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BEFORE THE WASHINGTON UTILITIES  
AND TRANSPORTATION COMMISSION

In the Matter of the Petition of  
STERICYCLE OF WASHINGTON, INC.,  
For an Order Suspending Tariff Filing and  
Initiating an Adjudicatory Proceeding  
concerning the Abandonment of Authority  
Under G-237 and Proposed Biomedical Waste  
Collection and Transportation Services of  
Waste Management of Washington, Inc., dba  
WM Healthcare Solutions (G-237)

Docket No. TG-110553

WASTE MANAGEMENT OF  
WASHINGTON, INC.'S MOTION TO  
DISMISS STERICYCLE'S COMPLAINT  
AND PETITION

1. COMES NOW Waste Management of Washington, Inc. d/b/a WM-Healthcare Solutions ("Waste Management"), by and through Summit Law Group, in response to the *Complaint and Petition/Request for Investigation and Immediate Suspension of Proposed Tariff* ("Complaint") filed on March 21, 2011, by Stericycle of Washington, Inc. ("Stericycle"), and respectfully moves the Commission to dismiss the Complaint for failure to state a claim upon which relief may be granted, pursuant to WAC 480-07-380(1), RCW 34.05.437, and Civil Rule 12(b)(6).
2. Stericycle's interests in bringing this action are obviously for the sole purpose of protecting its monopoly. Its shotgun-style Complaint cites to every possible statutory ground – legally

1 applicable or not – in an attempt to co-opt the Commission’s authority and manipulate  
2 administrative procedures in a blatant effort to prevent meaningful competition from a solid  
3 waste certificate holder entering the biomedical waste market. The Commission should not  
4 countenance such an effort. It should deny each and every request in Stericycle’s Complaint  
5 because, for the legal reasons set forth below, it has failed to state any claim upon which  
6 relief may be granted.

7 **I. FACTS ALLEGED BY STERICYCLE**

- 8 3. Waste Management “holds general solid waste authority under G-237” and, along with its  
9 affiliated companies, is “engaged in solid waste collection and disposal within this state and  
10 throughout the United States.”<sup>1</sup> Waste Management’s authorized service area under  
11 Certificate G-237 includes densely populated cities and vast, sparsely-populated  
12 unincorporated territories in King, Snohomish and Skagit Counties and throughout the state,  
13 including Mount Baker National Park in Whatcom County.<sup>2</sup> Many lucrative areas, such as  
14 large portions of the City of Bellevue, are excluded from Certificate G-237.<sup>3</sup> Waste  
15 Management may only operate solid waste collection services in the specified territories  
16 authorized by Certificate G-237.<sup>4</sup>
- 17 4. Pursuant to a 1996 agreement with Stericycle’s parent company, Waste Management’s parent  
18 company contractually agreed not to provide biomedical waste collection services in  
19 competition with Stericycle for several years.<sup>5</sup> However, the parties to that agreement never  
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21 <sup>1</sup> Compl. ¶¶ 1, 13.

22 <sup>2</sup> Certificate G-237. A true and correct copy of Certificate G-237 is attached hereto. Because Stericycle  
23 repeatedly cites to and describes Certificate G-237 in its Complaint, (Compl. ¶¶ 1, 2, 3.b., 3.c, 3.d, 3.e, 5, 8, 9, 10,  
24 14, 18), this Motion to Dismiss properly cites to Certificate G-237. *Rodriguez v. Loudeye Corp.*, 144 Wn. App. 709,  
726, 189 P.3d 168 (2008) (“Documents whose contents are alleged in a complaint but which are not physically  
attached to the pleading may also be considered in ruling on a CR 12(b)(6) motion to dismiss.”).

25 <sup>3</sup> Certificate G-237.

26 <sup>4</sup> RCW 81.77.040.

<sup>5</sup> Compl. ¶ 8.

1 sought – and the Commission never granted – the transfer of any of Waste Management’s  
2 rights under Certificate G-237 to Stericycle (or to anyone else).<sup>6</sup>

3 5. Stericycle applied for and was granted state-wide authority to perform biomedical waste  
4 collection in 1995 following four years of administrative litigation to obtain that certificate  
5 right.<sup>7</sup> Since then, Stericycle has acquired control of all other certificates specifically  
6 authorizing specialized biomedical waste collection.<sup>8</sup> Pursuant to the state-wide territory it  
7 sought and acquired, Stericycle “is required to serve the whole state ....”<sup>9</sup> Stericycle has not  
8 requested that its certificated territory be amended by the Commission.<sup>10</sup>

9 6. “For several months” prior to the filing of the Complaint, Waste Management has been  
10 approaching prospective customers “and soliciting them for the new biomedical waste  
11 collection and transportation service to be offered by Waste Management ....”<sup>11</sup> Waste  
12 Management will offer medical waste collection services in all of the areas in Washington  
13 “where Waste Management holds general solid waste authority under G-237.”<sup>12</sup>

14 7. “Stericycle recognizes that the Commission may welcome additional competition in  
15 biomedical waste collection and does not oppose fair competition if in the public interest and  
16 initiated in accordance with the requirements of applicable law.”<sup>13</sup>

## 17 II. PROCEDURAL STATUS

18 8. On January 3, 2011, Waste Management filed an application for a name change reflecting an  
19 additional trade name of WM Healthcare Solutions of Washington.<sup>14</sup> On March 18, 2011,

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20 <sup>6</sup> Certificate G-237.

21 <sup>7</sup> Order M.V.G. No. 1761, *In re Ryder Distrib. Res., Inc.*, App. No. GA-75154; *In re Stericycle of Wash., Inc.*,  
22 App. No. GA-77539 (consolidated) (Aug. 1995).

23 <sup>8</sup> Order M.V.G. No. 1761 at 20.

24 <sup>9</sup> Compl. ¶ 11.

25 <sup>10</sup> See WAC 480-70-176 (discontinuance of operations).

26 <sup>11</sup> Compl. ¶ 6.

<sup>12</sup> *Id.* ¶ 10.

<sup>13</sup> *Id.* ¶ 7.

1 Waste Management filed a tariff for biomedical waste collection rates under the one-day  
2 notice provision of WAC 480-70-261.<sup>15</sup> The tariff was rejected by the Commission.<sup>16</sup> On  
3 March 28, 2011, Waste Management filed a tariff for biomedical waste collection under the  
4 seven-day notice provision of WAC 480-70-262.<sup>17</sup>

- 5 9. Stericycle filed its Complaint on March 21, 2011. It was docketed with Waste  
6 Management's initial tariff filing. After the Commission rejected the one-day filing,  
7 Stericycle's Complaint was assigned its own docket number, processed by the Administrative  
8 Law Division and served on Waste Management on April 1, 2011.<sup>18</sup>

### 9 III. ARGUMENT

- 10 10. The Commission will consider Waste Management's Motion to Dismiss under the standard  
11 applicable to motions to dismiss filed pursuant to the Superior Court Rules 12(b)(6) and  
12 12(c).<sup>19</sup>
- 13 11. For purposes of deciding a motion under CR 12(b)(6), all of the factual allegations in the  
14 complaint are accepted as true.<sup>20</sup> Where a complainant fails to allege facts – and none may  
15 be imagined – which would entitle it to relief, a complaint must be dismissed.<sup>21</sup>
- 16 12. Although the standard is stringent, assuming as true the facts alleged in the Complaint,  
17 Stericycle's claims fail as a matter of law. In this case, it is evident that Stericycle cannot  
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19 <sup>14</sup> Docket No. TG-11023. The Commission "may take judicial notice of public documents if their authenticity  
20 cannot be reasonably disputed in ruling on a motion to dismiss." *Rodriguez*, 144 Wn. App. at 725-26; *accord Berge*  
*v. Gorton*, 88 Wn.2d 756, 763, 567 P.2d 187 (1977) ("In considering a CR 12(b)(6) motion, this court may take  
21 judicial notice of matters of public record.").

22 <sup>15</sup> Compl. ¶ 1; Docket No. TG-110506.

23 <sup>16</sup> Docket No. TG-110506.

24 <sup>17</sup> Docket No. TG-110552.

25 <sup>18</sup> Waste Management's Answer is due on or before April 21.

26 <sup>19</sup> Order 04 - Order Denying Motion to Dismiss and Denying Cross Motion, *WUTC v. Points Recycling and*  
*Refuse* (TG-080913, 080914) (Jan. 13, 2009) (citing *Kinney v. Cook*, 159 Wn.2d 837, 842, 154 P.3d 206 (2007)).

<sup>20</sup> 3A Tegland, *Washington Practice* at 264 (5th ed. 2006).

<sup>21</sup> *Burton v. Lehman*, 153 Wn.2d 416, 422, 103 P.3d 1230 (2005).

1 allege any set of facts which could justify recovery. First, Stericycle's claim of abandonment  
2 must be dismissed because biomedical waste services may not be fragmented from a  
3 traditional solid waste certificate. Second, none of the long list of statutory citations  
4 advanced by Stericycle justifies any action by the Commission.

5 **A. Stericycle's claim of abandonment must be dismissed for failure to state a**  
6 **viable claim.**

7 13. Under Certificate G-237, Waste Management is authorized to perform biomedical waste  
8 collection. Its certificate broadly authorizes "solid waste collection"<sup>22</sup> and the Commission  
9 long has held that traditional solid waste certificates subsume the right to perform biomedical  
10 waste collection and disposal.<sup>23</sup>

11 14. Stericycle argues that pursuant to RCW 81.77.030(6), one of Waste Management's bundle of  
12 rights under Certificate G-237 may be fragmented and revoked. Stericycle is wrong. The  
13 statute provides that where the holder of a certificate

14 has failed to operate as a solid waste collection company for a  
15 period of at least one year preceding the filing of the complaint ...,  
16 [the Commission] may suspend, revoke, alter, or amend any  
17 certificate issued under the provisions of this chapter.<sup>24</sup>

18 Undisputedly, Waste Management has *not* failed to operate as a solid waste collection  
19 company in the last year. Stericycle cannot assert that Waste Management has failed to  
20 performed any solid waste collection services in the preceding year, and therefore its  
21 allegation fails to state a claim under RCW 81.77.040. Moreover, the express language of  
22 this provision authorizes the revocation of a "certificate," not a single right granted by a  
23 certificate. Stericycle does not – and cannot – seek revocation of Certificate G-237 here.

24 <sup>22</sup> Certificate G-237.

25 <sup>23</sup> Order M.V.G. No. 1452, *In the Matter of Am. Env'tl. Mgmt. Corp.*, App. No. GA-874 (Nov. 1990) at 7 ("the  
26 permanent authority of existing G-certificate holders includes the authority to collect infectious waste").

<sup>24</sup> RCW 81.77.030 (emphasis added).

1 15. Indeed, under the facts as pleaded by Stericycle, Waste Management actually has operated as  
2 a biomedical waste collection company in the year preceding its Complaint.<sup>25</sup> As alleged by  
3 Stericycle, Waste Management registered its trade name in January and was “advertising,  
4 soliciting, offering, or entering into an agreement to provide that service” prior to the filing  
5 of the Complaint.<sup>26</sup> In light of the express statutory language and the facts as alleged by  
6 Stericycle, it cannot now produce any facts that would refute the legal conclusion that Waste  
7 Management’s certificate rights to perform biomedical waste collection have not been  
8 abandoned.

9 16. Moreover, RCW 81.77.030 is permissive; that is, the Commission “may” revoke a certificate.  
10 The Commission must exercise this discretion in light of the public interest. Stericycle is  
11 candid about its monopoly: it “is the only solid waste collection company that offers  
12 biomedical waste collection services throughout the state.”<sup>27</sup> Stericycle argues that retaining  
13 its monopoly better serves the public’s interest than would allowing competition.<sup>28</sup> This flies  
14 in the face of long-standing Commission policy and the public interest does not support  
15 abandoning this policy under any set of facts.

16 17. The Commission has recognized that its regulation of the specialized service of collecting  
17 biomedical waste for transport and disposal is underpinned by different policies than the ones  
18 applicable to traditional solid waste collection. The Commission regulates certificated  
19 companies in the public interest.<sup>29</sup>

20 [T]he Commission believes that in the context of neighborhood  
21 solid waste collection, the statute contemplates an exclusive grant  
22 of authority as the best and most efficient way of serving all  
customers in a given territory. In this general context, it is

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23 <sup>25</sup> Compl. ¶¶ 6, 10.

24 <sup>26</sup> RCW 81.77.040.

25 <sup>27</sup> Compl. ¶ 7.

26 <sup>28</sup> *Id.* ¶ 20.

<sup>29</sup> RCW 80.01.040(2).

1 assumed that all or most people and businesses in a given territory  
2 are also customers needing garbage service. Under these  
3 circumstances, an exclusive grant of authority in a given territory  
4 promotes service, efficiency, consistency and is generally in the  
5 public interest. The collection of medical waste is quite a different  
6 situation. Customers are only a small percentage of the total  
7 business in any given territory. The applicants for medical waste  
8 authority wish to serve the entire state or large portions of the state.  
9 The entire operation more closely resembles that of a motor freight  
10 common carrier with statewide authority than that of a typical  
11 garbage company. The Commission is at this point unconvinced  
12 that any single carrier presently authorized to serve in the state of  
13 Washington could provide a level of service, on its own, which  
14 would satisfy the Commission and meet the needs of the waste  
15 generators.<sup>30</sup>

16 18. For this reason, finding abandonment of biomedical waste collection authority in the context  
17 of protecting Stericycle's monopoly is not consistent with Commission policy and thus  
18 should not be subject of any further inquiry. Indeed, not only would it be contrary to the  
19 public interest to eliminate Waste Management's rights to perform biomedical waste  
20 collection, but the public interest will be served by allowing competition instead of protecting  
21 Stericycle's monopoly.

22 19. In *Harold LeMay Enterprises v. WUTC*, the Court of Appeals expressed skepticism on the  
23 question of whether a portion of a solid waste certificate can be abandoned.<sup>31</sup> The question  
24 of whether the statute authorizes fragmenting of solid waste certificate rights is not  
25 authorized for all situations, and even in the order that was reversed by the Court of Appeals,  
26 the Commission noted:

When a certificate holder has failed to operate as a garbage and  
refuse collection company for a (sic) least one year preceding the  
filing of a complaint, the Commission is authorized to suspend,  
revoke, alter or amend the certificate. The statutory language is

<sup>30</sup> Order M. V. G. No. 1451, *In re Sure-Way Incineration, Inc.*, Hearing No. GA-868 (Nov. 1990) at 16-17; *see also* Order M. V. G. No. 1452, *In re Am. Env'tl. Mgmt. Corp.*, Hearing No. GA-874 (Nov. 1990).

<sup>31</sup> 67 Wn. App. 878, 883, 841 P.2d 58 (1992) ("Even if we assume that the Commission has the authority to amend a garbage collection certificate based upon a certificate holder's abandonment of only a portion of its authority, there has been no showing of abandonment.") (emphasis added).

1 permissive (may) rather than mandatory (shall) and the  
2 Commission therefore has discretion to take any or none of the  
3 authorized actions, depending on the particular facts of the case  
4 and on public policy considerations.<sup>32</sup>

5 20. Thus, because public policy dictates otherwise, abandonment cannot be demonstrated and the  
6 burden of proof on a complainant seeking partial revocation cannot be satisfied. In the  
7 *Mason County* matter, the Commission could identify no compelling policy reasons  
8 precluding a restrictive amendment.<sup>33</sup> In this case, prior Commission articulation of policies  
9 regarding the need for competition in the field of biomedical waste collection warrants a  
10 strict interpretation of the statutory language.

11 21. Stericycle assigns much weight to the Commission's decision in the *Mason County* matter,  
12 but that order is not controlling in this instance. First, when the Commission was reversed,  
13 the Court of Appeals found it unnecessary to reach, but specifically earmarked, the issue of  
14 fragmentation.<sup>34</sup> Thus, the precedential weight of the administrative order is dubious at best.  
15 Second, the policies applicable to traditional solid waste collection are not on point for  
16 specialized biomedical waste collection.

17 22. While the Commission has arguably authorized fragmentation of rights in the context of  
18 traditional solid waste services, that decision is not controlling here. *Herrett Trucking Co. v.*  
19 *Washington Public Serv. Comm'n*, 61 Wn. 2d 234, 377 P.2d 871 (1963), the nearly half-  
20 century old decision upon which Stericycle relies, concerned the laws applicable to transfers  
21 of common motor carrier permit rights under Ch. 81.80 RCW. These laws are distinct from  
22 the laws that govern solid waste collection companies under Ch. 81.77 RCW.<sup>35</sup> Activity is

23 <sup>32</sup> Order M. V. G. No. 1403, *Mason Cty. Garbage Co., v. Harold LeMay Enters.*, Cause No. TG-2163 (Aug. 1989)  
24 at 7 (emphasis added).

25 <sup>33</sup> *Id.*

26 <sup>34</sup> *See supra* n.31.

<sup>35</sup> When transferring a solid waste certificate, a transferor's fitness is not even an issue under RCW 81.77.040.  
Order M. V. G. No. 1772, *In re Buchmann Sanitary Serv., Inc./Browning-Ferris Indus. of Wash., Inc.* App. No. GA-  
78433; *In re The Disposal Group, Inc./Browning-Ferris Indus. of Wash., Inc.*, App. No. GA-78444 (Mar. 1996).



1 not even a factor or element in determining whether the transfer of a garbage certificate will  
2 be consistent with the public interest.<sup>36</sup> In the context of grandfathering garbage collection  
3 operations into certificate rights, parsing various service types has been rejected.<sup>37</sup>

4 23. Fragmentation of broadly-stated traditional solid waste authority is all the more improper  
5 when considering a specialized waste service. Indeed, in rules adopted since the *Mason*  
6 *County* litigation, the Commission specifically articulated a policy of protecting against  
7 carving out specialized collection rights from traditional solid waste certificate rights.<sup>38</sup>

8 24. Thus, in *In re American Environmental Management Corp.*,<sup>39</sup> in discussing the pre-existing  
9 rights of the traditional solid waste collection companies, the Commission declined the  
10 opportunity to alter or amend those certificates to revoke biomedical waste collection  
11 services despite its conclusion that biomedical waste collection “was not available, in any  
12 way, shape or form” from the traditional solid waste certificate holders.<sup>40</sup> Rather, the lack of  
13 existing service was simply evidence that supported the public need for the applicant to enter  
14 the market.

15 25. That certificate rights may not be fragmented and held abandoned also derives from the fact  
16 that a certificate is a property right.<sup>41</sup> A contrary ruling would be akin to a taking, in that it  
17 would effectuate a governmental action that diminishes a privately-owned asset.<sup>42</sup> For that  
18 reason, under RCW 81.77.030, the Commission “may suspend, revoke, alter, or amend” a  
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20 <sup>36</sup> RCW 81.77.040; WAC 480-70-110; Order M. V. G. No. 1185, *In re Snoking Garbage Co., Inc./ R.S.T.*  
*Disposal Co., Inc.*, App. No. GA-788 (Nov. 1984).

21 <sup>37</sup> *City Sanitary Serv., Inc. v. WUTC*, 64 Wn.2d 739, 393 P.2d 952 (1964).

22 <sup>38</sup> WAC 480-70-041 (in defining a “traditional solid waste collection company,” the rule states: “Unless the  
23 company’s certificate is restricted against doing so, a traditional solid waste collection company may also perform  
24 specialized solid waste collection services.”).

25 <sup>39</sup> Order M. V. G. No. 1452, *In re Am. Env’tl. Mgmt. Corp.*, Hearing No. GA-874 (Nov. 1990).

26 <sup>40</sup> *Id.* at 8.

<sup>41</sup> *Dahl-Smyth, Inc. v. Walla Walla*, 148 Wn.2d 835, 847, 64 P.3d 15 (2003).

<sup>42</sup> *See id.* at 839 n.5 (recognizing the possibility of a claim for constitutional taking in the context of an annexation  
cancelling certificate rights).

1 solid waste certificate only under egregious circumstances. Violation of law is grounds for  
2 taking a certificate right, but only if it is willful. Abandonment based on failure to operate  
3 should be reserved for only the most egregious circumstances.

4 26. Given the harsh outcome of a finding of abandonment that would be contrary to Commission  
5 policy, the Commission should not parse certificate rights so finely as to deprive the public of  
6 meaningful competition and to punish companies for not entering evolving markets and  
7 commencing all possible services at once.

8 27. Stericycle makes much of the fact that the two parent companies negotiated a sale of  
9 biomedical waste management assets in 1996.<sup>43</sup> It confers legal significance on the fact that  
10 Waste Management's parent company entered into a noncompete agreement as part of that  
11 transaction.<sup>44</sup> However, these facts – which are not disputed for purposes of this Motion –  
12 are completely beside the point. The presence of a noncompete agreement has been found to  
13 be legally irrelevant to a determination of abandonment.

14 28. In *LeMay Enterprises*, the Court of Appeals dismissed the significance of a noncompete  
15 agreement not approved by the Commission. In that case, two solid waste companies held  
16 overlapping solid waste collection certificates. They had entered into a “gentleman’s  
17 agreement” that LeMay would provide only commercial collection services. The court held  
18 that the side agreement – tantamount to a noncompete – was not sufficient evidence of  
19 abandonment to support revoking LeMay’s authority to also collect solid waste from  
20 residential customers.

21 The Commission found only that LeMay did not actually serve  
22 residential customers and did not hold itself out as providing that  
23 service during the pertinent time period. We believe that a  
24 certificate holder can be deemed to have abandoned a portion of its  
“business of transporting garbage and/or refuse for collection” only  
if the certificate holder either is unavailable to serve customers or

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25 <sup>43</sup> Compl. ¶ 8.

26 <sup>44</sup> *Id.* ¶ 18.

1 refuses to serve potential customers. The Commission, as we have  
2 noted, made no such finding.<sup>45</sup>

3 Thus, the existence of a side agreement among competitors to allocate resources and refrain  
4 from service – like the one alleged here by Stericycle – is not sufficient to support a claim of  
5 abandonment.

6 29. Moreover, Stericycle and Waste Management are undisputedly familiar with the standards  
7 and procedures of Title 81 RCW. For them to operate under the protections from antitrust  
8 afforded by Commission oversight, the Commission’s approval to transfer certificate rights  
9 must have been obtained.<sup>46</sup> It was not. The deal struck between Stericycle’s and Waste  
10 Management’s parent companies in 1996 cannot diminish in any way the broad rights held  
11 by Waste Management under Certificate G-237.

12 30. Finding that a certificate holder has failed to operate as a solid waste collection company  
13 diminishes the value of a private asset and should not be lightly undertaken. Especially in  
14 light of the Commission’s expressed support for competition in this specialized waste  
15 collection industry, and the fact that Stericycle has eliminated almost all other service-  
16 providers, the draconian measure of revoking Waste Management’s certificate right should  
17 not be driven by Stericycle’s aggressive efforts to stifle competition.

18 31. There can be little doubt that Waste Management has been exercising its certificate rights for  
19 solid waste collection. Moreover, even putting aside these policies supporting a strict  
20 interpretation of the abandonment statute and opposing fragmentation of specialized  
21 collection rights from a traditional solid waste certificate, in this case Waste Management –

22 <sup>45</sup> 67 Wn. App. at 883 (emphasis added).

23 <sup>46</sup> State action displacing competition is immune from antitrust scrutiny when the displacement of competition is  
24 clearly articulated and affirmatively expressed as state policy. *California Retail Liquor Dealers Ass’n v. Midcal*  
25 *Aluminum, Inc.*, 445 U.S. 97, 105 (1980). The state need not affirmatively state a desire to displace competition, nor  
26 must it compel the displacement; instead, the “clearly articulated” requirement is satisfied if the statute confers  
“express authority” to take action that could “foreseeably result” in the suppression of competition. *Snake River*  
*Valley Elec. Ass’n v. PacifiCorp*, 238 F.3d 1189, 1192 (9<sup>th</sup> Cir. 2001) (interpreting *Midcal*); *Redwood Empire Life*  
*Support v. County of Sonoma*, 190 F.3d 949, 955 (9<sup>th</sup> Cir. 1999) (California statute allowing for the creation of one  
or more exclusive service areas for EMS services had “the foreseeable effect of excluding some providers from a  
local EMS system”).

1 as Stericycle alleges – *has* operated as a biomedical waste company by advertising its services  
2 and holding itself out to customers as a provider of biomedical waste collection services.  
3 Stericycle’s claim for abandonment must be dismissed.

4 **B. None of Stericycle’s Myriad Other Authorities State a Claim For Relief.**

5 32. Under the guise of invoking statutory protections from anticompetitive behavior, Stericycle’s  
6 other requests for relief would actually prevent further competition entirely and each must be  
7 dismissed for failure to state a claim.

8 **a. RCW 81.04.110 Does Not Authorize Any Relief Here.**

9 33. Stericycle is forthright about its monopoly. It proudly notes that it “is the only solid waste  
10 collection company that offers biomedical waste collection services throughout the state.”<sup>47</sup>  
11 In the context of RCW 81.04.110, citing the statute that is intended *to protect competitors*,  
12 Stericycle bizarrely argues that retaining its monopoly is more in the public’s interest than  
13 allowing competition.<sup>48</sup>

14 34. RCW 81.04.110 is not intended for protection of market domination. Stericycle’s reliance on  
15 RCW 81.04.110 subjects many of its claims to dismissal because there is a difference  
16 between ensuring fair competition and preventing additional competition entirely.

17 35. RCW 81.04.110 may be invoked to seek equitable actions by the Commission with regard to  
18 activities of competitors, not perceived threats of companies entering the market. It speaks in  
19 the present tense, and is not effective to protect against speculation and hyperbole:

20 When two or more public service companies ... are engaged in  
21 competition...either may make complaint against the other or  
22 others that the rates, charges, rules, regulations or practices of such  
23 other or others with or in respect to which the complainant is in  
24 competition, are unreasonable, unremunerative, discriminatory,  
illegal, unfair or intending or tending to oppress the complainant,  
to stifle competition, or to create or encourage the creation of  
monopoly, and upon such complaint or upon complaint of the

25 <sup>47</sup> Compl. ¶ 7.

26 <sup>48</sup> *Id.* ¶ 20.

1 commission upon its own motion, the commission shall have  
2 power, after notice and hearing as in other cases, to, by its order,  
3 subject to appeal as in other cases, correct the abuse complained of  
4 by establishing such uniform rates, charges, rules, regulations or  
5 practices in lieu of those complained of, to be observed by all of  
6 such competing public service companies in the locality or  
7 localities specified as shall be found reasonable, remunerative,  
8 nondiscriminatory, legal, and fair or tending to prevent oppression  
9 or monopoly or to encourage competition, and upon any such  
10 hearing it shall be proper for the commission to take into  
11 consideration the rates, charges, rules, regulations and practices of  
12 the public service company or companies complained of in any  
13 other locality or localities in the state.<sup>49</sup>

14 This paragraph of the statute addresses complaints brought by competing companies.

15 Stericycle has no basis for invoking the Commission's equitable authority before Waste  
16 Management has performed service long enough to demonstrate the impacts of competition –  
17 and even then, Stericycle's efforts to utilize RCW 81.04.110 to protect its monopoly would  
18 have to be grounded on allegations capable of proof, not just fearful speculation, for it to  
19 state a claim upon which relief may be granted.

20 36. Essentially, there is no case or controversy that would make the matters raised in the  
21 Complaint subject to RCW 81.04.110.<sup>50</sup> "A claim is fit for [judicial] decision if the issues  
22 raised are primarily legal, do not require further factual development, and the challenged  
23 action is final."<sup>51</sup> For a claim to arise under RCW 81.04.110, Stericycle's Complaint must  
24 have presented more than a speculative, academic issue; it did not do so.

25 37. Moreover, even where properly cited, RCW 81.04.110 does not authorize declaratory relief.<sup>52</sup>  
26 Stericycle asserts that allowing Waste Management to perform biomedical waste collection  
will "either drive Stericycle from the marketplace or require Stericycle to drastically reduce

<sup>49</sup> RCW 81.04.110 (emphasis added).

<sup>50</sup> See WAC 480-07-305(2).

<sup>51</sup> *Standard Alaska Prod. Co. v. Schaible*, 874 F.2d 624, 627 (9th Cir.1989)

<sup>52</sup> The Legislature authorized the Commission, but not private parties, to seek declaratory relief. See RCW 81.04.510. Because the Legislature did not authorize declaratory relief to private parties, such relief is not available here.

1 service or raise rates.”<sup>53</sup> Until Waste Management has performed service long enough to  
2 demonstrate the impacts of competition, that allegation is completely without foundation.<sup>54</sup>

3 38. Instead, Stericycle peppers the Complaint with claims of potential anticompetitive behavior.  
4 It wants the Commission to investigate Waste Management’s rates without any justification  
5 other than its fears of competition. It accuses Waste Management of “cream skimming” by  
6 operating within the confines of its certificated territory. It requests that the Commission  
7 unilaterally grant Waste Management statewide authority as means of evening the playing  
8 field. It questions Waste Management’s fitness. It urges the Commission to find  
9 abandonment. None of these claims are susceptible to relief, even if the Commission  
10 assumes all facts in Stericycle’s Complaint are true. The desire for a competitor to undertake  
11 a fishing expedition to investigate the financial and operational wherewithal of a potential  
12 entrant before the competition even begins is not a claim upon which relief can be – or  
13 should be – granted.

14 **b. Hypothetical Future Injury Does Not Authorize Any Relief Here.**

15 39. Stericycle misleadingly suggests that Waste Management bears a burden of proof to  
16 “establish affirmatively” that its proposed rates are proper, but when a regulated company  
17 files a tariff to start a new service option or service level that has not been previously  
18 included in its tariff, no such burden exists.

19 40. The Legislature plainly intended a distinction between filings for tariff rates to initiate new  
20 services and those intended to make changes to existing tariff rates, a distinction lost in the  
21 frenzy of citations in the Complaint. Stericycle requests that the Commission suspend Waste  
22 Management’s rates but the Commission’s authority to suspend is limited to a filing which

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23 <sup>53</sup> Compl. ¶ 20.

24 <sup>54</sup> Of course, if these claims were brought after Waste Management has performed service long enough to  
25 demonstrate the impacts of competition, Stericycle would have the burden of proving these allegations. *See GTE*  
26 *NW Inc. v. Whidbey Tel. Co.*, 1996 WL 350846, Docket No. UT-950277, 5th Suppl. Order (Apr. 2, 1996) (where  
the Commission is merely providing a forum, any company filing a complaint against another company bears the  
burden of proof).

1 seeks to change rates.<sup>55</sup> The Commission has indicated by rule that new service filings take  
2 effect by operation of law.<sup>56</sup> Thus, under RCW 81.28.040, a company is required only to file  
3 its rates with proper notice, which Waste Management has already done.<sup>57</sup>

4 41. In starting a new service, all Waste Management can do is project expected costs and  
5 anticipated revenues to the best of its ability.<sup>58</sup>

6 42. Waste Management is a sophisticated company.<sup>59</sup> It has many years of experience in  
7 designing and calculating tariff rates.<sup>60</sup> It has both legal and business motivations to make  
8 good faith efforts to calculate rates as accurately as possible. However, until it has actually  
9 developed a history of service, the amounts can only be estimated. Stericycle attempts to  
10 refashion the statutory burdens by suggesting that there is a burden of proof on a hauler filing  
11 a tariff for a new service option, but the business risks are squarely placed on Waste  
12 Management's ability to accurately estimate its earnings and costs. Too high, and it will lose  
13 business; too low, and it will lose profits.

14 43. Of course, the Commission itself has ample authority to investigate Waste Management's  
15 rates.<sup>61</sup> But the Commission did not initiate this action and no facts have been alleged that  
16 would justify the Commission's prosecutorial authority.

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19 <sup>55</sup> RCW 81.04.130. *See also* RCW 81.28.050 (setting the statutory notice periods for rate-change filings).

20 <sup>56</sup> *See, e.g.,* WAC 480-70-262.

21 <sup>57</sup> *See* TG-110552 (Waste Management's seven-day rates became effective by operation of law on April 6, 2011.  
The filing is noticed on the No Action Agenda for the Commission's Open Meeting on April 14, 2011).

22 <sup>58</sup> *See* Order M.V.G. No. 1761, *In re Ryder Distrib. Res., Inc.*, App. No. GA-75154; *In re Stericycle of Wash., Inc.*,  
App. No. GA-77539 (consolidated) (Aug. 1995) (noting that a company starting a new business need not  
demonstrate profitability of proposed operations, albeit in the context of a prerequisite to entry).

23 <sup>59</sup> Compl. ¶ 13 ("Waste Management is a subsidiary of a massive corporation engaged in solid waste collection  
and disposal within this state and throughout the United States.")

24 <sup>60</sup> *See* Certificate G-237.

25 <sup>61</sup> RCW 81.28.230 (if it were to find, after hearing, that the rates Waste Management has filed are unjust,  
unreasonable, unjustly discriminatory, or unduly preferential, in violation of the law, or insufficient to yield a  
26 reasonable compensation, then certainly the Commission could fix the rates).

1                                    **c.     No Claim for Relief Has Been Stated Regarding the Propriety of**  
2                                    **Waste Management's Rates for New Services.**

3 44. There is no reason to believe the tariff rates proposed by Waste Management for biomedical  
4 waste collection services are anything other than just, fair and reasonable. Stericycle's  
5 Complaint is rife with requests for the Commission to instigate a rate hearing under a  
6 panoply of statutes, but mere allegations by a company trying to protect its monopoly are not  
7 sufficient grounds for the Commission to initiate a rate hearing.

8 45. Stericycle has peppered its Complaint with suspicions about possible future injury to its  
9 monopoly. Stericycle alleges that Waste Management might violate RCW 81.28.190  
10 (prohibiting unreasonable preferences) and RCW 81.28.180 (prohibiting unequal charges for  
11 similar services), but it does so in the context of complaining about the geographic extent of  
12 Waste Management's certificated territories, even though the statute applies to rate charges  
13 instead of certificate rights. Stericycle fails to mention that a complainant challenging a  
14 carrier's rates for violation of these laws has the burden of demonstrating that a violation  
15 occurred.<sup>62</sup> It is impossible to state a claim for rate discrimination or preference before  
16 Waste Management has even processed an invoice.

17 46. Other than unfounded speculation about the possible future effect of Waste Management's  
18 rates, however, Stericycle has not even tried to meet that burden. It argues instead that Waste  
19 Management's obligation to provide the new service in the territory authorized by Certificate  
20 G-237 would "both prefer and disadvantage different localities and generators."<sup>63</sup> This  
21 argument obfuscates the effect of the statutes, which guard against preferential and  
22 discriminatory pricing, and have nothing to do with limitations of certificated territory.  
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24  
25 <sup>62</sup> *Everett Airporter Servs. Enters., Inc. v. San Juan Airlines, Inc. d/b/a Shuttle Express*, Docket No. TC-910789  
(Jan. 1993) (in a private complaint by one airport bus service against another).

26 <sup>63</sup> Compl. ¶ 21.



1 47. Regulated solid waste collection companies must provide collection without discrimination.<sup>64</sup>  
2 They must operate under rates that are just, fair and reasonable and that do not discriminate  
3 or provide unreasonable preferences.<sup>65</sup> Waste Management's tariff rates for performing  
4 biomedical waste collection must meet these standards. Stericycle's pleas for an  
5 investigation of Waste Management's rates for the sake of protecting its monopoly are  
6 grounded only on fearful speculation – not on any allegations of current fact – and must be  
7 dismissed.

8 **d. Stericycle Has Failed to State a Claim for “Cream Skimming.”**

9 48. Waste Management or its predecessor companies have performed solid waste collection in  
10 the State of Washington territories since before 1961, when the statutory scheme established  
11 under Ch. 81.77 RCW was first created.<sup>66</sup> Waste Management operates – and may only  
12 operate – solid waste collection services in specified territories under authority of Certificate  
13 G-237.<sup>67</sup> Certificate rights previously operated under various trade names and subsidiaries  
14 were consolidated into Certificate G-237 in the late 1990s.<sup>68</sup> Waste Management's original  
15 territories have since been expanded through acquisitions of control and transfers, as  
16 appropriately reviewed and approved by the Commission.<sup>69</sup>

17 49. Stericycle suggests that Waste Management's obligations to serve all customers in the  
18 territory authorized by Certificate G-237 effectuate “cream skimming” from which Stericycle  
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22 <sup>64</sup> RCW 81.28.010, 81.28.180, and 81.28.190.

23 <sup>65</sup> Order M.V.G. No. 1761, *In re Ryder Distrib. Res., Inc.*, App. No. GA-75154; *In re Stericycle of Wash., Inc.*,  
App. No. GA-77539 (consolidated) (Aug. 1995) at 9.

24 <sup>66</sup> Certificate G-237.

25 <sup>67</sup> RCW 81.77.040.

26 <sup>68</sup> Certificate G-237 (identifying various transfer approvals).

<sup>69</sup> *Id.*

1 should be protected.<sup>70</sup> Of course, the Commission has repeatedly held that “‘cream  
2 skimming’ is not in the public interest and contrary to public policy.”<sup>71</sup>

3 50. Stericycle’s myopic view disregards the undisputed fact that Waste Management’s  
4 certificated territory evolved over time and Stericycle has not alleged *facts* which could  
5 support a finding that Waste Management strategically designed its certificated territory for  
6 optimizing profits in biomedical waste collection. Moreover, as Certificate G-237 makes  
7 plain, Waste Management’s territory includes significant areas of rural, sparsely-populated  
8 territories; and it excludes many lucrative areas.

9 51. In contrast, Stericycle’s certificated rights include all the urban areas of the state. Stericycle  
10 has authority to serve in dense, lucrative areas that are inside and outside of G-237. It  
11 operates biomedical waste collection services in Washington under authority of Certificate  
12 G-244 and that certificate is exactly what Stericycle requested. Stericycle applied for and  
13 was granted state-wide authority to perform biomedical waste collection in 1995 following  
14 four years of administrative litigation to obtain that certificate right.<sup>72</sup> Over time, through  
15 strategic acquisitions, Stericycle has built its monopoly.

16 52. Having obtained the authority it sought and acquired, Stericycle is required to perform  
17 service throughout its certificated territories. While it apparently has now concluded that it  
18 wishes to service a more limited authority than that set forth in Certificate G-244, Stericycle  
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21 <sup>70</sup> Compl. ¶ 19.

22 <sup>71</sup> See, e.g., *In re Superior Refuse Removal Corp.*, Order M.V.G. No. 1335 (June 1, 1988). Stericycle’s accusation  
23 that Waste Management would be “cream skimming” is ironic, given Stericycle’s familiarity with defending against  
24 such claims itself. In early proceedings involving a related company’s application for authority to collect  
25 biomedical waste, Stericycle was accused of providing service to only the most lucrative accounts and avoiding less  
26 lucrative or more expensive accounts. Order M.V.G. No. 1596, *In re Ryder Distrib. Res., Inc.*, App. No. GA-75154  
(Jan. 1993) at 4. When it began services, Stericycle targeted significant generators of biomedical waste consisting  
principally of large hospitals along the I-5 corridor. *Id.* at 8.

<sup>72</sup> Order M.V.G. No. 1761, *In re Ryder Distrib. Res., Inc.*, App. No. GA-75154; *In re Stericycle of Wash., Inc.*,  
App. No. GA-77539 (consolidated) (Aug. 1995).

1 has not taken the logical – and necessary – step of requesting that that its certificated territory  
2 be amended by the Commission.<sup>73</sup>

3 53. The effect on customers and the public interest from Waste Management entering the market  
4 is unknown. This emphasizes the speculative nature of Stericycle’s allegations of unfair  
5 competition and underscores the Legislature’s intent to allow competing public service  
6 companies to ask for equitable relief only if they are actually experiencing demonstrable  
7 injury. RCW 81.04.110 is not intended to prevent hypothetical harms from a competitor  
8 desperate to retain its monopoly, and Stericycle’s claims under the anticompetitive statute to  
9 protect its monopoly should be dismissed.

10 **e. No Authority Justifies Stericycle’s requests that the Commission**  
11 **Unilaterally Award Statewide Authority to Waste Management.**

12 54. In its obviously ironic request that the Commission unilaterally expand Waste Management’s  
13 certificated territories to provide statewide biomedical collection services, Stericycle  
14 impermissibly bootstraps the standards and procedures for issuance of new certificates into  
15 the protections against anticompetitive behavior afforded by RCW 81.04.110. Stericycle  
16 ignores the process set forth in Ch. 81.77 RCW. Putting aside the fact that Waste  
17 Management has not applied for any such authority and, thus, that RCW 81.77.040 has not  
18 been triggered, Stericycle overlooks the interests of existing traditional certificate holders  
19 besides Waste Management.<sup>74</sup> Under RCW 81.77.040, if Waste Management *had* requested  
20 additional geographic authority, the Commission’s decision would involve an opportunity for  
21 hearing to make the determination that existing certificate holders will not provide service to  
22 the satisfaction of the Commission. Stericycle might not object to the expansion, but other  
23 stakeholders may.<sup>75</sup>

24 <sup>73</sup> See WAC 480-70-176 (discontinuance of operations).

25 <sup>74</sup> RCW 81.77.040; WAC 480-70-091.

26 <sup>75</sup> *Id.* (“When an applicant requests a certificate to operate in a territory already served by a certificate holder under this chapter, the commission may, after notice and an opportunity for a hearing, issue the certificate only if the

1 55. Even before considering the interests of other certificate holders, however, under RCW  
2 81.77.040, the Commission must first determine that an expansion of the territory authorized  
3 by Certificate G-237 is required by public convenience and necessity. Such a finding would  
4 be a condition precedent to Waste Management operating outside of Certificate G-237.

5 Stericycle's strange assertion that the protections afforded under RCW 81.04.110 require  
6 unilaterally expanding Waste Management's territory hardly constitutes the interests of the  
7 public. It opposes Waste Management's entry into the market and then turns the entry  
8 standard on its head by suggesting that public interest requires expansion beyond the  
9 territories of Certificate G-237.

10 56. Just because Stericycle posits that the public interest demands Waste Management to seek  
11 state-wide rights, of course it does not concede that the certificate holder would qualify. And  
12 thus it repeatedly couches its Complaint in terms of the standards for entry, which are not  
13 legally relevant here – even if they could be realistically doubted.<sup>76</sup>

14 57. Waste Management may well accept Stericycle's invitation to seek statewide authority in the  
15 future.<sup>77</sup> If so, then the remedies Stericycle requested would all be subject to the adjudicative  
16 discretion of the Commission. However, it is not a proper claim for Stericycle to request  
17 such a remedy under RCW 81.04.110 at this point. It simply is not relevant to debate now  
18 the conditions under which a hypothetical application for additional authority would issue.

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22 existing solid waste collection company or companies serving the territory will not provide service to the  
23 satisfaction of the commission or if the existing solid waste collection company does not object.”)

24 <sup>76</sup> Compl. ¶ 2 (“Waste Management must be required to demonstrate that the statutory criteria specified in RCW  
25 81.77.040 for such a grant of authority have been satisfied.”); ¶ 3(e) (“in the event that Waste Management seeks  
26 authority”); ¶ 11 (“Waste Management should be required to successfully prosecute an application for statewide  
biomedical waste collection authority if it wishes to enter the biomedical waste collection business....”).

<sup>77</sup> Compl. ¶ 7 (“Stericycle recognizes that the Commission may welcome additional competition in biomedical  
waste collection and does not oppose fair competition if in the public interest and initiated in accordance with the  
requirements of applicable law.”)

1                   **f. Stericycle's Requests that the Commission Take Action to Prevent**  
2                   **Waste Management from Performing Service Fail to State a Claim for**  
3                   **Relief.**

4 58. Stericycle asserts claims under a statute that authorizes an enforcement action to be brought  
5                   only by the Commission. RCW 81.04.510 provides in relevant part:

6                   Whenever the commission believes that any person or corporation  
7                   is engaged in operations without the necessary approval or  
8                   authority required by any provision of this title, it may institute a  
9                   special proceeding requiring such person or corporation to appear  
10                   before the commission at a location convenient for witnesses and  
11                   the production of evidence and bring with him books, records,  
12                   accounts and other memoranda, and give testimony under oath as  
13                   to his operations or acts ...<sup>78</sup>

14                   This provision does not authorize a private party to initiate any action. Nor does it authorize  
15                   the Commission to take the various actions that Stericycle demands here.

16 59. If the Commission believes that a company is engaged in operations without the necessary  
17 approval or authority, *the Commission* may bring a "classification" proceeding. The  
18 Commission may enter a cease and desist order under RCW 81.04.510 only when the  
19 Commission itself has initiated the proceeding. In an action instituted by Commission Staff  
20 under RCW 81.04.510, the Commission is authorized only to "issue cease and desist orders  
21 to all parties involved in the operation or acts." Nowhere does this provision authorize the  
22 Commission to "immediately suspend[] [a] proposed tariff" or to "requir[e] [a public service  
23 company] to apply to the Commission for authority" to amend a certificate.<sup>79</sup> Moreover,  
24 even the Commission cannot enter a cease and desist order in a private complaint proceeding  
25 brought under RCW 81.04.110.<sup>80</sup>

26 60. RCW 81.04.510 also is a statute that by its terms applies to actual, not new operations. In  
any event, there is no dispute that Waste Management's biomedical waste collection is

<sup>78</sup> RCW 81.04.510 (emphasis added).

<sup>79</sup> Compl. ¶¶ 3.a, 3.d.

<sup>80</sup> Fifth Supplemental Order, *In re San Juan Express, Inc.*, Docket No. TS-940956 (Dec. 1994).

1 “subject to the provisions of [Title 81]” and thus a classification proceeding is unnecessary,  
2 even if it were relief that could be conferred on Stericycle.

3 61. The other statutory provision upon which Stericycle relies is similarly unavailing.

4 RCW 81.77.040 sets forth the bedrock principle that a solid waste collection company may  
5 not haul solid waste for compensation without a G Certificate. It then defines the  
6 circumstances under which the Commission may issue G Certificates. However,  
7 RCW 81.77.040 does not authorize any private party – least of all a competing public service  
8 company – to obtain the relief demanded here by Stericycle, that is, to repeat, “immediately  
9 suspending Waste Management’s proposed tariff,” or “requiring Waste Management to apply  
10 to the Commission for authority ... to amend G-237.”<sup>81</sup>

11 62. Waste Management is not operating without authority under RCW 81.77.040 and it violates  
12 no laws by soliciting potential customers for biomedical waste collection.<sup>82</sup> It holds a  
13 certificate to perform solid waste collection in certain specific territories and, contrary to  
14 Stericycle’s protestations, it is not illegal for Waste Management to operate as a solid waste  
15 collection business.<sup>83</sup>

16 63. Nor is it illegal for a certificate holder to explore the market for new solid waste collection  
17 services prior to commencing operations.<sup>84</sup> As Stericycle correctly notes, Waste  
18 Management managers and personnel have extensive experience in the biomedical waste  
19 management field and had some reason to know that the likely rates were going to be.  
20 Solicitations for future business on the basis of an estimation of the customer’s costs are not  
21 illegal.

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23 <sup>81</sup> Compl. ¶¶ 3.a, 3.d.

24 <sup>82</sup> *Id.* ¶ 1.

25 <sup>83</sup> RCW 81.77.040 (“Operating for the hauling of solid waste for compensation includes advertising, soliciting,  
26 offering, or entering into an agreement to provide that service.”).

<sup>84</sup> Compl. ¶ 6.

IV. CONCLUSION

64. Stericycle asserts, "Waste Management is a subsidiary of a massive corporation .... it is imperative that the Commission exercise its authority to ensure that Waste Management does not destroy its smaller competitors through unfair competition."<sup>85</sup> This David and Goliath argument is laughable. Stericycle's aggressive and ruthless opposition to competition should not be countenanced. Its hostility to Waste Management's commencement of biomedical collection services is obviously driven by a self-interested need to prevent competition and is not founded on any legitimate concern for the public interest. Because Stericycle has failed to state any claim for which relief may be granted, its Complaint should be dismissed.

DATED this 11th day of April, 2011.

By



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Attorneys for Waste Management of  
Washington, Inc.

<sup>85</sup> *Id.* ¶ 13.


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### CERTIFICATE OF SERVICE

I hereby certify that I have this day served this document upon all parties of record in this proceeding, by the method as indicated below, pursuant to WAC 480-07-150.

Steven B. Johnson Donald B. Scaramastra Garvey Schubert Barer 1191 Second Ave., Suite 1800 Seattle, WA 98101 (206) 464-3939 sjohnson@gsblaw.com	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input type="checkbox"/> Via Email
Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW PO Box 47250 Olympia, WA 98504-7250 360-664-1160 records@utc.wa.gov	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via Federal Express <input checked="" type="checkbox"/> Via Email records@utc.wa.gov

DATED at Seattle, Washington, this 12th day of April, 2011.

  
\_\_\_\_\_  
Kathy Moll



# **ATTACHMENT**

SERVICE DATE  
JAN 07 2011

BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION  
1-360-664-1222

In re Application of )  
)  
Waste Management of Washington, Inc., ) DOCKET TG-110023  
d/b/a Waste Management of Ellensburg; )  
Waste Management of Greater Wenatchee; ) ORDER 01  
Waste Management of Spokane; Waste )  
Management-Rainier; Waste Management- ) ORDER ADDING TRADE NAME  
Northwest; Waste Management-Sno-King; )  
Waste Management of Kennewick; North )  
Cascade Disposal; Recycle America; Rural )  
Skagit Sanitation; Federal Way Disposal; )  
Nick Raffo Garbage; R.S.T. Disposal; Tri- )  
Star Disposal; Western Refuse; Port-O-Let; )  
Stanwood Camano Disposal; Waste )  
Management; Waste Management of )  
Seattle; Waste Management of Skagit )  
County; Waste Management of Yakima; )  
Washington Waste Hauling & Recycling; )  
Brem-Air Disposal; Federal Way Disposal; )  
Nick Raffo Garbage; North Cascades )  
Disposal; Olson's Sanitation Service; )  
R.S.T. Disposal; Recycle America; Rural )  
Skagit Sanitation; Stanwood Camano )  
Disposal; Tri-Star Disposal; Valley )  
Garbage; Washington Waste Hauling & )  
Recycling; Waste Management; Waste )  
Management-Northwest; Waste )  
Management-Rainier; Waste Management - )  
Sno-King; Waste Management - South )  
Sound; Waste Management of Addy )  
)  
holder of certificate G-237 to add a trade )  
name of: )  
)  
WM Healthcare Solutions of Washington )  
..... )

1 The Washington Utilities and Transportation Commission (Commission) issued certificate G-237 to Waste Management of Washington, Inc., d/b/a Waste Management of Ellensburg; Waste Management of Greater Wenatchee; Waste Management of Spokane;

Waste Management-Rainier; Waste Management-Northwest; Waste Management-Sno-King; Waste Management of Kennewick; North Cascade Disposal; Recycle America; Rural Skagit Sanitation; Federal Way Disposal; Nick Raffo Garbage; R.S.T. Disposal; Tri-Star Disposal; Western Refuse; Port-O-Let; Stanwood Camano Disposal; Waste Management; Waste Management of Seattle; Waste Management of Skagit County; Waste Management of Yakima; Washington Waste Hauling & Recycling; Brem-Air Disposal; Federal Way Disposal; Nick Raffo Garbage; North Cascades Disposal; Olson's Sanitation Service; R.S.T. Disposal; Recycle America; Rural Skagit Sanitation; Stanwood Camano Disposal; Tri-Star Disposal; Valley Garbage; Washington Waste Hauling & Recycling; Waste Management; Waste Management - Northwest; Waste Management - Rainier; Waste Management - Sno-King; Waste Management - South Sound; Waste Management of Addy, (Waste Management), and authorized the services described in the certificate.

- 2 On January 3, 2011, Waste Management filed with the Commission a notice that it is adding the trade name of WM Healthcare Solutions of Washington, and requests the Commission amend its records to reflect the addition of the trade name.
- 3 The Commission, having considered the information filed by Waste Management, finds the request of the added trade name does not involve a change in the ownership, management or control of operating authority held by Waste Management.

### ORDER

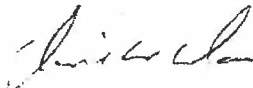
#### **THE COMMISSION ORDERS:**

- 4 (1) The Commission's records and files are amended to reflect that certificate G-237 is held in the name of Waste Management of Washington, Inc., d/b/a Waste Management of Ellensburg; Waste Management of Greater Wenatchee; Waste Management of Spokane; Waste Management-Rainier; Waste Management-Northwest; Waste Management-Sno-King; Waste Management of Kennewick; North Cascade Disposal; Recycle America; Rural Skagit Sanitation; Federal Way Disposal; Nick Raffo Garbage; R.S.T. Disposal; Tri-Star Disposal; Western Refuse; Port-O-Let; Stanwood Camano Disposal; Waste Management; Waste Management of Seattle; Waste Management of Skagit County; Waste Management of Yakima; Washington Waste Hauling & Recycling; Brem-Air Disposal; Federal Way Disposal; Nick Raffo Garbage; North Cascades Disposal; Olson's Sanitation Service; R.S.T. Disposal; Recycle America; Rural Skagit Sanitation; Stanwood Camano Disposal; Tri-Star Disposal; Valley Garbage; Washington Waste Hauling & Recycling; Waste Management; Waste Management - Northwest; Waste Management - Rainier; Waste Management - Sno-King; Waste Management - South Sound; Waste Management of Addy, and WM Healthcare Solutions of Washington.

- 5 (2) The tariff filed in connection with this application will become effective at 12:01  
a.m. on the day following the service date of this Order.
- 6 The Commission has delegated authority to the Secretary to enter this Order under RCW  
80.01.030 and WAC 480-07-905(3)(b)

DATED at Olympia, Washington and effective January 6, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

  
DAVID W. DANNER  
Executive Director and Secretary

**NOTICE:** This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site.

The Commission will schedule your request for review by issuing a notice of hearing to be held before an administrative law judge. The Commission, at its discretion, may consider your request for review in an adjudicative proceeding under RCW 34.05 Part IV, or in a brief adjudicative proceeding under RCW 34.05.482 through .494. Following hearing, the administrative law judge will enter an initial order. If you wish to seek review of the initial order, you may file a petition for administrative review under RCW 34.05.464, or if the matter is heard in a brief adjudicative proceeding, under RCW 34.05.491.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3), and WAC 480-07-905, as amended effective September 22, 2008.

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250

OLYMPIA, WA 98504-7250

(360) 664-1222

**This permit authorizes the following operations under the provisions of RCW Title 81:**

Waste Management of Washington, Inc.

Cert No.

d/b/a Waste Management of Ellensburg,

G-237

Waste Management of Greater Wenatchee,

Waste Management of Spokane, Waste Management-Rainier,

Waste Management-Northwest, Waste Management-Sno-King,

Waste Management of Kennewick, North Cascade Disposal,

Recycle America, Rural Skagit Sanitation,

Federal Way Disposal, Nick Raffo Garbage, R.S.T. Disposal,

Tri-Star Disposal, Western Refuse, Port-O-Let,

Stanwood Camano Disposal, Waste Management,

Waste Management of Seattle, Waste Management

of Skagit County, Waste Management of Yakima,

Washington Waste Hauling & Recycling,

Brem-Air Disposal, Federal Way Disposal,

Nick Raffo Garbage, North Cascades Disposal,

Olson's Sanitation Service, R.S.T. Disposal,

Recycle America, Rural Skagit Sanitation,

Stanwood Camano Disposal, Tri-Star Disposal,

Valley Garbage, Washington Waste Hauling & Recycling,

Waste Management, Waste Management-Northwest,

Waste Management-Rainier, Waste Management-Sno-King,

Waste Management-South Sound, Waste Management of Addy,

WM Healthcare Solutions of Washington

13225 NE 126th Place

Kirkland, WA 98034

THIS CERTIFICATE DOES NOT AUTHORIZE REFUSE COLLECTION SERVICE RESTRICTED TO EXTREMELY HAZARDOUS SEMI-SOLID WASTE, INCLUDING ACIDS, CHEMICALS, AND RESIDUALS IN PIERCE, KING, SNOHOMISH AND WHATCOM COUNTIES AND INTERCOUNTY AND/OR HAZARDOUS INDUSTRIAL LIQUID, INCLUDING ACIDS, CHEMICALS AND RESIDUALS (NOT TO EXCEED 6,500 GALLONS IN BULK PER SHIPMENT)

**SERVICE DATE**  
JAN 07 2011

WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION



By \_\_\_\_\_

*[Signature]*

**NOTE:** A copy of this permit **MUST** be carried in each vehicle being operated under this authority.

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IN WHATCOM, SKAGIT, SNOHOMISH, KING, KITSAP AND PIERCE COUNTIES AND INTERCOUNTY.

(PID277) SOLID WASTE COLLECTION SERVICE in Sections 6, 7, 18, the north ½ of 19 and those portions of Section 4 and 5 situated in King County, all in T. 22 N., R. 11 E.; and Sections 28, 29, 30, 31, 32 and the West ½ of Sec. 33, all in T. 23 N., R. 11 E., in King County.

(PID295) ALSO In that portion of King County, described as follows:

Commencing at the northeast City Limits of Auburn, and the Green River Banks within Section 8, T. 21 N., R. 5 E.; thence easterly along the Green River Banks to the northwest corner of Section 20, T. 21 N., R. 7 E., W.M.; thence north to the northwest corner of Section 20, T. 22 N., R. 7 E., W.M.; thence due east to the northeast corner of Section 24, T. 22 N., R. 7 E.; thence south to the southerly boundary of King County; thence westerly along the southerly boundary of King County to the southwest corner of Section 32, T. 21 N., R. 5 E., W.M.; thence northerly along the west line of said Section 32, 29, 20, 17 and 8 of T. 21 N., R. 5 E. to the Green River Banks to the point of beginning.

(PID297) ALSO in that portion of King County described as follows:

Commencing at the northwest City Limits of Renton and the shore of Lake Washington; thence northerly along the shore of Lake Washington to the City Limits of Bellevue (as of September 1, 2004); thence east along the south City Limits of Bellevue (as of September 1, 2004) to their intersection with the City Limits of Issaquah (as of September 1, 2004); thence north along the east City limits of Bellevue (as of September 1, 2004) to the intersection of the most northwesterly point of the City limits of Issaquah (as of September 1, 2004); thence east along the adjoining north City limits of Issaquah (as of September 1, 2004) to its intersection with Interstate 90; thence east along Interstate 90 until the intersection with Renton Road (Renton Road-Issaquah Road) also Highway 900; thence south along said road to a line common to T. 23 N., and T. 24 N., R. 5 E., and thence westerly along said line to the easterly boundary of the City Limits of Renton, (M.V.G. No. 220, July 7, 1964); thence along said City Limits in a northwesterly direction to the shores of Lake Washington to the point of beginning. Also including Maple Valley Golf Course.

(PID320) SOLID WASTE COLLECTION SERVICE in that portion of King County described as follows:

Commencing at the intersection of the south city limits of the City of Seattle and the intersection of said city limits with Lake Washington; thence southerly along the shores of Lake Washington to the City of Renton City limits; thence along the westerly boundary of the city limits of the City of Renton to Renton Avenue; thence northwesterly along the northerly side of Renton Avenue to 76th Avenue South to South 125th Street, thence east to 77th Avenue South; thence north along the east side of 77th Avenue South to South 120th Street; thence along the north side of South 120th Street to 76th Avenue South; thence north on 76th Avenue South (east side only) to 116th Street South; thence west on 116th Street South (no service between 116th Street South and Cornell Avenue); thence north along the eastside of Cornell Avenue to Seattle City Limits; thence easterly along said city limits to the east boundary thereof, adjacent to Lake Ridge Addition; thence northerly along said city limits to South 112th Street extended; thence westerly along said city limits to 68th Avenue South extended; thence northerly along said city limits to Ryan Street extended; thence easterly along said city limits to the point of beginning, from the described territory to dumps in King County.

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(PID373) SOLID WASTE COLLECTION SERVICE in that portion of King County described as follows: Starting at the intersection of NE 199th Street and 84th Ave. NE; then east on NE 199th Street to its intersection with 90th Ave. NE; then north on 90th Ave. NE to its intersection with NE 200th Street; then west on NE 200th Street to its intersection with 88th Ave. NE; then north on 88th Ave. NE to its intersection with NE 202nd Street; then east on NE 202nd Street to its intersection with 90th Ave. NE; then north on 90th Ave. NE to its intersection with NE 205th Street (also the King-Snohomish County line); then west on NE 205th Street to its intersection with 84th Ave. NE (also the west range line of T26N, R5E); then south on 84th Ave. NE to its intersection with NE 199th Street, the point of beginning.

Also: Starting at the intersection of 84th Ave. NE and NE 180th Street; then east on NE 180th Street to its intersection with 88th Ave. NE; then north on 88th Ave. NE to its intersection with NE 181st Street; then east on NE 181st Street to its intersection with 90th Pl. NE; then north on 90th Pl. NE to its intersection with NE 185th Street; then west on NE 185th Street to its intersection with 88th Ave. NE; then north on 88th Ave. NE to its intersection with 192nd Pl. NE; then west on 192nd Pl. NE to its intersection with 84th Ave. NE (also the west range line of T26N, R5E); then south on 84th Ave. NE to its intersection with NE 180th Street, the point of beginning.

Also: Starting at the intersection of NE Bothell Wy. and 84th Ave. NE; then east on NE Bothell Wy. to its intersection with 91st Ave. NE; then north on 91st Ave. NE to its intersection with NE 172nd Street; then east on NE 172nd Street to its intersection with 92nd Ave. NE; then north on 92nd Ave. NE to its intersection with NE 173rd Street; then east on NE 173rd Street to its intersection with 95th Ave. NE; then north on 95th Ave. NE to 173rd Pl. NE; then west on 173rd Pl. NE to its intersection with 93rd Pl. NE; then north on 93rd Pl. NE to its intersection with NE 175th Street; then west on NE 175th Street to its intersection with 93rd Ave. NE; then north on 93rd Ave. NE to its intersection with NE 176th Street; then east on NE 176th Street to its intersection with 95th Ave. NE; then north on 95th Ave. NE to its intersection with NE 178th Street; then west on NE 178th Street to its intersection with 88th Ave. NE; then north on 88th Ave. NE to its intersection with NE 180th Street; then west on NE 180th Street to its intersection with 84th Ave. NE (also the west range line of T26N, R5E); then south on 84th Ave. NE to its intersection with NE Bothell Wy., the point of beginning.

(PID374) REFUSE COLLECTION SERVICE from commercial accounts or establishments in that portion of King County described as follows: Starting at the intersection of 92nd Ave. NE and 186th Pl. NE; then east on 186th Pl. NE to its intersection with 93rd Pl. NE; then north on 93rd Pl. NE to its intersection with NE 187th Street; then east on NE 187th Street to its intersection with 95th Ave. NE; then south on 95th Ave. NE to its intersection with 186th Pl. NE; then east on 186th Pl. NE to its intersection with 96th Ave. NE; then north on 96th Ave. NE to its intersection with NE 188th Street; then west on NE 188th Street to its intersection with 95th Ave. NE; then north on 95th Ave. NE to its intersection with NE 189th Street; then west on NE 189th Street to its intersection with 93rd Pl. NE; then north on 93rd Pl. NE to its intersection with NE 190th Street; then west on NE 190th Street to its intersection with 92nd Ave. NE; then south on 92nd Ave. NE to its intersection with NE 189th Street; then east on NE 189th Street to its intersection with 93rd Ave. NE; then south on 93rd Ave. NE to its intersection with NE 187th Street; then west on NE 187th Street to its intersection with 92nd Ave. NE; then south on 92nd Ave. NE to its intersection with 186th Pl. NE, the place of beginning.

(PID433) SOLID WASTE COLLECTION SERVICE in that portion of King and Pierce Counties described as follows: Starting at the point where 1st Avenue South intersects with the shore line of Puget

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Sound; thence south on 1st Avenue South to South 292nd Street projected; thence east on South 292nd Street projected to 8th Avenue South projected; thence north on 8th Avenue South projected to South 288th Street projected; thence east on South 288th Street projected to 12th Avenue South; thence north on 12th Avenue South projected to South 282nd Street projected; thence east on South 282nd Street projected to its intersection with the east city limits of Des Moines; thence northerly, along said city limits to its intersection with S. 272nd Street; thence east along said street to the east city limits of Federal Way; thence south along said city limits to S. 304th Street; thence east on the South side of So. 304th Street extended to the centerline of Sec. 11, T. 21 N., R. 4 E.; thence south on centerline of Sections 11 and 14, T. 21 N., R. 4 E., to Peasley Canyon Road; thence easterly on Peasley Canyon Road to the intersection with W. Valley Hwy S.; thence north along said Avenue to the intersection with Main Street West; thence east along said street to "A" Street S.E. (Auburn-Summer Highway), thence south on said highway to the King-Pierce County Line; thence west along on said county line and northerly to its intersection with the east quarter section line of Sec. 25, T. 21 N., R. 3 E.; thence south on said quarter section line to south quarter section line of Sec. 25; thence west on south quarter section line to the west quarter section line of Sec. 26, T. 21 N., R. 3 E.; thence north on said quarter section line to the ½ section line of Sec. 26, T. 21 N., R. 3 E.; thence west on said ½ section line to intersection with the west line of Sec. 26, T. 21 N., R. 3 E.; thence north along said section line to northwest corner of Sec. 23, T. 21 N., R. 3 E.; thence east along north line of Sec. 23 to intersection with King-Pierce County Line; thence northwesterly along said county line to the shoreline of Puget Sound; thence northeasterly along said shore line to intersection with 1st Avenue South, the place of beginning.

(PID435) SOLID WASTE COLLECTION SERVICE not requiring the use of a dump truck and excluding biomedical waste, in that portion of King County described as follows: Commencing at the intersection of NE 108th Street and 132nd Ave. NE; thence easterly on NE 108th Street to the Redmond City limits, thence following the Redmond city limits in a southerly, southeasterly and westerly clockwise direction to 132nd Ave. NE; thence north along 132nd Ave. NE to its intersection with NE 108th Street, the point of beginning.

Also, commencing at the intersection of NE 97th Street and 132nd Ave. NE; thence following the Redmond city limits in a southeasterly and westerly clockwise direction to 132nd Ave. NE, thence north along 132nd Ave. NE to its intersection with NE 97th Street, the point of beginning.

Also, commencing at the intersection of NE 78th Street extended east and 132nd Ave. NE; thence following the Redmond city limits in an easterly, southerly and westerly clockwise direction to 132nd Ave. NE, thence north along 132nd Ave. NE to its intersection with NE 78th Street extended east, the point of beginning.

Also, commencing at the intersection of NE 70th Street and 132nd Ave. NE; thence following the Redmond city limits in an easterly, southerly and westerly clockwise direction to 132nd Ave. NE thence north along 132nd Ave. NE to its intersection with NE 70th Street, the point of beginning.

(PID436) REFUSE COLLECTION SERVICE not requiring the use of a dump truck in that portion of King County described as follows: Starting at the intersection of S.W. 152nd Street extended and Puget Sound; thence east along S.W. 152nd Street to its intersection with Ambaum Blvd. S.W.; thence southerly along Ambaum Blvd. S.W. to its intersection with S. 156th Street; thence east to Des Moines; thence south along Des Moines Way to S.W. 160th Street; thence southwesterly along S.W. 160th Street and



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Sylvester Rd to its intersection with the north city limits of Normandy Park; thence westerly and northerly along said north city limits to its intersection with 1st Ave. S.; thence south along 1st Ave. S. to its intersection with S. 192nd Street; thence east along S. 192nd Street to its intersection with Pacific Highway S. (International Blvd.); thence north to S. 188th Street; thence east along S. 188th Street to its intersection with the city limits of the City of Sea-Tac and the City of Tukwila; thence southerly and easterly along the south city limits of Tukwila to its intersection with the city limits of the City of Kent as of January 1, 1987; thence southerly and easterly in a counterclockwise direction along the city limits of the City of Kent as of January 1, 1987 to its intersection with State Highway 516 and S.E. Kent Kangley Road; thence southeasterly along State Highway 516/Kent Kangley Road to 116th Ave. S.E.; thence south along 116th Ave. S.E. to its intersection with S. 277th Street extended; thence west along S. 277th Street extended to West Valley Highway; thence south along said Highway to S. Peasley Canyon Road; thence west along S. Peasley Canyon Road; to 59th Ave. S. thence north along 59th Ave. S. to the point where it intersects with 304th Street extended; thence west along 304th Street extended where it intersects with Interstate Hwy I-5; thence north along said Interstate Highway to its intersection with S. 272nd Street; thence west on S. 272nd Street to the city limits of Des Moines; thence south along said city limits to the point where it intersects with S. 282nd Street extended; thence west on S. 282nd extended to 12th Ave. S. extended; thence south on 12th Ave. S. to the point where it intersects with S. 288th Street; thence west on S. 288th Street to its intersection with 8th Ave. S.; thence south on 8th Ave. S. to SW. 292nd Street extended; thence west on S.W. 292nd Street extended to 1st Ave. S.; thence north on 1st Ave. S.; to the shoreline of Puget Sound; thence northerly along the shoreline of Puget Sound to its intersection with S.W. 152nd Street extended, the point of beginning.

(PID437) SOLID WASTE COLLECTION SERVICE in that portion of King County as bounded on the West by Puget Sound; on the East by Lake Washington; on the North by as follows: Commencing at the intersection of E. 145th Street and the shores of Lake Washington, thence west on the south side of E. 145th Street to 5th Ave. N. E., thence north on the west side of 5th Ave. N. E. to E. 175th Street, thence east on the north side of E. 175th Street to 8th Ave. N. E., thence north on 8th Ave. N. E. (but not including 8th Ave. N. E.) to 190th Street, thence north on both sides of 8th Ave. N. E. extended to E. 201st Street, thence east on both sides of E. 201st Street extended to the west side of 11th Ave. N. E. extended, thence north on the west side of 11th Ave. N. E. extended to King-Snohomish County line, thence west on the south side of said line to the shore of Puget Sound; and on the South, by as follows: Commencing at the intersection of the south city limits of Seattle and Lake Washington, then following the city limits of Seattle in a clockwise direction to its intersection with 116th Street South; thence east on 116th Street South to 76th Ave. South; thence south on centerline of 76th Avenue South to South 120th Street centerline; thence east on centerline of South 120th Street to 77th Avenue South centerline; thence South on centerline of 77th Avenue South to South 125th Street centerline; thence west on centerline of South 125th Street to 76th Avenue South centerline; thence south on centerline of 76th Avenue South to Renton Avenue South centerline; thence easterly on centerline of Renton Avenue South to Renton West city limits (as of June 1, 1961); thence southerly along said city limits to the centerline of Hardie Street; thence south along the centerline of said street to South 134th Street centerline; thence westerly on centerline of South 134th Street to 81st Avenue South centerline; thence south on centerline of 81st Avenue South to SW Sunset Boulevard (MLK Junior WY) centerline; thence easterly following said road to Rainier Ave. (PSH-5); thence following Rainier Ave. in a southerly direction to south line of Section 19, T. 23 N., R. 5 E. (S.E. 160th Street); thence east along south line of said Section to the Renton City Limits; thence following the City Limits of Renton in a counter-clockwise direction to the point where it intersects with Maple Valley Highway; thence southeasterly along said highway to the intersection of the

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east line of the west half of Section 24, T. 23 N., R. 5 E. (172nd Ave. S.E. extended north); thence south along said line extended to the south line of Section 1, T. 22 N., R. 5 E., W.M., (or Southeast 208th Street) thence west along said south line to 148th Ave. S.E.; thence north along 148th Ave S.E to S.E 192nd Street; thence west to 140th Ave. S.E.; north to Petrovitsky Road (S.E. 176th); thence west along Petrovitsky Road to its intersection with Carr Road and 108th Ave. S.E.; thence west along Carr Road to State Hwy 167; thence south along State Hwy 167 to the south line of Section 6, T.22N., R, 5E.; W.M., (or Southeast 208th Street extended); thence following said city limits in a clockwise direction to the northwest corner of said city limits, extended to the west bank of the Duwamish River; thence northerly along the west bank of said River to the north line of the southwest  $\frac{1}{4}$  of Section 25, T. 23 N., R. 4 E. thence east on said northwest line to its intersection with West Valley Rd (State Hwy. 181); thence northerly along West Valley Rd (State Hwy. 181) to the south line of Section 24, T. 23 N., R. 4 E. (South 160th Street extended); thence west on south line of said section to the easterly bank of the Duwamish River; thence northerly along the west bank of said River to the point or intersection with the south line of the northwest (continued) quarter of Section 24, T. 23 N., R. 4 E., W.M.; thence east along the south line of said northwest quarter to the west side of that portion of the city of Renton as annexed by city ordinance No. 1764 lying westerly of the east margin of BNRR Company (N.P.RR) main track right of way all being located in the south  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 24, Township 23 North, Range 4 East, thence east from the east side of said portion of City of Renton along the south line of the northwest (continued) quarter of Section 24, T. 23 N., R. 4 E., W.M. to the east side of the Charles Monster Road; thence northerly along the along the easterly side of said road to the Beacon Coal Mine road; thence northerly along the along the easterly side of said road to the South 129th Street extended; thence easterly on South 129th Street to State Highway 900 (Martin Luther King Jr. Way) centerline; thence northwesterly along said boulevard to South 120th Street; thence West along South 120th Street extended to 51st Avenue South; thence North along extension of 51st Avenue South to Empire Way South Centerline; thence northwesterly on intersection of Empire Way South to Ryan Street centerline extended thence West along Ryan Street extension to extension of 33rd Avenue South; thence North along extension of 33rd Avenue South to extension of South Trenton Street; thence West along extension of South Trenton Street to East Marginal Way; thence Northwesterly along East Marginal Way to extension of South Kenyon Street; thence West along extension of South Kenyon Street to extension of 12th Avenue South; thence South along extension of 12th Avenue South to the West bank of Duwamish Waterway thence south along the West bank of the Duwamish Waterway to a point of intersection with Pacific Highway South (International Blvd) .; thence in a southerly direction along Pacific Highway South (International Blvd) to its intersection with S. 128 Street extended; thence west of S. 128 Street extended to its intersection with Military Road also the northeast point city limits of the City of Sea-Tac; thence south along Military Road and said city limits to its intersection with Pacific Highway south (International Blvd); thence southerly along Pacific Highway S. to the intersection of Pacific Highway S. and 160th Street; thence in an easterly and southerly direction along the city limits of the City of Sea-Tac to a point where the City Limit intersects for the second time the W. R/W line of Interstate Hwy #5; thence south on said W. R/W line to S. 176th Street; thence west on S. 176th Street (north side only) to Military Road; thence south on Military Road (west side only) to S. 188th Street; thence west on S. 188th Street (north side only) to PSH-1; thence south on PSH-1 (west side only) to S. 192nd Street; thence west on S. 192nd Street (north side only) to 1st Ave. S.; thence north on 1st Ave. South to a point where it intersects with the northerly city limits of Normandy Park at a point where 1st Ave. S. intersects with S.W. 162th Street; thence in a westerly direction along the north city limit line of Normandy Park to a point where said city limit line intersects with Sylvester Rd.; thence in a northeasterly direction on Sylvester Road serving the southeasterly side thereof to S. W. 160th Street; thence east on S. W. 160th

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and So. 160th Streets serving the south side thereof to Des Moines Way; thence north on Des Moines Way serving the east side thereof to S. 156th Street; thence west on S. 156th and S. W. 156th Street serving the north side thereof to Ambaum Blvd.; thence north on Ambaum Blvd. serving the east side thereof to S. W. 152nd Street; thence west on S.W. 152nd Street to Puget Sound.

EXCEPTION: The following paragraph is excluded from the above SOLID WASTE COLLECTION SERVICE. In that portion of King County described as follows: Commencing at the intersection of Military Road S. and Highway 516 (Kent-Des Moines Road); thence following the city limits of Kent in a clockwise direction easterly, southerly, westerly, and northerly to its intersection with Military Road S. at S. 240th Street; thence north along Military Road S. to its intersection with Highway 516 (Kent-Des Moines Road), the point of beginning.

(PID438) SOLID WASTE COLLECTION SERVICE in that portion of King County described as follows: Starting at the intersection of the Everett-Bothell County Highway and the Snohomish-King County line; thence east on Snohomish-King County line to its intersection with east line of T. 26 N., R. 7 E.; thence south on said line to its intersection with the south line of T. 25N., R. 7 E.; thence west on said line to the east line of T. 25N., R. 6 E.; thence north on said line to the S.E. corner of the N.E.  $\frac{1}{4}$  of the N.E.  $\frac{1}{4}$  of Section 36, T. 25 N., R. 6 E.; thence west on a line projected from said corner to the east shore of Lake Sammamish, thence following said Lake shore generally in northwesterly and southerly (counterclockwise) direction to the point where the southeastern city limits of Redmond intersect the western shore of Lake Sammamish; thence following the city limits of Redmond as of January 3, 1978, in a clockwise direction to the point where the Sammamish River (waterway) intersects with the north city limits of Redmond; thence following the east bank of said river in a generally northerly direction to its intersection with N.E. 145th Street extended (at this point a short section of PSH-2 is one and the same as N.E. 145th Street); thence west on N.E. 145th Street extended (no service to be rendered on either side of N.E. 145th Street) to its intersection with 104th Avenue N.E.; thence northerly on 104th N.E. (rendering service on both sides of 104th Avenue N.E.) to its intersection with 105th Ave. NE; thence northerly to the north line of the south west quarter of Section 8, T26N, R5E; thence west along said north line to the west line of said section; thence south along the west line of said section to the south city limits of Bothell; thence following the city limits of Bothell, clockwise, to its intersection with the Everett-Bothell County Highway; thence north to place of beginning.

(PID439) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, in that portion of King County described as follows: Starting at the northeast corner of T26N, R8E; thence south along the east line of R8E to the south line of T22 N; thence west along said south line to the west line of R. 8 E.; thence north along said west line to the southeast corner of Section 12 T22N, R7E.; thence west along the south line of said section extended to the northeast corner of Section 19, T22N, R7.E; thence south along the east line of said section to its intersection with the Green River; thence westerly along the banks of said river to the northeast City limits of Auburn within Section 8, T21N, R5E; thence south along the west line of said Section 8 extended to the southeast corner of Section 31, T21N, R5E, also the south boundary of King County; thence west along the south line of said section 31 to its intersection with A Street SE; thence north along said street to its intersection with West Main Street; thence west along said street to West Valley Highway; thence north along West Valley Highway to South 277th Street; thence east along said street extended to 116th Ave. SE; thence north along 116th Ave. SE. to SE. 258th Street extended; thence east on said street extended to 117th PL SE extended; thence north along 117th PL. SE. extended to SE 256th Street SE; thence west along said street to 116th Ave. SE; thence north along said street to SE

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208th Street. SE; thence east along said street to the point of its intersection with 172nd Ave. SE extended; thence north along said Avenue to Renton Maple Valley Road; thence westerly along said road to its intersection with the City limits of Renton as of September 1, 1959; thence south along said City limits to the north line of Section 20, T23N, R5E, also city limits of Renton as of February 28, 1961; thence in a clockwise direction along said city limits to the south line of Section 20, T23N, R5E; thence west along said south line to its intersection with State Highway 167; thence north along said State Highway to SW Sunset Boulevard; thence west along said boulevard to 81st (Oakdale) Ave. SW; thence north to the City limits of Renton as of August 4, 1931; thence in a counter-clockwise direction along said City limits of Renton to Renton Avenue South; thence westerly along Renton Avenue S. to 76th Ave. South; thence north to S. 125th Street extended; thence east on S. 125th Street extended to 77th Ave. S. extended thence north along 77th Ave. S. to S. 120th Street; thence west on said street to 76th Ave. South; thence north along said Avenue to S. 116th Street; thence west along S. 116th Street to its intersection with the City limits of Seattle; thence in a clockwise direction along said city limits to its intersection with the west shoreline of Lake Washington; thence in a counter-clockwise direction along the shoreline of Lake Washington to the point where it intersects with the northwest city limits of Renton; thence east and southerly along the city limits of Renton (M.V.G. No.220, 7-7-64) to a line common to T23N, and T24N. R5E; thence easterly along said line to Renton Road (Renton-Issaquah Road); thence north along said road to the north line of Section 29, T24N, R6E; thence east along said section line extended to NW Gilman Boulevard; thence easterly along NW Gilman Boulevard to 1st Ave. NW; thence north along said avenue to E. Lake Sammamish PKWY; thence northerly along said PKWY to the point where it intersects with the north line of SW ¼ of Section 16, T24N, R6E; thence west to the shoreline of Lake Sammamish; thence in a clockwise direction along the shoreline of Lake Sammamish to the point where it intersects with NW 4th Street extended; thence east along said street to the east line of Section 36, T25N, R6E; thence south along said east line to the northwest corner of Section 6 T24N, R7E; thence east along the north line of said section extended to the southwest corner of Section 31, T25N, R8E; thence north along the west line of said section 31 extended to the northwest corner of Section 6, T26N, R8E also the King and Snohomish County line; thence east along said county line to the northeast corner of T26N, R8E, the point of beginning.

(PID440) ALSO in that portion of King county described as follows: Starting at the point where East Marginal Way S. intersects with the south line of Section 28 T24N, R4E; thence southerly along East Marginal Way S. to S. Trenton Street extended, also the city limits of Tukwila); thence east and south along the city limits of Tukwila to the point where it intersects with S. Ryan Street extended; thence east on said street to Empire Way S (State Highway 900); thence southerly along said highway to South 129th Street; thence westerly along said street to the east side city limits of Tukwila; thence southerly along said city limits to the point where it connects with Beacon-Coal Mine Road; thence southerly along the east side of said road to Charles Monster Road; thence continuing southerly along Charles Monster Road projected to the south line of the northwest quarter of Section 24, T23N, R4E, W.M.; thence southerly along the easterly bank of Duwamish River to the south line of Section 24, T23N, R4E. (South 160th Street extended); thence east on south line of said section to West Valley Highway (State Highway 181); thence south along said highway to the north line of the southwest ¼ of Section 25, T23N, R4E; thence west on said north line to the west bank of the Duwamish River; thence southerly along said River to South 180th Street (SW 43rd Street); thence east along said street to the east side of current city limits of Tukwila; thence in a clockwise direction along said city limits to the point where it intersects with the Pacific Highway South (International Blvd.); thence northerly along said Highway to the point where it intersects with the Duwamish Waterway; thence northerly along the west bank of the Duwamish

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Waterway to the point where it intersects with 12th Avenue S. extended; thence north on extended 12th Avenue S. to the south line of Section 29 T24N, R4E; thence east along said section line extended to its intersection with East Marginal S., the place of beginning.

(PID441) ALSO in that portion of King County described as follows: Starting at the point where SE. 208th Street intersects with 116th Ave. SE.; thence south along 116th Ave. SE to its intersection with SE. 228th PL also the city limits of the City of Kent as of January 1, 1987; thence westerly, southerly and northerly (clockwise direction) to its intersection with SE. 208th Street; thence east along said street to the point where it intersects with 116th Ave. SE., the point of beginning.

(PID442) ALSO in that portion of King County described as follows: Starting at the point where 116th Street SE. intersect with SE. 240th Street, also the city limits of the City of Kent as of January 1, 1987; thence south along 116th Street SE. to its intersection with the city limits of the City of Kent as of January 1, 1987; thence westerly, southerly, northerly and easterly (clockwise) direction to its intersection with 116th Street SE, the point of beginning.

(PID443) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in Vashon and Maury Islands.

(PID451) SOLID WASTE COLLECTION SERVICE consisting of reclaimed lumber, brick and other cast off materials, from premises where construction or repair job are being or have been conducted, or where structures are being razed in the following: Maury, Mercer, and Vashon Islands; and in that portion of King county described as follows: Starting at the northwest corner of T26N, R8E; thence east along the north line of said T26N, also the King and Snohomish County Line to its intersection with King and Chelan County line; thence south along said county line to its intersection with King and Kittitas County Line; thence southwesterly along the King and Kittitas County line to the south line of Section 33, T23N, R11E; thence west to the west line of the East ½ of Section 33, T23N, R11E; thence north along said west line to the north line of said Section 33, thence east on said north line to the southeast corner of Section 28, T23N, R11E; thence north along the east line of said section to the north east corner of said section; thence west along the north line of said section to the northwest corner of Section 30, T23N, R11E; thence south along the west line of said section extended to the southwest corner of the NW ¼ of Section 19, T22N, R11E; thence west along the south line of said NW ¼ to the southeast corner of the NE1/4 of said Section 19; thence north along the east line of said section extended to the northwest corner of Section 8, T22N, R11E; thence east along the north line of said section to its intersection with King County line; thence southerly and westerly along said county line to its intersection with the west line of T19N, R8E; thence north along said west line extended to the southeast corner of Section 13, T22N, R7E; thence west along the south line of said section to the northeast corner of Section 19, T22N, R7E; thence south along the east line of said section to its intersection with the Green River banks; thence westerly along the Green River banks to the northeast City limits of Auburn within Section 8, T21N, R5E; thence south along the west line of said Section 8, extended to the boundary line of King County; thence west along said boundary line to its intersection with the southwest corner of Section 31, T21N, R5E; thence north along the west line of said section to its intersection with Main Street West; thence west along said street to the intersection with West Valley Hwy N. ; thence South along said highway to South Peasley Canyon Road; thence west along said road to its intersection with the centerline of Section 14, T21N, R4E; thence north along said centerline of said section extended to the north line of Section 11, T21N, R4E; thence west along the north line of said section extended to the city limits of Federal Way; thence

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north in a counter-clockwise direction along said city limits to its intersection with South 282nd Street projected east; thence west along said street to 12th Avenue South projected north; thence south along 12th Avenue South to its intersection with South 288th Street projected; thence west along said street to 8th Avenue South projected; thence south along said 8th Avenue to South 292nd Street projected; thence west along said 292nd Street to 1st Avenue South; thence north on 1st Avenue South extended to the shoreline of Puget Sound; thence northerly along said shoreline to S.W. 152nd Street extended; thence east along said street to Ambaum Blvd. S.W. ; thence south along Ambaum Blvd. to S. 156th Street; thence east along said street to Des Moines Way; thence south along the Des Moines Way to S. 160th Street; thence west on said street to Sylvester Road S.W.; thence south along Sylvester Road to the city limits of Normandy Park ; thence east in a clockwise direction along the city limits of Normandy Park to its intersection with S. 192nd Street; thence east along S. 192nd Street to Pacific Highway S. also the International Boulevard; thence north on said boulevard to S. 188th Street; thence east along S. 188th Street to Military Road; thence from Military to the point where it intersects with the city limits of Tukwila; thence northerly along the city limits of Tukwila to the point where it intersects with S. 128th Street; thence east along said street to Pacific Highway South (International Blvd.); thence north along said highway to the banks of Duwamish Waterway; thence northerly along the banks of said waterway to 12th Avenue South extended; thence north along said 12th Ave.; to S. Kenyon Street extended; thence east on extended S. Kenyon Street to East Marginal Way; thence south along East Marginal Way to its intersection with the extension of South Trenton Street; thence east on said street to the extension of 33rd Avenue South; thence south along said avenue to the extension of Ryan Street; thence east on Ryan street to Empire Way South; thence south on Empire Way South to the extension of 51st Avenue South; thence south on said avenue to South 120th Street; thence east on said street to SW Sunset Boulevard (MLK Junior WY); thence south along said boulevard to its intersection with S. 129th Street; thence west on South 129th Street to the city limits of Tukwila; thence southerly along said city limits to the point where it intersects with Beacon-Coal Mine Road; thence southerly along said road to Charles Monster Road; thence south along Charles Monster Road to the point where it intersects with the south line of the Northwest quarter of Section 24, T23N, R4E; thence west along that portion of city limits as annexed by City of Renton, city ordinance No. 1764 to the banks of the Duwamish River; thence southerly along the banks of said river to the point where it intersects with the south line of Section 24, T23N, R4E; thence east to the State HWY 181; thence south along said highway to the north line of the Southwest  $\frac{1}{4}$  of Section 25, T23N, R4E; thence west on the north line of said Section to the west bank of the Duwamish River; thence southerly along the banks of said river to S. 180th Street; thence east along said street to the city limits of Kent as of January 1, 1987; thence southerly in a counter-clockwise direction along the city limits of Kent to the north line of Section 7, T22N, R5E; thence west along the north line of said section extended to the southeast corner of the west half of Section 1, T.22N, 5E; thence north along the east line of the west half of said section to the Maple Valley Highway; thence northwesterly along the Maple Valley Highway to the city limits of Renton; thence south in a clockwise direction along said city limits to the southeast corner of Section 20, T23N, R5E. (S.E. 160th Street); thence east along the south line of said section to the State Highway 167 (Rainier Ave.); thence north along said highway to its intersection with Southwest Sunset Boulevard; thence westerly along said boulevard to 81st Avenue South; thence north to 134th Street; thence east on 134th Street to Hardie Street; thence north to the city limits of Renton (as of June 1, 1961); thence north along said city limits to Renton Avenue South; thence northwesterly along Renton Avenue South to 76th Avenue South; thence north on 76th Ave. S. to S. 125th Street; thence east to 77th Ave. S.; thence north along 77th Ave. S. to S. 120th Street; thence west on said street to 76th Ave. S.; thence north on said street to 116th Street S.; thence west on said street to its intersection with the south City limits of Seattle; thence north in a counter-clockwise direction along

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the city limits of Seattle to its intersection with Lake Washington; thence in a counter-clockwise direction along the shoreline of Lake Washington to the northwest city limit of Renton; thence southeasterly along the City limits of Renton to the point where the city limits of Renton intersects with the south line of Section 33, T24N, R5E; thence east along the south line of said section extended to its intersection with Renton Road (Renton Road-Issaquah Road) also Highway 900; thence north along said Road to its intersection with Interstate 90(Sunset Hwy); thence northwesterly along said Interstate to the shoreline of Lake Washington; thence northerly in a counter-clockwise direction along the shoreline of Lake Washington to its intersection with 145th Street; thence west along said street to its intersection with 5th Ave. N.E.; thence north along on 5th Ave. N.E. to N.E. 175th Street; thence east on said street to 8th Ave. N.E. thence north on said street extended to N.E. 201st Street extended; thence east on said street to 11th Ave. N.E. extended; thence north to the King-Snohomish Boundary (N.E. 205th Street); thence east along said boundary to the north east corner of Section 1, T26N, R4E; thence south along the east line of said section to NE 199th Street; thence east on said street to its intersection with 90th Ave NE; thence north on 90th Ave. NE to its intersection with NE 200th Street; thence west on NE 200th Street to its intersection 88th Ave. NE; thence north on 88th Ave. NE to its intersection with NE 202nd Street; thence east on NE 202nd Street to its intersection with 90th Ave. NE; thence north on 90th Ave. NE to its intersection with NE 205th Street (also the King-Snohomish County line); thence east on said county line to State Highway 527 (Everett-Bothell County Highway); thence southerly in a counter-clockwise direction said highway to its intersection with the city limits of Bothell as of January 3, 1978; thence following the city limits of Bothell in a counter-clockwise direction to the southwest corner of Section 17, T26N, R5E; thence north along the west line of said section to the north line of the southwest quarter of Section 8, T26N, R5E; thence east along the north line of said section to 102nd Ave. NE; thence south along 102nd Ave. NE to its intersection with 105th Ave. NE; thence south along 105th Ave. NE to its intersection with 104th Ave. NE; thence south to NE 145th Street; thence east on said street to its intersection with the east bank of Sammamish River(waterway); thence south along said River to its intersection with the city limits of Redmond; thence in a counter-clockwise direction along the city limits of Redmond as of January 3, 1978 to its intersection with the west shoreline of Lake Sammamish; thence northerly and southerly in a clockwise direction along the shore line of Lake Sammamish to the point where the east shoreline of Lake Sammamish intersects with the south line of NE ¼ of NW ¼ of Section 32, T25N, R6E; thence east along said south line extended to the east line of Section 36, T25N, R6E; thence south to the southwest corner of Section 31, T25N, R7E; thence east on along the south line of said section extended to the southeast corner of T25N, R7E; thence north along the east line of said township to the Snohomish-King County line; thence east along said county line to its intersection with King-Chelan County line the place of beginning.

**EXCEPTION: THE FOLLOWING PARAGRAPH IS EXCLUDED FROM THE ABOVE GARBAGE AND REFUSE COLLECTION SERVICE.**

Starting at the intersection of NE Bothell Way. and 84th Ave. NE; then east on NE Bothell Wy. to its intersection with 91st Ave. NE; then north on 91st Ave. NE to its intersection with NE 172nd Street; then east on NE 172nd Street to its intersection with 92nd Ave. NE; then north on 92nd Ave. NE to its intersection with NE 173rd Street; then east on NE 173rd Street to its intersection with 95th Ave. NE; then north on 95th Ave NE to 173rd Pl. NE; then west on 173rd Pl. NE to its intersection with 93rd Pl. NE; then north on 93rd Pl. NE to its intersection with NE 175th Street; then west on NE 175th Street to its intersection with 93rd Ave. NE; then north on 93rd Ave. NE to its intersection with NE 176th Street; then east on NE 176th Street to its intersection with 95th Ave. NE; then north on 95th Ave. NE to its

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intersection with NE 178th Street; then west on NE. 178th Street to its intersection with 88th Ave. NE; then north on 88th Ave. NE to its intersection with NE 180th Street; then west on NE 180th Street to its intersection with 84th Ave. NE (also the west range line of T26N, R5E); then south on 84th Ave. NE to its intersection with NE Bothell Wy., the point of beginning.

(PID452) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck,(local cartage) in that portion of King County described as follows: Beginning at the intersection of King-Snohomish County line and 15th Ave. NE; thence south along 15th Ave. NE to its intersection with NE 175th Street; thence west along NE 175th Street to 8th Ave. N.E.; thence north along said Avenue extended to E. 201st Street; thence east on E. 201st Street extended to the West side of 11th Ave. N.E. extended; thence north on the west side of 11th Ave. N.E. extended to King-Snohomish County line; thence east on the said County line to 15th Ave. N.E. the point of beginning.

(PID453) ALSO: Beginning at the intersection of NE Bothell Wy. and 91st Ave. NE; thence north on 91st Ave. to its intersection with 172nd Street; then east on NE 172nd Street to its intersection with 92nd Ave. NE; then north on 92nd Ave. NE to its intersection with NE 173rd Street; then east on NE 173rd Street to its intersection with 95th Ave. NE; then north on 95th Ave NE to NE 175th Street; thence west on NE 175th Street to its intersection with 93rd Pl. NE (also city limits of Bothell); then north on 93rd Pl. NE to its intersection with NE 176th Street; thence east on NE 176th Street to its intersection with 95th Ave. NE; thence north on 95th Ave. NE to its intersection with NE 178th Street; then west on NE. 178th Street to its intersection with 88th Ave. NE; then north on 88th Ave. NE to its intersection with the city limits of Bothell (also Dawson Street extended); thence in a counter-clockwise direction along the city limits of Bothell to its intersection with NE 190th Ave.; thence east on NE 190th Ave. to 92nd Ave. NE; thence north along said avenue to NE 192nd PL; thence west on NE 192nd PL.; to 88th Ave. NE; thence north on 88th Ave. N.E. to its intersection with the city limits of Bothell; thence east on said city limits to 92nd Ave. NE extended; thence north on 92nd Ave. NE extended to NE 200th Street extended; thence east on said extended street to NE Bothell Wy.; thence in a clock wise direction along the NE Bothell Wy. to its intersection with 91st Ave, NE, the point of beginning.

(PID454) ALSO: In that portion of King County described as follows: Starting at the southwest corner of Section 8, T26N, R5E; thence east on the south line of said section to 1044th Ave. NE; thence north along 104th Ave. NE to its intersection with 105th Ave. NE; thence northerly along 105th Ave. NE to the north line of south west quarter of Section 8, T26N, R5E; thence west along said north line to the west line of Section 8, T26N, R5E; thence south along said west line to the south west corner of said section the point of beginning

(PID456) SOLID WASTE COLLECTION SERVICE in that portion of Snohomish County described as follows: Commencing at a point where a north-south line tangent to the west shoreline of Ballinger Lake intersects with the Snohomish-King County line; thence north on said line to its intersection with (Bradley Road) 236th Street S.W. extended; thence west on (Bradley Road) 236th Street S.W. to 76th Ave. W.; thence north on 76th Ave. W. (but not including structures thereon), to U. S. Highway 99; thence north on U. S. Highway 99 (but not including structures thereon) to 200 Street S. W.; thence north on the east side of U.S. Highway 99 to a point 100 feet north of 148 Street S.W.; thence west on this line to Puget Sound; Following Puget Sound northerly to the point where the north city limits of Mukilteo meets Possession Sound; thence easterly and southerly following Mukilteo City limits as of July 1, 1961, to the south boundary of Section 3, T. 28 N., R. 4 E. W. M.; thence east to 40 Ave. W. extended; thence south to



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boundary of Paine Field; following the north boundary of Paine Field to the east boundary of Paine Field; thence south to a point 100 feet north of 90 Street S. W.; thence east on this line to 12 Ave. W. extended (west boundary of Section 13, T. 28 N., R. 4 E.); thence south on 12 Ave. W. extended to 100 Street S. W.; thence east on 100 Street S. W. (both sides) to Holly Drive; thence south on 9 Ave. W. (but not including 9 Ave. W.) to intersection of U.S. Highway 99 and Broadway Cutoff; thence east on Broadway Cutoff to 8 Ave. W. (north-south line bisecting the western ½ of Section 24, T. 28 N., R. 4 E.); thence south on said line to Stockshow Road (112 Street S. W.); thence east on the south side of Stockshow Road to Pacific Northwest Traction right-of-way; thence north on the east side of the right-of-way to Broadway Cutoff; thence north on the Broadway Cutoff and Broadway to the south Everett City limits (as of July 1, 1961); thence following the east and north city limits of Everett (as of July 1, 1961) to Puget Sound; thence northerly along Puget Sound to the point where it intersects with the Snohomish-Island County line; thence northerly along said county line to the shoreline of Skagit Bay; thence north along said shoreline to the Snohomish-Skagit County line; thence east along said county line to the east line boundary of Snohomish County; thence south along the east boundary of Snohomish County to the King-Snohomish County line; thence west on said county line to the point of beginning.

(PID457) GARBAGE COLLECTION SERVICE on Camano Island, Island County.

(PID458) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in that portion of Snohomish County described as follows: Starting at the northeast corner of Section 28, T28N, R8E; thence west along the north line of said section extended to a point 500 feet west of the N. E. corner of Sec. 25, T28 N., R. 6 E.; thence south to the south line of said section; thence west to the N. W. corner of Sec. 35, T. 28 N., R. 6 E.; thence south on the west line of said section extended to 164 Street; thence east to Highway 202; thence southwesterly along said highway to the Snohomish River, thence southeasterly along said river and the Snoqualmie River extended to the point 100 feet north of 228 Street; thence east to the east line of Section 28, T27N., R8E; thence north along said west line extended to the northeast corner of Section 28, T28N, R8E, the point of beginning.

(PID459) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in that portion of Snohomish County described as follows: Commencing at a point where a north-south line tangent to the west shoreline of Ballinger Lake intersects with the Snohomish-King County line; thence north on said line to its intersection with (Bradley Road) 236th Street S.W. extended; thence west on (Bradley Road) 236th Street S.W. to 76th Ave. W.; thence north on 76th Ave. W. (but not including structures thereon), to U. S. Highway 99; thence north on U. S. Highway 99 (but not including structures thereon) to 200 Street S. W.; thence north on the east side of U.S. Highway 99 to a point 100 feet north of 148 Street S.W.; thence west on this line to Puget Sound; thence southerly along the shoreline of Puget Sound to the Snohomish-King County line; thence east along said county line to the point of beginning.

(PID460) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in that portion of Snohomish County described as follows: Starting at the point where the north city limits of Mukilteo meets Possession Sound; thence easterly and southerly following Mukilteo City limits as of July 1, 1961, to the south boundary of Section 3, T. 28 N., R. 4 E. W. M.; thence east to 40 Ave. W. extended; thence south to boundary of Paine Field; following the north boundary of Paine Field to the east boundary of Paine Field; thence south to a point 100 feet north of 90 Street S. W.; thence east on this line to 12 Ave. W. extended (west boundary of Section 13, T. 28 N., R. 4 E.); thence south on 12 Ave. W. extended to 100 Street S. W.; thence east on 100 Street S. W. (both sides) to Holly Drive; thence south on

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9 Ave. W. (but not including 9 Ave. W.) to intersection of U.S. Highway 99 and Broadway Cutoff; thence east on Broadway Cutoff to 8 Ave. W. (north-south line bisecting the western ½ of Section 24, T. 28 N., R. 4 E.); thence south on said line to Stockshow Road (112 Street S. W.); thence east on the south side of Stockshow Road to Pacific Northwest Traction right-of-way; thence north on the east side of the right-of-way to Broadway Cutoff; thence north on the Broadway Cutoff and Broadway to the south Everett City limits (as of July 1, 1961); thence following the east and north city limits of Everett (as of July 1, 1961) to Puget Sound; thence south along the shoreline of Puget Sound to the point of beginning.

(PID461) ALSO, in the Jetty Island and (PID462) ALSO, in Hat Island (Gedney Island)

(PID463) SOLID WASTE COLLECTION SERVICE consisting of reclaimed lumber, brick and other cast off materials, where construction or repair jobs are being or have been conducted, or where structures are being razed from premises in that portion of Snohomish County described as follows: Starting at the northeast corner of Section 25, T28 N, R8 E; thence west on the north line of said section extended to a point 500 feet west of the N. E. corner of Sec. 25, T28 N., R. 6 E.; thence south to the south line of said section; thence west to the N. W. corner of Sec. 35, T. 28 N., R. 6 E.; thence south on the west line of said section extended to 164 Street; thence east to Highway 202; thence southwesterly along said highway to the Snohomish River, thence southeasterly along said river and the Snoqualmie River extended to the point 100 feet north of 228 Street, thence east to the west line of T27N., R9E; thence north along said west line extended to the northeast corner of Section 25, T28N, R8E, the point of beginning.

(PID464) ALSO: In that portion of Snohomish County described as follows: Commencing at a point where a north-south line tangent to the west shoreline of Ballinger Lake intersects with the Snohomish-King County line; thence north on said line to its intersection with (Bradley Road) 236th Street S.W. extended; thence west on (Bradley Road) 236th Street S.W. to 76th Ave. W.; thence north on 76th Ave. W. to U. S. Highway 99; thence north on U. S. Highway 99 to 200 Street S. W.; thence north on the east side of U.S. Highway 99 to a point 100 feet north of 148 Street S.W.; thence west on this line to Puget Sound; thence southerly along the shoreline of Puget Sound to its intersection with the Snohomish-King County line; thence east along said county line to the point of beginning.

(PID465) ALSO: In those Islands adjacent to the shores within Snohomish County and in that portion of Snohomish County described as follows: Starting at the point where the north city limits of Mukilteo meets Possession Sound; thence easterly and southerly following Mukilteo City limits as of July 1, 1961, to the south boundary of Section 3, T. 28 N., R. 4 E. W. M.; thence east to 40 Ave. W. extended; thence south to the boundary of Paine Field; thence following the north boundary of Paine Field to the east boundary of Paine Field; thence south to a point 100 feet north of 90 Street S. W.; thence east on this line to 12 Ave. W. extended (west boundary of Section 13, T. 28 N., R. 4 E.); thence south on 12 Ave. W. extended to 100 Street S. W.; thence east on 100 Street S. W. (both sides) to Holly Drive; thence south on 9 Ave. W. (but not including 9 Ave. W.) to intersection of U.S. Highway 99 and Broadway Cutoff; thence east on Broadway Cutoff to 8 Ave. W. (north-south line bisecting the western ½ of Section 24, T. 28 N., R. 4 E.); thence south on said line to Stockshow Road (112 Street S. W.); thence east on the south side of Stockshow Road to Pacific Northwest Traction right-of-way; thence north on the east side of the right-of-way to Broadway Cutoff; thence north on the Broadway Cutoff and Broadway to the south Everett City limits (as of July 1, 1961); thence following the east and north city limits of Everett (as of July 1, 1961) to Puget Sound; thence south along the shoreline of Puget Sound to the point of beginning.

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(PID466) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in that portion of Whidbey Island, in Island County described as follows: Starting at the northwest corner of Section 19, T. 30 N., R. 2 E.; thence east along north line of said Section 19 extended to the shoreline of Holmes Harbor; thence southerly and northerly along said shoreline to the north line of Section 23, T30N, R2E; thence east to the eastern shoreline of Whidbey Island; thence southerly, westerly and northerly along the southern shoreline of said island to its intersection with the east line of R1E; thence north on said east line to the shoreline of said island thence northerly along the shoreline to its intersection with the west line of Section 19, T30N, R2E; thence north on said west line to the northwest corner of Section 19, T30N, R2E, the point of beginning.

(PID467) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) on Bainbridge Island, and in those portion of Kitsap County described as follows:

(PID468) In the City of Bremerton, (PID469) In the City of Paulsbo, and (PID470) on Blake Island.

(PID471) SOLID WASTE COLLECTION SERVICE, consisting of reclaimed lumber, brick and other cast off materials, from premises on Bainbridge Island where construction or repair jobs are being or have been conducted, or where structures are being razed.

(PID472) ALSO, in the City of Bremerton, (PID473) ALSO in Paulsbo, and (PID474) ALSO on Blake Island.

(PID475) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in that portion of Mason County described as follows: Beginning at the northeast corner of Section 4, T23N, R1W; thence south along the east line of said section also the Mason-Kitsap County line to the south line of T22N, R1W; thence west along said south line to the southwest corner of Section 31, T22N, R1W; thence north on the west line of T22N, R1W to the southeast corner of Section 36, T23N, R2W; thence west on the south line of said corner extended to the southwest corner of Section 34, T23N, R2W; thence north along the west line of said section extended to the Mason-Kitsap County line; thence east along said county line to the point of beginning.

(PID476) SOLID WASTE COLLECTION SERVICE In all Skagit County (Excluding: Service in the Cities of Mount Vernon, Burlington, Sedro Woolley and Anacortes is limited to "drop-off box" service only; excluding Guemes and Sinclair Island; and excluding the Town of Concrete, Skagit County, Washington, using as a boundary the corporate limits as of March 15, 1965).

(PID477) REFUSE COLLECTION SERVICE, not requiring the use of a dump truck, (local cartage) in that portion of Pierce County described as follows: Beginning at the point where the southwest corner of Section 32, T21N, R4E meets the Pierce-King County line; thence east and southerly along the Pierce-King County line to its intersection with the south line of Section 36, T20N, R6E; thence west on the south line of said section to the west line R6E; thence south along said line to the southeast corner of Section 12, T19N, R5E; thence west along south line of said Section 12 extended to the west line of R3E; thence north along said line to the north line of T19N; thence west along said line to the west line of R2E; thence north along said line to the southeast corner of Section 13, T20N, R1E; thence west along the south line of said Section 13 extended to the west line of R1E; thence north along said line to the south line of T21N; thence west along said line to the southwest corner of Section 34, T21N, R1W; thence

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north along the west line of said Section 34 extended to the north line of T21N; thence west on said north line to the Pierce-Mason County line; thence north along on said county line to the point where it intersects with the northwest corner of Section 15, T22N, R1W and Pierce-Kitsap County line; thence east along on said county line to Pierce-King County line; thence south and easterly along said county line to its intersection with the south line of Section 14, T21N, R3E; thence west on south line of said section to the northwest corner of Section 23, T21N, R3E; thence south on the west line of said section extended to the south line of NW ¼ of Section 26, T21N, R3E; thence east on said south line to the south east corner of SW ¼ of NW ¼ of said section; thence south along the east line of NW ¼ of SW ¼ of said section to the southeast corner of NW ¼ of SW ¼ thence east on the south line of said NW ¼ extended to the west line of E ½ of SE ¼; thence north on the west line of said E ½ to Pierce-King County line; thence southeasterly along said county line to the southwest corner of Section 32, T21N, R4E, the point of beginning

(PID478) SOLID WASTE COLLECTION SERVICE, consisting of reclaimed lumber, brick and other cast off materials, from premises in Pierce County where construction or repair jobs are being or have been conducted, or where structures are being razed.

THE FOLLOWING AUTHORITY WAS OBTAINED BY TRANSFER OF CERTIFICATE NO. G-135 FROM RICHARD D. HARRIS.

(PID324) SOLID WASTE COLLECTION SERVICE in the Town of Concrete, Skagit County, Washington, using as a boundary the corporate limits as of March 15, 1965.

THE FOLLOWING AUTHORITY WAS OBTAINED BY TRANSFER OF CERTIFICATE NO. G-91 FROM STANWOOD CAMANO DISPOSAL, INC.

(PID457) GARBAGE COLLECTION SERVICE on Camano Island, Island County;

(PID334) SOLID WASTE COLLECTION SERVICE on Guemes Island in Skagit County.

THE FOLLOWING AUTHORITY WAS TRANSFERRED TO G-41; CERTIFICATE G-237 NO LONGER AUTHORIZES ANY SOLID WASTE COLLECTION SERVICE IN THAT PORTION OF KING COUNTY DESCRIBED AS FOLLOWS:

(PID372) Starting at the intersection of East Lake Sammamish Parkway and NW Gilman Blvd.; then northwest along NW Gilman Blvd. to its intersection with NW Mall Street, extended (also the south line of Sec. 21, T24N, R6E); then west along NW Mall Street., extended, to its intersection with 17th Ave. NW (also Renton-Issaquah Rd.); then north along 17th Ave. NW to its intersection with I-90; then west along I-90 to the intersection of 188th Ave. SE, extended; then north along 188th Ave. SE extended to the shoreline of Lake Sammamish; then east along the shoreline of Lake Sammamish to its intersection with the north boundary of Lake Sammamish State Park; then east along the north boundary of Lake Sammamish State Park to its intersection with East Lake Sammamish Parkway; then southerly along the East Lake Sammamish Parkway to its intersection with NW Gilman Blvd., the point of beginning.

THE FOLLOWING AUTHORITY HAS BEEN REVISED TO REFLECT A PORTION TRANSFER TO G-14 AND TO DELETE DUPLICATION IN THE REMAINING AUTHORITY.

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(PID325) SOLID WASTE COLLECTION SERVICE in that portion of Whatcom County described as follows: Starting at the northwest corner of Section 4, T40N, R10EWM; thence south on the west line of said section to the northeast corner of Section 20, T39N, R10EWM; thence west on the north line of said section to the northwest corner of Section 22, T39N, R9EWM; thence south on the west line of said section to the northeast corner of Section 33, T39N, R9EWM; thence west on the north line of said section to the northwest corner of Section 36, T39N, R8EWM; thence south on the west line of said section to the southwest corner of Section 36, T37N, R8EWM (also the Whatcom-Skagit County line); thence east along the south township line of T37N (also the Whatcom-Skagit County line) to its intersection with the Whatcom-Okanogan County line (near the south line of Section 33, T37N, R17EWM); thence northerly along said county line to its intersection with the north line of Section 10 T40N, R16EWM); thence west along said township line to the northwest corner of Section 4, T40N, R10EWM, the point of beginning.

THE FOLLOWING AUTHORITY HAS BEEN REVISED TO REMOVE DUPLICATION RESULTING FROM THE TRANSFER OF AUTHORITY FROM G-38 BREM-AIR DISPOSAL, INC.

(PID376) SOLID WASTE COLLECTION SERVICE in Kitsap County EXCLUDING the following areas: Blake Island; the City of Bainbridge Island as of February 1, 2002; and the City of Poulsbo as of September 12, 1961; EXCLUDING: The City of Bremerton as the point of origin and destination for the same shipment using as a boundary the corporate limits as of September 6, 1960.

(PID429) SOLID WASTE COLLECTION SERVICE in that portion of Benton County described as follows: Beginning at the southeast corner of Section 9, T8N, R26E; thence west along the south line of said Section 9 projected to the southwest corner of Section 7, T8N, R24E; thence north along the west line of said Section 7 and the Yakima-Benton County line to the northwest corner of Section 6, T9N, R24E; thence east along the north line of said Section 6 extended to the northeast corner of Section 1, T9N, R25E; thence south along the east line of said Section 1 extended to the southeast corner of Section 24, T9N, R25E; thence east along the south line of said Section 24 projected to the northeast corner of Section 28, T9N, R26E; thence south along the east line of said Section 28 extended to the southeast corner of Section 9, T8N, R26E, the place of beginning.

(PID428) SOLID WASTE COLLECTION SERVICE in that portion of Benton County described as follows: Starting at the point where the west line of Section 2, T5N, R28E intersects with the north bank of the Columbia River (Wallula Lake); thence north on the west line of said section projected to the northwest corner of Section 26, T6N, R28E; thence west on the north line of said section projected to the southwest corner of Section 24, T6N, R27E; thence north on the west line of said section projected to the southeast corner of Section 26, T7N, R27E; thence west on the south line of said section projected to the southwest corner of Section 29, T7N, R27E; thence north on the west line of said section projected to the southern boundary of the US Department of Energy Hanford Site (within Section 8, T10N, R27E); thence west along the southern boundary of the Hanford Site boundary to its intersection with the east line of Section 23, T11N, R24E, thence south along the east line of said section to its southeast corner; thence west along the south line of said section extended to the southwest corner of Section 19, T11N, R24E; thence north along the west line of said section (also the Benton-Yakima County Line) to its intersection with the northwest corner of Section 18, T13N, R24E; thence east along the north line of said section extended to its intersection with the Hanford Site boundary (also the east line of Section 17, T13N,

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R24E); thence north along said boundary to its intersection with the centerline of the Columbia River (also the Benton-Grant County Line); thence easterly and southerly along said centerline to its intersection with the Hanford Site boundary (in Section 23, T12N, R28E); thence west along said boundary to its intersection with the westerly shoreline of the Columbia River (also in Section 23, T12N, R28E); thence southerly, easterly, and westerly along the shoreline of the Columbia River to the west line of Section 2, T5N, R28E, the point of beginning.

(PID420) SOLID WASTE COLLECTION SERVICE In that portion of Chelan County described as follows: Beginning at the intersection of the centerline of the Columbia River (The Chelan-Douglas County line) and the south line of Section 21, T21N, R22E; thence west on the south line of said section extended to the point where it intersects with the Chelan-Kittitas County Line; (south line of Section 22, T21N, R19E); thence following said county line in northwesterly direction to its intersection with the west line of Section 18, T22N, R17E; thence north on the west line of said section extended to the north line of Section 6, T25N, R17E; thence west on the north line of said section extended to the southwest corner of Section 31, T26N, R15E; thence north on the west line of said section (including service along State Highway 2 to its intersection with the King-Chelan County Line) to the northwest corner of Section 6, T26N, R15E; thence east on the north line of said section extended to the southwest corner of Section 31, T27N, R16E; thence north on the west line of said section extended to its intersection with the northwest corner of Section 6, T27N, R16E; thence east on the north line of said section extended to the northeast corner of Section 1, T27N, R18E; thence south on the east line of said section extended to the southeast corner of Section 36, T26N, R18E; thence east on the south line of said section extended to the southwest corner of Section 36, T26N, R19E; thence north on the west line of said section extended to the northwest corner of Section 13, T26N, R19E; thence east on the north line of said section extended to its intersection with the Chelan-Douglas County Line (also the centerline of the Columbia River); thence south along the centerline of the Columbia River to its intersection with the south line of Section 21, T21N, R22E, the point of beginning.

(PID421) SOLID WASTE COLLECTION SERVICE in Douglas County EXCLUDING the following territory: Beginning at the northeast corner of Section 1, T29N, R26E; thence west along the north line of said Section 1 extended to the centerline of the Columbia River (also the Okanogan-Douglas County line); thence southerly, westerly, northerly, then southerly again along the centerline of the Columbia River to its intersection with the south line of Section 13, T28N, R23E; thence east along the south line of said Section 13 extended to the southeast corner of Section 13, T28N, R26E; thence north along the east line of said Section 13 extended to the northeast corner of Section 1, T29N, R26E, the point of beginning.

(PID422) SOLID WASTE COLLECTION SERVICE in those portions of Grant County described as follows: Beginning at the intersection of the centerline of the Columbia River and the north line of Section 6, T19N, R23E extended; thence east along said extended north line to the northeast corner of said Section 6; thence south on the east line of said section to the southeast corner of said section; thence east on the south line of said section extended to the northeast corner of Section 12, T19N, R23E; thence south on the east line of said section extended to the southeast corner of Section 24, T19N, R23E; thence west on the south line of said section extended to the northeast corner of Section 29, T19N, R23E; thence south on the east line of said section extended to the northeast corner of Section 32, T18N, R23E; thence east on the north line of said section extended to the northeast corner of Section 36, T18N, R23E; thence south along the east line of said section extended to the northwest corner of Section 18, T16N, R24E; thence east along the north line of said section extended to the northeast corner of Section 13, T16N,

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R25E; thence south along the east line of said section extended to the centerline of the Columbia River (also the Grant-Benton County line); thence westerly and northerly along said centerline to its intersection with the north line of Section 6, T19N., R23E extended, the point of beginning. (PID423) Also, Sections 28, 29, 32 and 33, T19N, R24E, and Sections 5 and 6, T18N, R24E. (PID424) Also that portion of Grant County known as Crescent Bar in Sections 19 and 30, T20N, R23E. (PID425) Also, that portion of Grant County within T28N and R30E.

(PID426) SOLID WASTE COLLECTION SERVICE in those portions of Okanogan and Lincoln Counties described as follows: Beginning at the southeast corner of Section 36, T28N, R31E; thence west along the south line of said section to its intersection with the southwest corner of Section 31, T28N, R31E; thence north along the west line of said section extended to its intersection with the centerline of the Columbia River; thence northerly along said centerline to its intersection with the north line of Section 2, T29N, R30E; thence east along the north line of said section extended to the northeast corner of Section 1, T29N, R31E; thence south along the east line of said section extended to the southeast corner of Section 36, T28N, R31E, the point of beginning.

(PID427) SOLID WASTE COLLECTION SERVICE in Kittitas County.

(PID410) SOLID WASTE COLLECTION SERVICE in that portion of Spokane County described as follows: Beginning at the intersection of the centerline of the Spokane River with the Spokane-Stevens County Line (within Section 32, T27N, R42E); thence north along said county line to the north line of Section 5, T28N, R42E; thence east along the north line of said section extended to the city limits of Deer Park (in Section 34, T29N, R42E); thence northerly and easterly in a clockwise direction along said city limits to its intersection with the south line of Section 32, T29N, R43E; thence east along the extended south line of said Section 32 to the southwest corner of Section 34, T29N, R43E; thence north along the west line of said Section 34 to the northwest corner of said Section 34; thence east along said Section 34 to the northeast corner of said Section 34; thence south along the east line of said Section 34 to the southwest corner of Section 35, T29N, R43E; thence east along the south line of said Section 35 extended to the northeast corner of Section 1, T28N, R44E; thence south along the east line of said section extended to the southeast corner of Section 12, T28N, R44E; thence east along the south line of said section extended to the northeast corner of Section 16, T28N, R45E; thence south along the east line of said section to the southeast corner of Section 33, T28N, R45E; thence west along the south line of said section to the southeast corner of Section 31, T28N, R45E; thence south along the east line of said section to the southeast corner of Section 7, T26N, R45E; thence east along the south line of said section extended to the northeast corner of Section 17, T26N, R45E; thence south along the east line of said section to the southeast corner of said section; thence east along the south line of said section extended to the northeast corner of Section 22, T26N, R45E; thence south along the east line of said section to the northwest corner of the southwest quarter of Section 35, T26N, R45E; thence east along the north line of said quarter section to the northeast corner of the southeast quarter of Section 36, T26N, R45E; thence south along the east line of said quarter section extended to the southeast corner of Section 25, T25N, R45E; thence west along the south line of said section extended to the northeast corner of Section 36, T25N, R44E; thence south along the east line of said section to the northwest corner of the southwest quarter of Section 31, T25N, R45E; thence east along the north line of said quarter section extended to the northeast corner of the southeast quarter of Section 31, T25N, R45E; thence south along the east line of said quarter section extended to the southeast corner of Section 7, T24N, R45E; thence west along the south line of said section extended to the southeast corner of Section 11, T24N, R44E; thence north along

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the east line of said section to the northeast corner of said section; thence west along the north line of said section to the northwest corner of said section; thence south along the west line of said section to the southwest corner of said section; thence west along the south line of said section extended (including service on Dishman-Mica Road to its intersection with Madison Road) to the southwest corner of Section 7, T24N, R44E; thence south on the west line of said section extended to the southeast corner of Section 13, T24N, R43E; thence west along the south line of said section to the southwest corner of said section; thence south along the west line of said section extended to the southeast corner of Section 35, T24N, R43E; thence west on the south line of said section extended to its intersection with the centerline of Highway 195; thence northerly along said centerline of Highway 195 to its intersection with the city limits of Spokane (within Section 8, T24N, R43E); thence westerly and northerly in a clockwise direction along said city limits to its intersection with the centerline of the Spokane River (within Section 10, T25N, R42E); thence northwesterly along said centerline to its intersection with the Spokane-Stevens County Line (within Section 32, T27N, R42E), the point of beginning.

(PID411) SOLID WASTE COLLECTION SERVICE excluding service in containers of twenty (20) cubic yard capacity or over in that portion of Spokane County described as follows: Beginning at the northeast corner of Section 30, T26N, R46E; thence south along the east line of said section (also the Washington-Idaho State line) to the southeast corner of Section 30, T25N, R46E; thence west along the south line of said section to the southwest corner of said section; thence north along the west line of said section to the southeast corner of the northeast quarter of Section 36, T26N, R45E; thence west along the south line of said quarter section extended to the west line of Section 35, T26N, R45E; thence north along the west line of said section to the northwest corner of Section 26, T26N, R45E; thence east along the north line of said section to the northeast corner of Section 30, T26N, R46E, the point of beginning.

(PID412) Also, the north half of Section 31, T25N, R45E.

TO THE EXTENT THAT THE AUTHORITY GRANTED IN THIS ORDER DUPLICATES ANY AUTHORITY PREVIOUSLY GRANTED OR NOW HELD SHALL NOT BE CONSTRUED AS CONFERRING MORE THAN ONE OPERATING RIGHT NOR SHALL ANY DUPLICATING RIGHTS BE AVAILABLE FOR PURPOSES OF TRANSFER.

Note: PID reference numbers are used by the Commission for mapping purposes only.

TG-110023

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