal, storm drain marking, garden work, and other beautification efforts.

- KFCB manages a “Litter Hotline” by taking calls and coordinating cleanup efforts with a variety of groups. In 2020, a local inmate crew cleaned 292 roads in routine maintenance and responded to 126 litter complaints, collecting 2,750 bags of litter and bulky items. In total, 131.35 tons plus 537 tires were removed from county roadways.
- In 2020, KFCB partnered with Keep Georgia Beautiful to bring the “Reconsider Litter” Campaign to Forsyth County. Custom billboards, digital ads and social media post delivered an anti-littering message from July to December.



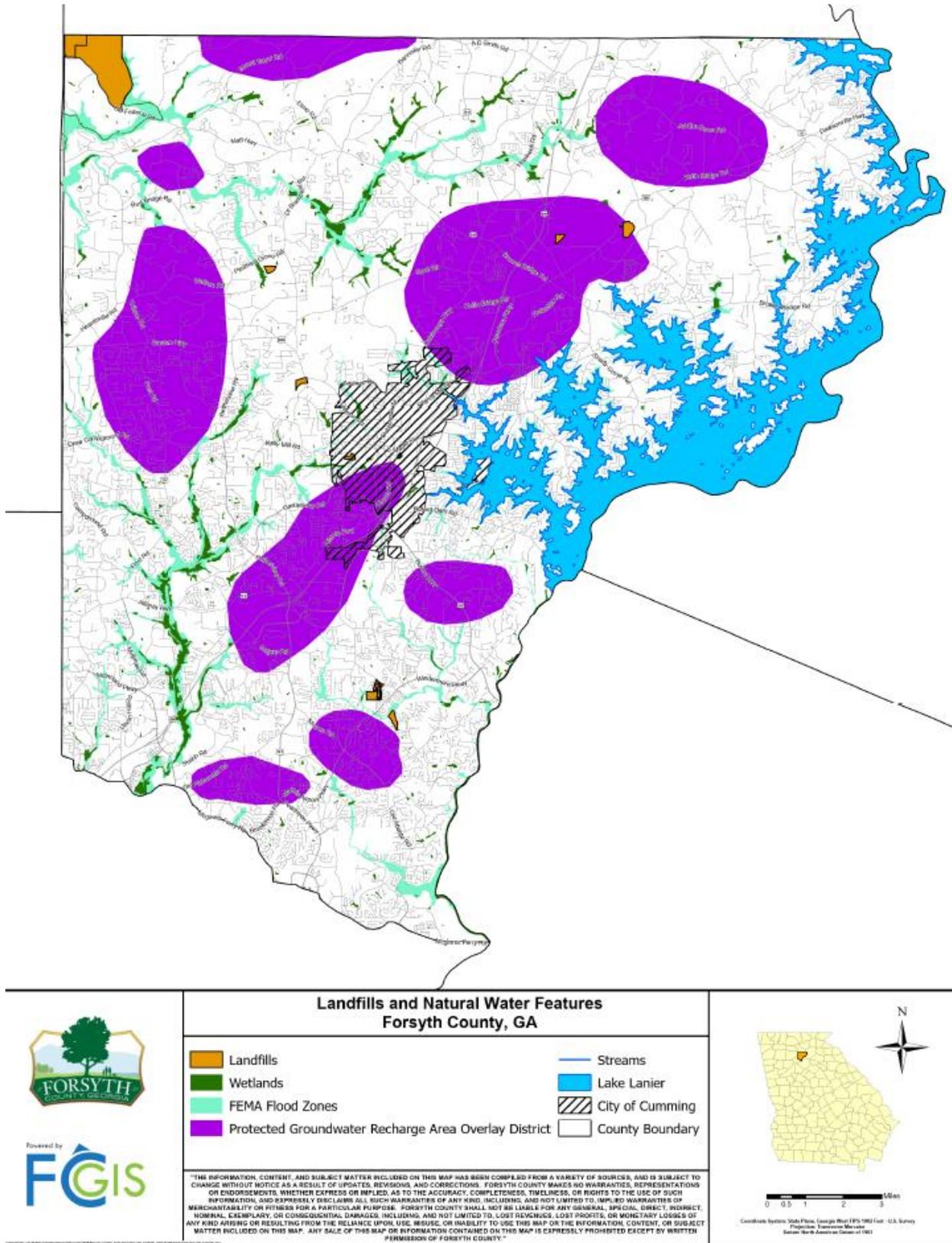
- To reduce the chance that tires are improperly disposed, the County accepts tires for recycling from residents at the Coal Mountain Convenience Center, accepting up to five tires per day for \$3 each. The center also serves as a tire drop off location for various groups who clean up roadside litter, at no charge. In 2020, 1,790 tires were collected at the Coal Mountain Center – 1,051 were brought by paying customers and 739 were collected as litter.

## 2.5 LAND LIMITATION

### 2.5.1 Facility Siting and Operation Limitations

Federal and State policies restrict where solid waste handling facilities can be sited and establish design and operating requirements for facilities located in other areas. Georgia Department of Natural Resources Rule 391-3-4-.05(1) addresses site limitations related to airports, floodplains, wetlands, fault areas, seismic impact zones, unstable areas, and significant groundwater recharge areas. Rule 391-3-16 contains additional criteria that prohibit the siting or stipulate design or operating requirements for solid waste handling facilities in or near water supply watersheds, groundwater recharge areas, wetlands, river corridors or protected mountains. Other provisions of Georgia law restrict the siting of solid waste handling facilities in or near national historic or archaeological sites; within one mile of certain recreational camps; within a two-mile radius of three or more solid waste landfills; and within one-half mile of another County’s borders without the approval of the jurisdiction’s governing authority. Figure 2-1 indicates the areas in Forsyth County where siting, design, or operation of solid waste handling facilities may be restricted by these policies.

Figure 2-1 Limitations on Solid Waste Handling Facility Siting

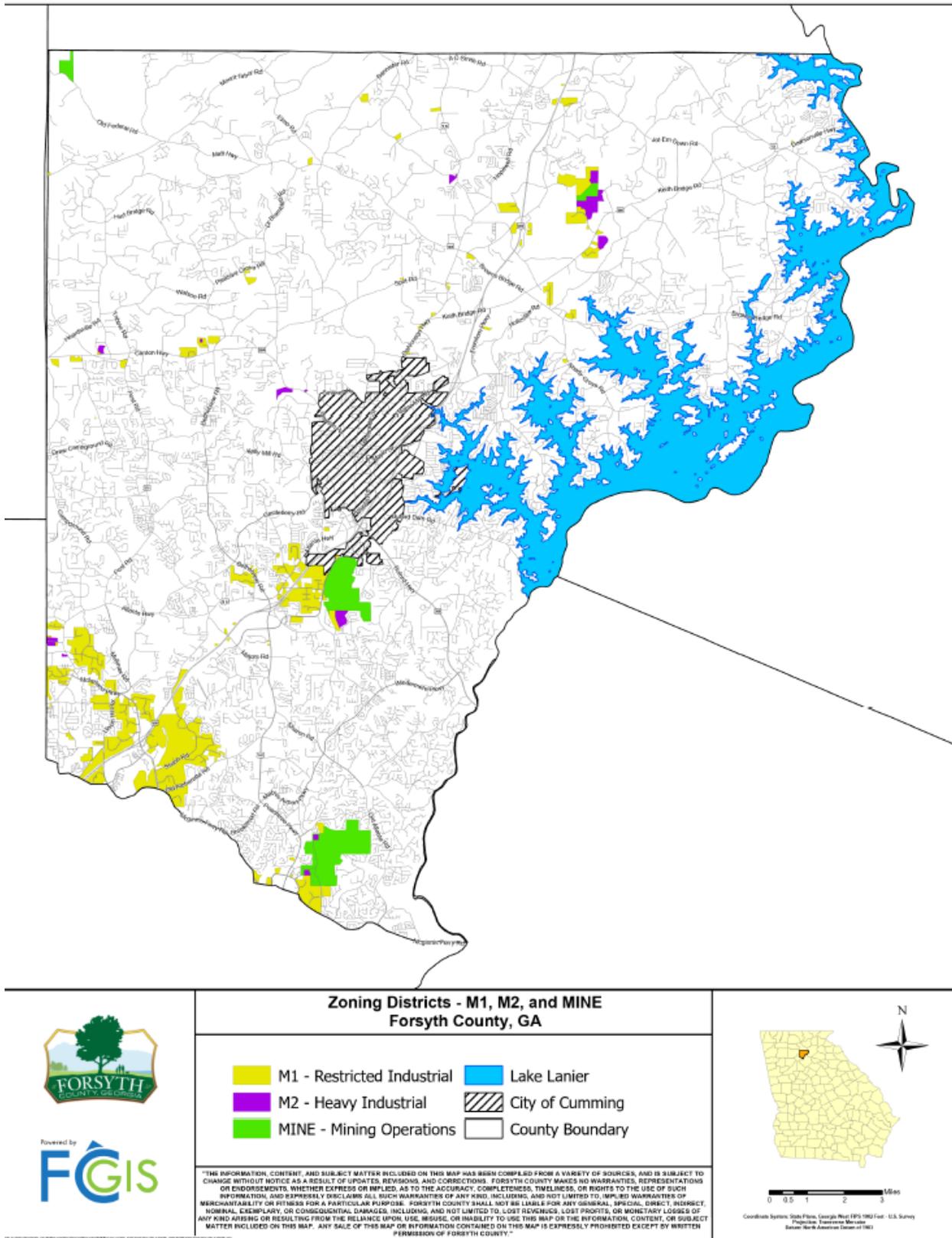


In addition to environmental and land use limitations, DNR Rule 391-3-4-.05(1)(a) requires that solid waste handling facility sites “must conform to all local zoning/land use ordinances.” According to Forsyth County’s Unified Development Code, the only zoning districts in which recycling facility, landfills, or transfer stations are identified as a conditional use are in industrial or mining operations district, as indicated in Table 2-5. However, even in districts where such facilities are conditional, the County ordinances specify certain design and operating requirements. The current Zoning Map for Forsyth County is included as Figure 2-2.

**Table 2-5 Zoning Designation for Recycling and Solid Waste Handling Facilities**

Uses	Restricted Industrial District (M1)	Heavy Industrial District (M2)	Mining Operations District (MINE)
Landfills	X	C	C
Recycling and recovery facilities	C	C	X
Solid waste transfer stations	C	C	C
C=Allowed conditionally X=Not permitted			

Figure 2-2 Forsyth County Zoning Map



## 2.6 PUBLIC EDUCATION AND OUTREACH

### 2.6.1 Keep Forsyth County Beautiful

Keep Forsyth County Beautiful (KFCB) is a local affiliate of the national Keep America Beautiful program and the state Keep Georgia Beautiful program. The affiliate program was certified by Keep America Beautiful Inc, in June of 1994 and is responsible for leading public education and outreach efforts in Forsyth County related to source reduction, reuse, recycling, and solid waste management. The core focus areas of KFCB are waste reduction and recycling, beautification and community greening, litter prevention and reduction, and water quality. The mission of KFCB is to engage citizens in beautification, litter reduction, water quality, and recycling through education and community involvement.

The affiliate program is administered by a Memorandum of Understanding between Forsyth County Government and the Keep Forsyth County Beautiful Inc. nonprofit 501c(3) board of directors. Forsyth County Government supports KFCB by providing in-kind resources and staff. The manager of the Recycling and Solid Waste Department acts as executive director of KFCB and oversees three full-time Outreach Specialists for Education, Litter Abatement and Marketing.

KFCB offers a variety of annual events including Great American Clean-Up, Household Hazardous Waste Collection (bi-annually), Litter Index, Shore Sweep/Rivers Alive, and Bring One For the Chipper. It offers presentations for groups of all ages, both in the classroom and in the field, on waste reduction, litter prevention, recycling, and landfill design and function. In 2019, KFCB conducted twenty-eight classes, educating a total of 885 youth and 426 adults, and conducted tours for twenty-eight people.

KFCB leads a Green School Program that recognizes schools that, at a minimum, place recycling bins in all rooms and host at least two school wide environmental programs or events each year. Schools that submit a Green School application and achieve all requirements are publicly declared a KFCB Green School and receive a Green School sign indicating the level achieved (Gold, Silver or Bronze).

### 3 AMOUNT OF SOLID WASTE

#### 3.1 SOLID WASTE DISPOSED

Municipal solid waste (MSW) landfills in Georgia are required to report the amount and origin of solid waste that they receive each quarter to the Georgia Environmental Protection Division (EPD).<sup>2</sup> The most recent calendar year for which complete tonnage data are available is 2020. However, because of the pandemic potentially altering waste disposal patterns in 2020, reported tonnages for 2019 were also considered.

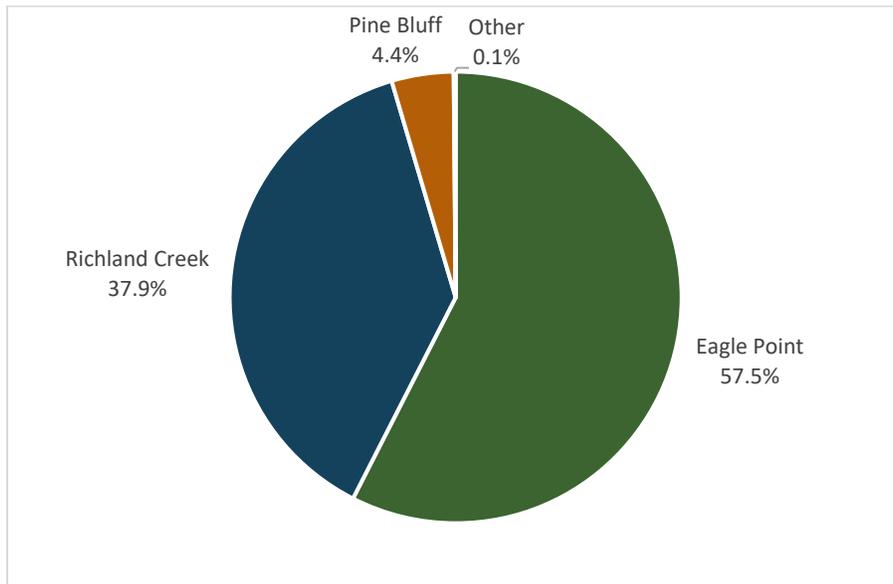
In both 2019 and 2020, eight MSW landfills in Georgia reported that they received solid waste from Forsyth County. The total reported was similar in both years: 250,895 tons in 2019 and 248,637 tons in 2020, as shown in Table 3-1. Nearly all of this was disposed in one of two landfills: Eagle Point landfill in Forsyth County and Richland Creek landfill in Gwinnett County (Figure 3-1).

**Table 3-1 Reported Tons Disposed in Georgia MSW Landfills from Forsyth County, 2020**

Landfill	2019 Tons	2020 Tons
Eagle Point	155,408	142,992
Bartow County	11	62
Pine Bluff	5,535	11,025
Pine Ridge	238	215
R&B	2	27
Strickland Loop	478	196
Turkey Run	9	48
Richland Creek	89,214	94,272
<b>Total</b>	<b>250,895</b>	<b>248,637</b>

<sup>2</sup> Although EPD tonnage reports are the best source of data available, there are some shortcomings to the data. Landfills typically get information about the source of waste by asking haulers where each load was collected upon delivery. Collectors may not correctly identify the source of waste; for example, they may report that the load came from a single jurisdiction when, in fact, it may have come from multiple jurisdictions.

**Figure 3-1 MSW Landfills Receiving Solid Waste from Forsyth County, 2020**



In addition, ten construction and demolition debris (C&D) landfills reported that they received a total of 96,371 tons of solid waste from Forsyth County in 2020. This is significantly more tonnage than the 61,825 reported in 2019. Most of the increase is attributable to the increase in tonnage reportedly received from Forsyth County at the Whitestone Valley landfill in Pickens County. This landfill reported receipt of 41,591 tons from Forsyth County in 2020 and only 199 tons in 2019. The majority of the remainder of the solid waste from Forsyth County disposed in C&D landfills in 2020 was reported by Greenleaf Recycling in Forsyth County and Stephens MDS in Clayton County.

### 3.2 PER CAPITA DISPOSAL

Table 3-2 shows that based on the tons reportedly received at MSW landfills in Georgia and population data from the U.S. Census Bureau, residents of Forsyth County disposed of an average of 5.63 pounds per person per day in 2019 and 5.41 pounds per person per day in 2020. Based on reports from C&D landfills, an average of 1.39 pounds per person per day was disposed in 2019 and 2.10 pounds per person per day in 2020.

**Table 3-2 Tons Disposed per Person in 2019 and 2020**

Year	Population	Disposed in MSW Landfills			Disposed in C&D Landfills		
		Tons <sup>1</sup>	Tons/Person/Year	Pounds/Person/Day	Tons <sup>1</sup>	Tons/Person/Year	Pounds/Person/Day
2019	244,252	250,895	1.03	5.63	61,825	.25	1.39
2020	251,511	248,637	.99	5.41	96,371	.38	2.10

1 EPD Landfill Reports, 2019 and 2020

### 3.3 BASELINE PROJECTIONS FOR PLANNING PERIOD

Table 3-3 projects the tons requiring disposal in MSW landfills and C&D landfills from Forsyth County in each year of the planning period based on historic data. These projections assume the per capita disposal rate for solid waste disposed in MSW landfills remains at 1 ton per person per year and the per capita disposal rate for solid waste disposed in C&D landfills remains at .3 tons per person per year throughout the planning period. Based on these per capita assumptions, a total of over three million tons are projected to require disposal in an MSW landfill and just over 900,000 tons are projected to require disposal in a C&D landfill from Forsyth County over the ten-year planning period. These are the estimates used to demonstrate landfill capacity is available for Forsyth County’s solid waste. It is important to note that an increased diversion rate resulting from waste reduction, recycling, or other activities, could decrease the amount of solid waste requiring disposal over the ten-year planning period. Conversely, an increase in per capita generation or a decreased diversion rate, could increase the amount requiring disposal from Forsyth County.

**Table 3-3 Projected Tons Generated from Forsyth County for Disposal**

Year	Population <sup>1</sup>	Disposed in MSW Landfills <sup>2</sup>	Disposed in C&D Landfills <sup>3</sup>
2022	262,392	262,392	78,718
2023	268,433	268,433	80,530
2024	274,477	274,477	82,343
2025	285,085	285,085	85,526
2026	295,698	295,698	88,709
2027	306,303	306,303	91,891
2028	316,912	316,912	95,074
2029	327,518	327,518	98,255
2030	334,204	334,204	100,261
2031	340,884	340,884	102,265
<b>TOTAL</b>		<b>3,011,906</b>	<b>903,572</b>

1 Source: County Residential Population, 2018-2063, Governor’s Office of Planning and Budget. <https://opb.georgia.gov/census-data/population-projections>

2 Assuming 1 ton per person per year throughout planning period based on historic data.

3 Assuming 0.3 tons per person per year throughout planning period based on historic data.

# 4 GOALS AND STRATEGIES

Table 4-1 summarizes the goals and strategies for recycling and solid waste management for Forsyth County over the next ten years. This Section describes each goal and associated strategies in more detail.

**Table 4-1 Goals and Strategies**

<b>Goal 1: Ensure Disposal Capacity for Solid Waste Generated in Forsyth County</b>	
Strategy 1.1:	Continue to use Eagle Point Landfill and other area landfills
Strategy 1.2:	Continue to use C&D landfills outside of County
Strategy 1.3:	Retain option to develop transfer station
<b>Goal 2: Ensure Solid Waste Handling Facilities are Sited, Designed, and Operated to Protect Environment</b>	
Strategy 2.1:	Continue to implement the terms of the MOU with Eagle Point Landfill
Strategy 2.2:	Continue to monitor closed landfill
Strategy 2.3:	Divert specific materials from disposal
Strategy 2.4:	Ensure County reviews all solid waste handling facility siting or expansion requests
<b>Goal 3: Ensure Funding for Recycling and Solid Waste Management</b>	
Strategy 3.1:	Use host fees to support County solid waste management activities
Strategy 3.2:	Diversify revenue sources supporting solid waste management activities
<b>Goal 4: Ensure Collection Capability</b>	
Strategy 4.1:	Expand oversight of haulers operating in County
Strategy 4.2:	Consider requiring new subdivisions to provide residents with curbside solid waste collection
Strategy 4.3:	Continue to operate convenience centers
<b>Goal 5: Reduce Per Capita Waste Disposal</b>	
Strategy 5.1:	Emphasize source reduction and reuse
Strategy 5.2:	Encourage private haulers to offer recycling
Strategy 5.3:	Provide support and encourage businesses to recycle
Strategy 5.4:	Expand recycling at convenience centers
Strategy 5.5:	Evaluate need for County processing/transfer point
Strategy 5.6:	Maximize diversion of yard trimmings:
<b>Goal 6: Continue to Invest in Outreach and Education</b>	
Strategy 6.1:	Continue to support KFCB
Strategy 6.2:	Partner with private service providers to reach customers
Strategy 6.3:	Continue education and outreach for residents and businesses

## 4.1 ENSURE DISPOSAL CAPACITY FOR SOLID WASTE GENERATED IN FORSYTH COUNTY

One requirement of local solid waste management plans is to demonstrate that access to disposal capacity is available for solid waste generated in the County over the next ten years. Table 3-3 shows that at current per capita disposal rates, a total of 3,011,906 tons of solid waste will require disposal in an MSW landfill between 2022 and 2031 and 903,572 tons will require disposal in a C&D landfill over the same ten years. Forsyth County will rely on the following strategies to assure capacity exists for this solid waste.

#### 4.1.1 Continue to use Eagle Point and other area landfills

The County will continue to dispose of MSW collected at the convenience centers and encourage private haulers operating in the County to dispose of MSW collected at Eagle Point and other permitted landfills in the region. The landfills currently being utilized for disposal of MSW from Forsyth County have the capacity to receive the projected solid waste over the next ten years according to capacity reports submitted to the Georgia Environmental Protection Division (EPD).

Article 2.5 of the Memorandum of Understanding (MOU) between Eagle Point and Forsyth County guarantees air space for solid waste from the County at Eagle Point until 2038 or until the landfill closes, whichever comes first. In addition, the operator must provide the county with two-years notice before the landfill closes, leaving Forsyth County an opportunity to secure an alternative disposal site if needed. According to its 2020 landfill capacity report, at the current disposal rate, Eagle Point's permitted capacity will last until August 2034, several years past the ten-year planning period. In addition, Eagle Point has submitted an application for an expansion that would extend the life of the landfill primarily receiving municipal solid waste from Forsyth County.

Richland Creek Landfill, which received 38 percent of the MSW disposed from Forsyth County in 2020, has a fill date of February 2029 at current disposal rates. Thus, Richland Creek also has capacity to continue to accept solid waste from Forsyth County for the first eight years of the planning period.

#### 4.1.2 Continue to use C&D landfills outside of County

Forsyth County will encourage haulers to continue to dispose of C&D collected in the County at permitted facilities existing in the region that have demonstrated capacity to accept it for the next ten years. Historically, much of the C&D from Forsyth County has been disposed at Greenleaf Recycling's Landfill, which is nearing capacity. However, Greenleaf Recycling continues to accept C&D at a transfer station on site. In addition, the other C&D landfills that receive C&D from Forsyth County, most notably Stephens MDS and Whitestone Valley, have remaining capacity until April 2047 and May 2034, respectively. Finally, C&D can also be disposed in the Eagle Point Landfill.

#### 4.1.3 Retain option to develop transfer station

Forsyth County will consider developing a transfer station if it becomes cost prohibitive to directly haul solid waste from Forsyth County to disposal facilities. Currently, existing capacity in several regional landfills results in competitive rates to haul and dispose of solid waste from the County without a transfer station. If it appears that this may change, the County will explore the option of developing and operating a transfer station to more cost effectively access existing disposal facilities, developing a transfer station and procuring the services of an operator, or contracting with a private company to develop, own and operate a transfer station.

### 4.2 ENSURE SOLID WASTE HANDLING FACILITIES ARE SITED, DESIGNED AND OPERATED TO PROTECT ENVIRONMENT

Forsyth County, along with EPD, will continue to enforce requirements regarding the siting, design and operation of landfills, transfer stations, and other solid waste handling facilities located in the County to ensure they do not negatively impact the environment using the following strategies.

#### 4.2.1 Continue to implement the terms of the MOU with Eagle Point

The MOU between the County, Eagle Point Landfill, and the operator (included as Appendix A) includes the following provisions that minimize the potential impact of the landfill on the environment and enables the County to monitor landfill operations.

- The County has continuous access to security footage at the scale house.
- The County has access to records regarding compliance with overweight vehicles, tire washing, tarping, and other litter prevention measure, etc.
- The County receives its own groundwater samples to test.
- A misting curtain is required at the working face.
- The operator provides a tire wash station and posts signs reminding haulers to wash tires and tarp trucks.
- The operator maintains a community website for alerts and news about the site and a portal for complaints.
- The operator participates in quarterly meetings with citizens.
- The operator provides water meters for residents around the landfill that request a connection to County water.
- The County has a full-time staff person dedicated to monitoring the landfill and working with the operator.

#### 4.2.2 Continue to monitor closed landfill

The Forsyth County Hightower Landfill located on old Federal Road was closed in 1999. The County will continue to monitor groundwater and methane at the site and comply with the Corrective Action Plan approved by the Georgia EPD.

#### 4.2.3 Divert specific materials from disposal

The County will offer and promote collection alternatives for those materials that could have a negative impact on the environment or on landfill operations if disposed. This includes encouraging residents to use private and not-for-profit reuse and recycling options for items such as batteries, used oil, and electronics; collecting these materials at convenience centers; and hosting household hazardous waste collection events. In addition, Forsyth County will continue to explore opportunities to divert more of these materials from disposal, for example, to offer permanent locations to collect household hazardous waste at one or more of the convenience centers.

#### 4.2.4 Ensure County reviews all solid waste handling facility siting or expansion

Forsyth County will continue to review plans for new or expanded solid waste handling facilities to assess potential impact on the environment. To do this, the County will maintain and update environmental, land use, and zoning maps to reflect any land in the County that is unsuitable for a solid waste handling facility or presents other limitations to siting, design, or operation of a solid waste handling facility. The County will refer to these maps, the County's Comprehensive Land Use Plan, and federal, state, and local policies when reviewing requests to site or expand solid waste handling facilities or to modify the design or operations of these facilities.

In addition, as required by State law, the Forsyth County Commission will evaluate any proposal for a new or expanded solid waste handling facility and determine whether it is consistent with this Recycling and Solid Waste Management Plan. The process that the County will follow to make this determination is described in the text box below. Forsyth County will ensure that those proposing to develop or expand a solid waste handling facility in the County understand the requirements to demonstrate consistency with this Plan before proceeding.

Procedure to Demonstrate Consistency with Recycling and Solid Waste Management Plan

1. At least 90 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, the owner/operator will submit a written statement documenting the following.
  - How the proposed facility or expansion meets the specific goals and/or needs identified in the current Forsyth County Recycling and Solid Waste Management Plan, including a description of the impact upon disposal capacity, collection capability, and waste reduction and recycling efforts within the County.
  - How the proposed facility or expansion and its operation will impact the community. Specifically, what will be the impact on vehicle traffic and public safety around the proposed facility, natural and cultural resources, financial viability of the existing solid waste management system, solid waste management rates and fees, and the current public and private solid waste management infrastructure within the County.
  - Evidence that the proposed facility or expansion is sited in a location deemed suitable according to the criteria listed in the Plan and the local zoning ordinance.
  - That the proper public notification was given, including notification of all adjacent property owners.
2. Within 45 days after the written statement from the owner/operator is received, Forsyth County will make a recommendation as to whether the proposed facility or expansion is consistent with the Recycling and Solid Waste Management Plan. This recommendation will be documented in a letter to the County Commission. To make this determination, the County will hold at least one public hearing on the proposed facility or expansion to gather input regarding the consistency of the facility with the Recycling and Solid Waste Management Plan. This public hearing will be advertised according to local requirements regarding public notification of public hearings.
3. The County Commission shall review the written documentation of consistency from the owner/operator, the recommendation of County staff, and comments received at the public hearing to determine whether the proposed facility or facility expansion is consistent with the Recycling and Solid Waste Management Plan. Within 30 days of making their determination the County shall notify the facility owner/operator whether the proposed facility or facility expansion is consistent with the Plan.
4. If the County determines that the proposed facility or facility expansion is consistent with the Plan, it will issue a letter of consistency. If the County determines that proposed facility or facility expansion is not consistent with the Plan, the owner/operator may address the inconsistencies and resubmit their request for another review. This review will follow the process described above in Items 1 through 3.

### **4.3 ENSURE FUNDING FOR RECYCLING AND SOLID WASTE MANAGEMENT**

Approximately 90 percent of the County’s solid waste budget is covered by host fees received from the Eagle Point landfill. These funds support convenience center operations, recycling and waste reduction, education and enforcement, and household hazardous waste collection events. To ensure the long-term financial sustainability of the recycling and solid waste management programs, Forsyth County will continue to collect these payments while expanding the sources of revenue used to support recycling and solid waste management.

#### **4.3.1 Use host fees to support County solid waste management activities**

The County will continue to collect host fees from Eagle Point Landfill, based on the tonnage received, and apply those funds to support its recycling and solid waste management activities.

#### **4.3.2 Diversify revenue sources supporting solid waste management activities**

To insulate the County’s solid waste operations from potential revenue declines, either because of a reduction in tons received at Eagle Point or to prepare for the time when the current MOU expires, the County will explore other potential revenue sources to support recycling and solid waste management. The County will research other revenue sources used by local governments with similar solid waste management systems to identify which may be applicable in Forsyth County and the potential revenue that may be generated by each of these sources. This may include sources such as franchise fees, additional user fees like those at the convenience centers, revenue from the sale of recyclables, and transfers from the general fund. The County will begin to design and implement the selected revenue generating practices towards the end of the planning period with the goal of having alternative revenue sources in place if and when the host fees from Eagle Point decline or are gone altogether.

### **4.4 ENSURE COLLECTION CAPABILITY**

One of the state’s requirements for local government Solid Waste Management Plans is that they must demonstrate ten years of “collection capability.” As the population of the County rapidly grows, the network of convenience centers and private haulers independently offering curbside collection to residents upon request may not meet long-term needs. The convenience centers may become overutilized and prohibitively costly to operate. Illegal disposal, including dumping and unauthorized use of other residents’ or businesses’ containers, may increase. The County will continue to monitor the need for more residents to have curbside collection services and consider how curbside collection services can be more consistent across the County using the strategies listed below.

#### **4.4.1 Expand oversight of haulers operating in County.**

Section 70-35 of the County Code of Ordinances prohibits collection and disposal of solid waste for a fee within Forsyth County without authorization from the County. Currently, authorization is provided in the form of an annual business license. The only requirements for licensed haulers relate to indemnification, compliance with State vehicle and container requirements, vehicle signage, and hours of collection.

To ensure collection capability, the County will consider expanding licensing requirements for residential and commercial haulers operating in the County. In addition to current requirements, the County may require licensed haulers to demonstrate proof of insurance meeting specified limits, to provide evidence of financial stability, and to submit quarterly reports of tonnage collected. As needed to meet the goals in

this Plan, the County may consider establishing minimum levels of service for licensed solid waste collectors operating in the County.

#### **4.4.2 Consider requiring new subdivisions to provide residents with curbside solid waste collection**

The County will evaluate the possibility and impact of requiring that homeowner or neighborhood associations arrange for solid waste collection for their residents in all newly developed subdivisions. Additionally, as the population expands, the County will evaluate whether requiring some or all residents to have solid waste collection will reduce costs, increase consistency of collection, and abate litter and illegal dumping.

#### **4.4.3 Continue to operate convenience centers**

At least in the near term, the County will continue to collect solid waste and recyclables at the existing convenience centers. The County will continue to commit the necessary resources, including equipment and staff, to adequately service the convenience centers to meet the demand of County residents. As the population increases, the County will evaluate the need for additional centers, or, as more residents opt for curbside collection, to shift the convenience centers to focus more on collecting recyclables and materials that are difficult or problematic to collect for disposal or recycling at the curb.

### **4.5 REDUCE PER CAPITA WASTE DISPOSAL**

The County will reduce the amount of solid waste disposed per capita through source reduction and reuse, working with private haulers and businesses to increase their recycling efforts, continuing to expand recycling opportunities at convenience centers, investing in processing infrastructure if needed, and maximizing diversion of yard trimmings. These strategies are described in more details below.

#### **4.5.1 Emphasize source reduction and reuse**

Forsyth County and KFCB will continue to promote source reduction (i.e., generating less materials for recycling or solid waste in the first place) and reuse through public outreach and education and by offering school and County reuse locations, as described in Section 2.1. In addition, the County will continue to incentivize convenience center users to reduce the garbage they dispose by offering a reduced fee for those that recycle and charging an extra fee for more than five bags per visit. The County will consider having a location for materials and goods to be exchanged at one or more of the convenience center locations.

#### **4.5.2 Encourage private haulers to offer recycling**

The County will meet with private haulers to determine what resources would encourage them to expand curbside recycling to their customers (i.e., local drop-off point for collected recyclables, carts, public outreach and education materials, etc.). When feasible, the County will provide these resources to increase collection of recyclables by private haulers.

#### **4.5.3 Provide support to and encourage businesses to recycle**

The County will provide recycling options in county offices and use them as demonstration sites for businesses wanting to recycle. In addition, the County will meet with interested businesses to determine what resources would encourage them to start or expand their in-house recycling programs (i.e., technical

assistance, joint collection arrangements, containers, public outreach, and education materials, etc.) and provide these resources, when feasible.

#### 4.5.4 Expand recycling at convenience centers

The County will continue to increase opportunities to recycle at its convenience centers with the goal of collecting more material for recycling than disposal at these locations. The County will continue to offer a financial incentive to those that recycle by charging less for each bag of garbage delivered if residents also deliver recyclables.

The County will continue to expand the types of materials collected for recycling at convenience centers by collaborating with processors and end users that may offer grants, equipment, or other resources to accept certain recyclables. This approach may allow the County to collect materials that otherwise may be cost-prohibitive to collect.

#### 4.5.5 Evaluate need for County processing/transfer point

As the County continues to grow and recycling expands, it may be necessary to expand the capacity to process recyclables or transfer recyclables to more distant processing facilities. The County will either work with the existing private recycling facility in the County to meet growing needs and/or consider consolidating and/or processing recyclable materials at its own facility. Gathering input from private haulers and local businesses on what they need to increase recycling, as described in previous strategies, will help clarify if and when a County processing or transfer facility for recyclables may be needed to expand recycling in the future. Several private companies and other local governments in north Georgia already operate a processing facility or have identified a need for such a facility. Thus, the County will collaborate with others as it defines the type and function of a facility needed to increase recycling in Forsyth County in the most cost-effective way.

#### 4.5.6 Maximize diversion of yard trimmings

The County will continue to work with schools and other institutions and residential communities to establish composting sites and promote private composting and mulching sites in County, especially at locations with high generation of organic materials.

### 4.6 CONTINUE TO INVEST IN OUTREACH AND EDUCATION

#### 4.6.1 Continue to support KFCB

The County will continue to provide staff and other resources to KFCB which will serve as the lead entity for outreach and education on litter abatement, recycling, and waste reduction.

#### 4.6.2 Continue education and outreach for residents and businesses

KFCB in conjunction with the County will continue and update its education and outreach program for children, adults, businesses, and organizations. This will include education programs for children in schools and clubs, recycling and composting demonstration sites, facility tours, and coordinating adopt a road and adopt a stream programs and clean-up events. The County and KFCB will enlist code enforcement officers in outreach and education efforts and continue to expand the use of social media to promote waste reduction and recycling throughout the planning period to reach a broader audience.

### 4.6.3 Partner with private service providers to reach customers

Forsyth County will continue to collaborate with the Eagle Point Landfill to conduct outreach and updates regarding landfill operations as required in the MOU. The County will also work with private haulers in the County to distribute information about waste reduction, recycling, and special collection events.



# 5 IMPLEMENTATION - THE ACTION PLAN FOR THE NEXT TEN YEARS

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Table 5-1 describes the activities that the County will undertake over the next ten years to achieve the goals and implement the strategies presented in Section 4.

**Table 5-1 Ten Year Action Plan**

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
<b>Goal 1: Ensure Disposal Capacity for Solid Waste Generated in Forsyth County.</b>										
Continue to use Eagle Point Landfill and other area landfills. Continue to use C&D landfills outside of County. Retain option to develop transfer station										
Dispose of MSW collected at convenience centers at Eagle Point landfill.	X	X	X	X	X	X	X	X	X	X
Review EPD reports to identify where solid waste collected in Forsyth County is disposed.	X	X	X	X	X	X	X	X	X	X
Monitor remaining capacity reports from Eagle Point and other MSW and C&D landfills used by haulers collecting solid waste in Forsyth County.	X	X	X	X	X	X	X	X	X	X
Evaluate the need for a transfer station if/when cost effective disposal provided by MOU with Eagle Point is at risk (e.g., landfill approaches capacity, etc.). Identify role of County and private company, potential sites, etc. Proceed to develop/procure as needed.							X	X	X	X
<b>Goal 2: Ensure Solid Waste Handling Facilities are Sited, Designed, and Operated to Protect Environment</b>										
Continue to implement the terms of the MOU with Eagle Point. Continue to monitor closed landfill. Divert specific materials from disposal. Ensure County reviews all solid waste handling facility siting or expansion requests										
Employ full-time staff person dedicated to monitoring the landfill and working with operator.	X	X	X	X	X	X	X	X	X	X
Ensure access to security footage and compliance records at Eagle Point as specified in MOU.	X	X	X	X	X	X	X	X	X	X
Test groundwater samples from Eagle Point per MOU.	X	X	X	X	X	X	X	X	X	X
Ensure that all other requirements of the MOU between Eagle Point and Forsyth County are continually implemented.	X	X	X	X	X	X	X	X	X	X
Post all compliance and monitoring reports from disposal facilities on County website.	X	X	X	X	X	X	X	X	X	X
Monitor groundwater and methane and adhere to terms of Corrective Action Plan at Hightower Landfill.	X	X	X	X	X	X	X	X	X	X
Monitor and promote existing opportunities to divert batteries, used oil, electronics, household hazardous waste, etc. from disposal.	X	X	X	X	X	X	X	X	X	X
Collect batteries, used motor oil, oil filters, antifreeze, tires, paint, electronics, and propane canisters at convenience centers and divert to recycling or appropriate disposal facilities.	X	X	X	X	X	X	X	X	X	X
Collect household hazardous waste at two events per year.	X	X	X	X	X	X	X	X	X	X
Explore the potential to collect additional types of household hazardous waste year-round at one or more convenience centers and implement, if feasible.		X	X	X	X	X	X	X	X	X

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Maintain and update environmental, land use, and zoning maps to reflect any land unsuitable or limited for a solid waste handling facility.	X	X	X	X	X	X	X	X	X	X
Require all existing or potential developers or operators of solid waste handling facilities located in the County to submit a written statement to demonstrate any new facility or facility expansion is consistent with this Plan following the procedure identified in Section 4.2.4.	X	X	X	X	X	X	X	X	X	X
Determine whether all proposed facilities or expansions are consistent with Plan.	X	X	X	X	X	X	X	X	X	X
<b>Goal 3: Ensure Funding for Recycling and Solid Waste Management</b>										
Use host fees to support County solid waste management activities. Diversify revenue sources supporting solid waste management activities.										
Apply host fees collected from Eagle Point to support convenience center operations, recycling and waste reduction, education and enforcement, and household hazardous waste collection events.	X	X	X	X	X	X	X	X	X	X
Continue to charge residents delivering bagged household waste to the convenience centers, offering an incentive for those that also recycle and charging more for excess bags.	X	X	X	X	X	X	X	X	X	X
Monitor the availability of grants, especially for recycling, and apply for those applicable.	X	X	X	X	X	X	X	X	X	X
Explore other funding sources for recycling and solid waste management and implement as feasible and necessary to maintain or expand infrastructure or programs.	X	X	X	X	X	X	X	X	X	X
<b>Goal 4: Ensure Collection Capability</b>										
Consider expanding oversight of haulers operating in County. Consider requiring new subdivisions to provide residents with curbside solid waste collection Continue to operate convenience centers.										
Identify requirements and information needed from haulers to assure all residents and businesses have adequate access to collection and incorporate into permit conditions.	X									
Consider requiring all haulers to acquire and annually renew a permit to collect solid waste in the County.		X	X	X	X	X	X	X	X	X
Periodically evaluate whether solid waste collection should be provided to all residents in some or all areas of the County.		X	X	X	X	X	X	X	X	X
Encourage, and potentially require, all new subdivisions to offer residents solid waste collection services.	X	X	X	X	X	X	X	X	X	X
Continue to collect solid waste and recyclable from residents at the convenience centers, committing the resources necessary to meet demand.	X	X	X	X	X	X	X	X	X	X

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
As more residents shift to curbside collection, evaluate, and implement changes at convenience centers to reflect evolving needs.				X	X	X	X	X	X	X
<b>Goal 5: Reduce Per Capita Waste Disposal</b>										
Emphasize source reduction and reuse. Encourage private haulers to offer recycling. Provide support and encourage businesses to recycle. Expand recycling at convenience centers. Evaluate need for County processing/transfer point. Maximize diversion of yard trimmings.										
Promote source reduction and reuse as part of all public outreach and education programs.	X	X	X	X	X	X	X	X	X	X
Operate and promote the County surplus barn and associated auctions.	X	X	X	X	X	X	X	X	X	X
Collect additional items for reuse or exchange at convenience centers as feasible.	X	X	X	X	X	X	X	X	X	X
Support the teacher reuse store,	X	X	X	X	X	X	X	X	X	X
Encourage private haulers to offer recycling to their customers.	X	X	X	X	X	X	X	X	X	X
Work with private haulers to determine what support would be needed to cost-effectively provide recycling to customers and provide, when possible.		X	X	X	X	X	X	X	X	X
Evaluate the option of requiring private haulers to offer recycling to their customers as part of a permit requirement and implement if feasible.		X	X	X	X	X	X	X	X	X
Work with businesses, industry, and institutions to determine what support would be needed to initiate or expand recycling and provide, when possible.	X	X	X	X	X	X	X	X	X	X
Work with processors and end users to expand the type of material collected for recycling at convenience centers.	X	X	X	X	X	X	X	X	X	X
Continue to incentivize recycling by offering a lower rate for disposal of bagged household garbage for those that recycle.	X	X	X	X	X	X	X	X	X	X
Evaluate the need for a facility to consolidate, transfer, and/or process recyclables collected in the County.	X	X	X	X	X	X	X	X	X	X
If additional capacity is needed to cost effectively get recyclables to processors or end users, develop, potentially in conjunction with surrounding local governments and/or a private partner.	X	X	X	X	X	X	X	X	X	X
Expand opportunities for diverting yard trimmings and other organics in collaboration with schools and other institutions, communities, and businesses.	X	X	X	X	X	X	X	X	X	X
<b>Goal 6: Continue to Invest in Outreach and Education</b>										
Continue to support KFCB. Continue education and outreach for residents and businesses.										
Provide in-kind funding and support to KFCB who will continue to lead outreach and education, litter prevention, recycling, and waste reduction efforts in the County.	X	X	X	X	X	X	X	X	X	X

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
Maintain and promote KFCB's website ( <a href="http://www.keepforsythcountybeautiful.org">www.keepforsythcountybeautiful.org</a> ) and continue to use as central repository for all information about waste reduction, recycling, and litter prevention in the County.	X	X	X	X	X	X	X	X	X	X
Continue to educate residents at events and in schools, clubs, and community, neighborhood, and organization meetings about waste reduction and recycling and litter prevention.	X	X	X	X	X	X	X	X	X	X
Operate recycling and composting demonstration sites.	X	X	X	X	X	X	X	X	X	X
Coordinate Adopt-a-Road and Adopt-a- Stream programs and clean-up events.	X	X	X	X	X	X	X	X	X	X
Enlist code enforcement officers in outreach and education efforts	X	X	X	X	X	X	X	X	X	X
Increase use of social media to promote waste reduction and recycling throughout the planning period to reach a broader audience.	X	X	X	X	X	X	X	X	X	X
Collaborate with Eagle Point, private haulers, and other service providers to assist in outreach and education on recycling and responsible solid waste management.	X	X	X	X	X	X	X	X	X	X

APPENDIX A

MEMORANDUM OF UNDERSTANDING  
EAGLE POINT AND FORSYTH COUNTY

FORSYTH COUNTY

STATE OF GEORGIA

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("Memorandum") is made and entered into effective as of December 7, 2017 (the "Effective Date"), by and between **ADVANCED DISPOSAL SERVICES, INC.**, a Delaware corporation, whose headquarters are located at 90 Fort Wade Road, Ponte Vedra, Florida 32081 ("ADS"), **EAGLE POINT LANDFILL, LLC**, a Delaware limited liability company with offices located at 8880 Old Federal Road, Ball Ground, Forsyth County, Georgia 30107 ("Eagle Point") and **FORSYTH COUNTY**, a political subdivision of the State of Georgia, located at 110 East Main Street, Suite 210, Cumming, Georgia 30040, (the "County"). ADS, Eagle Point and the County are hereinafter sometimes collectively referred to as the "Parties" or singularly referred to as a "Party."

**Statement of Facts**

WHEREAS, ADS, through its wholly-owned subsidiary Eagle Point, is the owner and operator of a landfill located at 8880 Old Federal Road, Ball Ground, Forsyth County, Georgia 30107, commonly known as Eagle Point Landfill (hereinafter referred to as the "Landfill").

WHEREAS, the Parties executed and delivered a Settlement Agreement and Release of Claims (the "Settlement Agreement") on February 3, 2010.

WHEREAS, ADS has applied for a non-appealable expansion of the Landfill in accordance with all applicable zoning and use requirements, regulations, and rules.

NOW THEREFORE, for Ten Dollars (\$10.00) and consideration of the following mutual covenants and agreements, the receipt and sufficiency of which are acknowledged by each of the Parties, the Parties agree as follows:

**Statement of Terms**

1. **Rules of Construction; Certain Definitions.** Certain words and terms used in this Memorandum, signified by initial capitalization whenever the same appear, are defined terms having the meanings ascribed to them wherever they first appear, unless the context otherwise requires. This Memorandum shall be interpreted fairly and in accordance with the plain meaning of its terms. No provision of this Memorandum shall be construed against or interpreted to the disadvantage of any of the Parties by any court or other governmental or judicial authority by reason of such party having or being deemed to have structured or dictated such provision. As used in this Memorandum, the following terms shall have the following meanings:

**All Tons** as reported to the State of Georgia Environmental Protection Division ("GA EPD"), to specifically include both municipal solid waste and construction and demolition waste.

**Expansion** means the non-appealable expansion permit for the Eagle Point Landfill from the GA EPD that was applied for prior to the execution of this Memorandum.

**Forsyth County's Support** means subject to approval by the Board of Commissioners and with the understanding between the Parties that the Forsyth County Board of Commissioners retains its full regulatory and legislative discretion regarding same, Forsyth County's continued support for the vertical

and/or horizontal expansion(s) of the Landfill as defined in the Settlement Agreement to the extent allowed by law. Forsyth County will, in good faith, consider any request by ADS for a rezoning or special use permit, but with it understood that the County shall at all times retain its full legislative discretion in matters pertaining to land use. Forsyth County will cooperate with ADS with respect to necessary easements road crossings and land disturbance permits, but this cooperation shall not be deemed to include any action wherein ADS seeks to expand the landfill footprint beyond the boundaries of the 1993 special use permit.

**Municipal Solid Waste** means all waste included in the definition of "Municipal Solid Waste" as set forth in O.C.G.A. § 12-8-22(18), or any successor provision thereto to specifically include construction and demolition waste.

**Ton** means a unit of weight equal to 2,000 pounds.

2. **Agreements.** In consideration for Forsyth County's Support, ADS hereby agrees to the following:

2.1 **Final Non-Appealable Expansion Permit from the GA EPD.** ADS agrees that within ninety (90) days of receiving its final non-appealable Expansion permit from the GA EPD, it will remit payment to the County of the Expansion fee in the amount of Ten Cents (\$0.10) per cubic yard of additional sanitary landfill capacity approved that is due under the Settlement Agreement. At the time of tendering payment of the Expansion fee, ADS will provide documentation to the County confirming the total cubic yards of additional landfill capacity created by the Expansion; which, as of the date of this Memorandum, is estimated at 20,000,000 to 25,000,000 cubic yards.

2.2 **Host Fee.** In further consideration for Forsyth County's Support, ADS will commence payment, within sixty (60) days of receipt of the final non-appealable Expansion permit from the GA EPD, of \$1.50/ton for All Tons. Commencing Jan 1, 2028, ADS will pay \$2.00 for All Tons for the life of the landfill. In the event that the State of Georgia enacts by general law an increase in the statutory minimum host fee, the host fee required by this Memorandum shall be increased accordingly. For purposes of explanation, the statutory minimum host fee at the time of executing this Memorandum is \$1.00 per ton for All Tons. The \$1.50/ton established in this Memorandum constitutes a \$.50 increase over the State statutory minimum. If the State of Georgia, by general law, increases the statutory minimum to \$2.00/ton, then the host fees under this Agreement shall be increased correspondingly. Therefore, assuming the statutory host fee is increased by general law to \$2.00/ton, then the host fee required by this Memorandum shall automatically become \$2.50/ton (\$.50 over the State minimum) contemporaneous with the general law becoming effective. As a means of further example, if the State host fee is increased to \$2.00/ton after January 1, 2028, then the host fee required by this Memorandum would be \$3.00/ton (\$1.00 over the State minimum).

### 2.3 **Code Enforcement.**

2.3.1 ADS will provide access to ADS's scale house security footage to the County for the County's sole use to monitor the site 24/7/365. It is the expectation of the Parties, and the objective of ADS, that the video feed identified in this paragraph will be broadcast or digitally transmitted for live streaming in the County offices.

2.3.2 ADS will agree to allow a qualified third-party certified public accountancy ("CPA") firm or forensic audit firm to conduct an annual audit, with the scope of said audit to be determined by the County, upon prior written notice. The County is limited to a thirty-six month lookback

on the audit. A claim, if any, for unpaid host fees under this Memorandum shall be brought by the County within the time-period for bringing actions under contract.

2.3.3 ADS will provide a paved lot on ADS's property for the primary use of a County regulatory official or Sheriff's deputy, or both, to monitor all vehicles entering and exiting the landfill for applicable County ordinance enforcement purposes related to overweight vehicles, tire washing, weighing of vehicles, proper tarping of vehicles and litter related issues, all at County's sole expense. This paved lot shall not be used for the 'stacking' or 'staging' of vehicles waiting to enter the landfill. In addition, ADS agrees that a duly authorized County employee or County Sheriff's deputy shall be entitled to enter and inspect the ADS premises. Any such employee or officer entering ADS premises may not unreasonably interfere with ADS' business operations.

**2.4 Property Conveyance(s).** ADS agrees to notify the County whenever ADS determines that it desires to convey future acquired soil borrow lands once all said activities have been completed. If the County desires to acquire such lands, then such conveyance shall be subject to mutually agreed terms and conditions, which may include but are not limited to deed and third-party conveyance restrictions, use limitations, access rights, and other mutually agreed terms and conditions. In no event shall any potential conveyance under this paragraph be a precursor to landfill expansion.

**2.5 County's Solid Waste Plan.** ADS shall and does hereby guarantee air space for the County's waste volume until calendar year 2038 or until landfill closing, whichever is earlier. ADS will provide the County a two-year notice of the estimated closing date.

**2.6 Ground Water Monitoring.** ADS agrees to provide split samples to the County, and the County will utilize an independent, third party qualified environmental professional or company with a GA EPD certified analytical approval to conduct groundwater testing of the semi-annual GA EPD permit mandated groundwater monitoring events. When ADS is required to undertake State-mandated water sampling and testing, ADS agrees to provide the County reasonable advance notice of same in order that a County official may attend and participate in the sampling. The Parties agree that they will exchange the lab results of such sampling with the other.

**2.7 Odor Control Management.** In addition to ADS's permit-required and existing odor control measures, ADS hereby agrees to install and operate an appropriate odor misting curtain system for odor management of the active work face in order to minimize the potential for off-site active work face odors. Any chemicals used in this odor misting operation shall be tested to ensure they are safe for the environment and for human contact. ADS agrees that the misting curtain system will be operational and active as needed when waste disposal operations are ongoing. ADS will explore the utilization of future proven technologies and practices for the minimization and management of working face odors. The County agrees that a methane to energy conversion facility is one means of mitigating landfill offsite odors; but further agrees that prompt dirt covering is optimal and the best practice for odor abatement.

**2.8 Tire Wash.** ADS shall provide for an operational and in good repair tire washing system(s) for utilization by customers prior to exiting the landfill onto public road-ways in an effort to prevent tracking of mud and other debris. ADS shall post no less than two signs at the main entrance and exit to the facility with a font size large enough to be easily read by those in waste disposal trucks, stating substantially the following: "*Per Forsyth County Ordinance, no operator of a motor vehicle leaving this facility may track mud, dirt and debris onto County roadways or right of way. Doing so may result in citation and magistrate court prosecution, up to a \$1,000 fine per offense, incarceration for up to six months, and other sanctions.*"

**2.8.2. Tarp signage.** ADS also agrees that the signage referenced in Paragraph 2.8 shall contain language referencing that failure to properly cover or tarp waste disposal trucks may also result in citation issuance.

**2.9 Community Website.** ADS agrees that no later than March 1, 2018 to create and have operational for citizen viewing a website dedicated to the community to provide neighbor alerts including through text messaging, news on the landfill, and a portal for citizen complaints. ADS also agrees to conduct quarterly meetings along with a County representative. ADS will provide to Forsyth County all EPD-based regulatory compliance reports. Forsyth County shall, at periodic intervals, create summaries of such reports and post same on the County's website.

**2.10 [Purposefully left blank].**

**2.11 Future Expansion.** ADS agrees that it will not seek to expand the landfill footprint of the 1993 special use permit.

**2.12 Water Infrastructure and Water Meters.** Forsyth County shall, within thirty-six months from the date of this Memorandum, install water delivery infrastructure along Old Federal Road [to at least the last parcel with a residence that is closest to the Cherokee County border] and along Blanton Lane. ADS will fund a single residential water meter for any Forsyth County owner of property whose property is located west of the County's Eagle's Beak Park and that is otherwise physically adjacent to Old Federal Road or Blanton Lane that wishes to connect to County water. One meter per parcel only. Advanced Disposal's obligation to pay for residential water meters under this Memorandum shall commence upon substantial completion of the water delivery infrastructure project by the County and shall expire twenty-four months thereafter. If a request for payment has not been made to ADS within that twenty-four-month period, ADS shall have no obligation to fund such a meter. A residential water meter, for purposes of this Memorandum, costs \$1,600 per meter. Monthly water service fees shall be borne exclusively and solely by each respective property owner. Notwithstanding any other term in this paragraph, ADS' total financial obligation under this paragraph shall be \$45,000.00. Once ADS has expended \$45,000 on water meters per the terms of this paragraph, its obligation to fund water meters shall be deemed fulfilled, irrespective of whether the twenty-four month period has expired. The language in this paragraph does not preclude ADS and any citizen from entering into a private agreement regarding private well testing.

**2.13 Mutuality of Obligations.** The Parties agree that ADS and Eagle Point both have obligations with respect to ownership and operation of the landfill, and both ADS and Eagle Point agree that this Memorandum is binding on both and whenever an obligation under this Memorandum requires performance by either ADS, Eagle Point, or both, that each individually or jointly is required to perform to the fullest extent to fully effectuate the terms hereunder.

**3. Representations and Warranties of ADS.** ADS and Eagle Point hereby represents and warrants to the County, each such representation and warranty being a material inducement to the County to enter into and accept the terms of this Memorandum, (i) that ADS is a corporation duly organized, validity existing and in good standing under the laws of the State of Delaware, duly qualified to do business in Georgia as a foreign corporation, and has all requisite power and authority to carry on its business as it has been and is currently conducted as of the date of this Memorandum and as contemplated hereby, and to enter into, execute, deliver and perform its obligations under the terms of this Memorandum, (ii) that Eagle Point is a limited liability company duly organized, validity existing and in good standing under the laws of the State of Delaware, duly qualified to do business in Georgia as a foreign corporation, and has all requisite power and authority to carry on its business as it has been and is currently conducted as of the date of this Memorandum and as contemplated hereby, and to enter into,

execute, deliver and perform its obligations under the terms of this Memorandum, (iii) that the execution, delivery and performance by ADS of this Memorandum have been duly authorized by all necessary corporate action, (iii) that the execution and delivery of this Memorandum is free from duress, coercion and all other defenses to its execution, and that this Agreement constitutes the legal, valid and binding obligation of ADS, enforceable in accordance with its terms, except to the extent limited by bankruptcy, insolvency, moratorium, reorganization and other laws affecting the enforcement of creditors' rights generally and by general principles of equity.

4. **Representations and Warranties of the County.** The County hereby represents and warrants to ADS and Eagle Point, each such representation and warranty being a material inducement to ADS to enter into and accept the terms of this Memorandum, (i) that the County is a political subdivision of the State of Georgia, duly created and existing under the Constitution and laws of the State of Georgia, and, acting by and through the Board of Commissioners, has the corporate power and authority to enter into, execute, deliver and perform its obligations under the terms of this Memorandum, (ii) that the County has taken all action legally required to authorize the execution, delivery and performance of this Memorandum, (iii) that this Memorandum has been duly executed and delivered by the County, (iv) that such action constitutes all of the action necessary with respect to the execution and delivery of this Agreement by the County, and (iv) that the execution and delivery of this Memorandum is free from duress, coercion and all other defenses to its execution, and that this Memorandum constitutes the legal, valid and binding obligation of the County, enforceable in accordance with its terms, except to the extent limited by bankruptcy, insolvency, moratorium, reorganization, public policy, and other laws affecting the enforcement of creditors' rights generally and by general principles of equity.

5. **Notices.** Any notices or other communications required or permitted under this Memorandum shall be sufficiently given if delivered personally or sent by fax or e-mail or by registered or certified mail, postage prepaid, addressed as follows:

To the County: Eric R. Johnson  
County Manager,  
110 East Main Street, Suite 210  
Cumming, Georgia 30040  
Fax: 770-781-2199  
E-Mail: ERJohnson@forsythco.com

With required copy to: Ken Jarrard, Esq.  
Jarrard & Davis, LLP  
105 Pilgrim Village Drive, Suite 200  
Cumming, Georgia 30040  
Fax: 678-455-7149  
E-Mail: kjarrard@jarrard-davis.com

To ADS or Eagle Point: Advanced Disposal Services, Inc.  
Attn.: Charlie Gray  
300 Colonial Center Parkway, Suite #230  
Roswell, Georgia 30076  
Fax:  
E-Mail: Charlie.Gray@advanceddisposal.com

With required copy to: Emory Lipscomb, Esq.  
Lipscomb, Johnson, Sleister, Dailey & Smith, LLP  
112 North Main Street

Cumming, Georgia 30040  
Fax: 770-889-8123  
E-Mail: [emory@lipscombjohnson.com](mailto:emory@lipscombjohnson.com)

With required copy to: Advanced Disposal Services, Inc.  
Attn: Michael Slattery  
VP & General Counsel  
90 Fort Wade Road  
Ponte Vedra, Florida 32081

or such other address as shall be furnished in writing by any of the Parties, and any such notice or communication shall be deemed to have been received when actually received.

6. **Entire Agreement.** The Parties agree that the Settlement Agreement remains in full force and effect except as modified by the terms and provisions of this Memorandum. In the event there is a conflict between the Settlement Agreement and the Memorandum, this Memorandum shall control. The Parties further agree that this Memorandum has been jointly prepared by the Parties hereto and reviewed and approved, if approval is required, by appropriate persons, including counsel for both Parties. The parties acknowledge that they have had the opportunity to obtain independent advice of lawyers of their own selection and acknowledge that they have entered into this Memorandum freely and voluntarily, believing it to be in their best interest. Neither party has made any representations upon which either Party has relied that are not contained in this Memorandum. ADS and Eagle Point acknowledge that the County may adopt an ordinance or regulation prohibiting the disposal of fly ash or coal ash in any landfill or disposal facility in the County, and may also adopt an ordinance prohibiting leachate spraying, misting, or aerosolization (whether treated or untreated) (any such ordinance shall not prohibit any leachate evaporation or any other leachate reduction or treatment technologies, so long as such evaporation or reduction or treatment technologies do not result in the spraying, misting, or aerosolization of treated or untreated leachate), in any landfill or disposal facility in the County; and, if the County adopts such an ordinance or regulation exclusively limited to the aforementioned prohibition on fly ash or coal ash, or leachate spraying, misting, or aerosolization (whether treated or untreated), ADS and Eagle Point, to include any affiliated entity, agree that they will not legally challenge such regulation or ordinance and shall abide by such ordinance or regulation until same is amended, modified, or repealed. For purposes of this paragraph, the phrase 'legally challenge' means to initiate, bring, file, or continue a lawsuit in any State or federal court, to include a claim before any administrative tribunal, seeking to have the ordinance declared void, illegal, or unenforceable. ADS and Eagle Point agree that a coal ash/no-leachate misting ordinance that is the same or substantially similar to that version attached hereto as Exhibit A is consistent with the representations, agreements and confirmations in this paragraph.

7. **Parties in Interest; Successors and Assigns.** Each and all of the covenants, terms, provisions, and agreements contained in this Memorandum shall be binding upon and inure to the benefit of the Parties and their respective successors or assigns. The use of the phrase 'Memorandum of Understanding' is not intended to lessen the force and effect of this document; as it is the express mutual understanding of the Parties that this Memorandum is intended to be a legally binding, fully enforceable, contract, irrespective of any law or authority to the contrary.

8. **Application of Georgia Law; Severability.** This Memorandum is entered into in Georgia and will be construed and interpreted in accordance with Georgia law. If any provision of this Memorandum or its application to any person or circumstance is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable to any extent, the remainder of this Memorandum and its application shall not be affected and shall be enforceable to the fullest extent permitted by law. Nothing in this Memorandum shall either authorize or restrict the adoption of future Forsyth County

ordinances pertaining to solid waste and/or landfills. In the event of such action by Forsyth County, ADS and/or Eagle Point reserve all rights to assert any legal or equitable objections or defense to such ordinance, including an objection or defense to any change in regulatory host fees.

9. **Amendments.** This Memorandum may not be amended except by the written agreement of all Parties.

10. **Notice and Cure.** If ADS or the County fails to fulfill any of its obligations hereunder this Memorandum, either ADS or the County upon written notice by the other Party will have ten (10) calendar days upon which the Party shall cure such failure to fulfill any of its obligations. If such failure cannot be cured within ten (10) calendar days, then the other Party shall extend the period to cure for such an amount of time as may be reasonably necessary to effect a cure, provided that the Party has commenced to cure within the ten (10) calendar day period and diligently pursues such cure to completion.

11. **Waivers.** The failure of any Party to seek redress for violation of or to insist upon the strict performance of any covenant or condition of this Memorandum shall not prevent a subsequent act that would have originally constituted a violation, from having the effect of an original violation.

12. **Expenses.** The Parties will bear their respective costs and expenses of all attorneys, accountants, and advisors retained by or representing them in connection with this transaction.

13. **Non-Reliance.** The making, execution and delivery of this Memorandum by the Parties hereto has not been induced by any representations, warranties, statements or agreements other than those expressed in this Memorandum.

14. **Additional Documents.** Each of the Parties agrees, at any time and from time to time after the execution and delivery of this Memorandum, at the request of either ADS, Eagle Point or the County, to cooperate fully, execute all documents, and take all additional actions that may be necessary to give full force and effect to the terms and intent of this Memorandum.

15. **Resolution of Disputes.** Any disputes between the Parties arising from this Memorandum shall first be the subject of mediation as a means of conflict resolution, with the mediator to be mutually agreed between the Parties. If mediation is unsuccessful or if one Party declares impasse, then the aggrieved party may pursue any means of legal or equitable redress in a court of competent jurisdiction. The Party bringing such action shall plead that an effort at mediation was a condition precedent to bringing suit and that mediation, in good faith, was attempted but was unsuccessful. The prevailing party in such litigation shall be entitled to their reasonable attorneys' fees.

IN WITNESS WHEREOF, the Parties have caused this Memorandum to be executed in their respective names and caused their respective seals to be affixed hereto, all to become operative and enforceable on the Effective Date.

COUNTY:

FORSYTH COUNTY, GEORGIA

By: *Todd Luss*  
Chairman, Board of Commissioners

[SEAL]

Authenticated:

By: *Sonya Bush*  
Clerk, Board of Commissioners

Sworn to and subscribed before me,  
this 21<sup>st</sup> day of December, 2017.

*Carla Floyd*  
Notary Public  
  
My Commission Expires 6-6-21

[Signatures Continued Below]

[Signatures Continued]

**ADVANCED DISPOSAL SERVICES, INC.**

By:   
Its: CEO

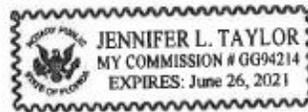
[CORPORATE SEAL]

Sworn to and subscribed before me,  
this 13 day of December, 2017.

  
Notary Public

[NOTARIAL SEAL]

My Commission Expires: 6-26-2021



**EAGLE POINT LANDFILL, LLC**

By:   
Charlie Gray  
Its: Region Vice President

[CORPORATE SEAL]

Sworn to and subscribed before me,  
this 13 day of December, 2017.

  
Notary Public

[NOTARIAL SEAL]

My Commission Expires: 6-26-2021

