



Sunshine Disposal & Recycling

December 19, 2018

Mark L. Johnson, Executive Director and Secretary
Washington Utilities and Transportation Commission
PO Box 47250
Olympia, WA 98504-4720

Re: Penalty Assessment Mitigation – Docket TG-180951

Dear Mr. Johnson:

Please consider this supporting statement for our request for mitigation in the above named Docket for Ada-Lin Waste Systems, Inc. d/b/a Sunshine Disposal & Recycling (G-104).

The issue that led to the penalty was the result of a breakdown in communication between the driver, route supervisor, and human resources director. Dylan Cappel was hired by our company to perform non-CDL driving duties which included work in the yard and driving equipment that did not required a CDL. Over the summer the route supervisor was in need of an additional route driver and Mr. Cappel presented the route supervisor with what appeared to be a valid CDL.

At that point, the route supervisor should have verified with human resources that Mr. Cappel had met all the DOT and DOL CDL requirements, as is our practice for all our DOT employees. He mistakenly believed that because Mr. Cappel had been hired and drug screened he was cleared to drive a refuse truck. It turns out Mr. Cappel had received only a non-DOT pre-employment drug screen and he had not updated his medical certification with DOL.

This mishandling of information has led us to update our procedures so that no situation like this will ever happen again. While we admit that important components of Title 49 CFR were not followed we do not believe the public was placed in any danger. Mr. Cappel subsequently updated his CDL and is now in full compliance.

We appreciate the efforts of Mr. Wayne Gilbert and the UTC compliance staff to help us improve our internal procedures and compliance with state and federal safety regulations. We respectfully request the UTC mitigate this substantial penalty as we have taken responsibility for and remedied the circumstances that led to these violations.

Respectfully,

Marc. B. Torre
President

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COMMISSION

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