



**UTC**

Washington Utilities  
and Transportation  
Commission

# **Investigation Report**

**DTG Enterprises Inc.**

**TG-240761**

**Kathryn McPherson**  
**Compliance Investigations**

**December 2024**

## Table of Contents

<b>Purpose, Scope and Authority.....</b>	<b>Page 3</b>
<b>Investigation.....</b>	<b>Page 4</b>
<b>Staff Findings and Recommendations.....</b>	<b>Page 8</b>
<b>Attachment A.....</b>	<b>Page 9</b>
<b>Attachment B.....</b>	<b>Page 11</b>
<b>Attachment C.....</b>	<b>Page 12</b>
<b>Attachment D.....</b>	<b>Page 15</b>
<b>Attachment E.....</b>	<b>Page 17</b>
<b>Attachment F.....</b>	<b>Page 18</b>
<b>Attachment G.....</b>	<b>Page 19</b>
<b>Attachment H.....</b>	<b>Page 22</b>
<b>Attachment I.....</b>	<b>Page 23</b>
<b>Attachment J.....</b>	<b>Page 24</b>
<b>Attachment K.....</b>	<b>Page 26</b>
<b>Attachment L.....</b>	<b>Page 27</b>
<b>Attachment M.....</b>	<b>Page 29</b>
<b>Attachment N.....</b>	<b>Page 31</b>
<b>Attachment O.....</b>	<b>Page 34</b>
<b>Attachment P.....</b>	<b>Page 37</b>
<b>Attachment Q.....</b>	<b>Page 38</b>
<b>Attachment R.....</b>	<b>Page 39</b>
<b>Attachment S.....</b>	<b>Page 41</b>
<b>Attachment T.....</b>	<b>Page 46</b>
<b>Attachment U.....</b>	<b>Page 48</b>
<b>Attachment V.....</b>	<b>Page 50</b>
<b>Attachment W.....</b>	<b>Page 51</b>
<b>Attachment X.....</b>	<b>Page 52</b>
<b>Attachment Y.....</b>	<b>Page 54</b>
<b>Attachment Z.....</b>	<b>Page 57</b>
<b>Attachment AA.....</b>	<b>Page 58</b>
<b>Attachment AB.....</b>	<b>Page 60</b>

## **PURPOSE, SCOPE, AND AUTHORITY**

### **Purpose**

The purpose of this investigation is to determine if DTG Enterprises, Inc. (DTG or Company) operated as a solid waste collection company for compensation on the public highways of the state of Washington without the necessary certificate required for such operations by RCW 81.77.040.

### **Scope**

The investigation focuses on information obtained by Washington Utilities and Transportation Commission (Commission) staff relating to DTG's operations.

### **Authority**

Commission staff (Staff) undertakes this investigation under the authority of the Revised Code of Washington (RCW) 81.01.010, which adopts RCW 80.01, which directs the Commission to regulate transportation providers in the public interest, and to adopt such rules and regulations as may be necessary to do so. In addition, RCW 81.04.510 directs the Commission to conduct such an investigation. Chapter 81.77 RCW and Chapter 480-70 WAC apply to solid waste and refuse companies operating in Washington. Appendix A includes relevant laws and rules.<sup>1</sup>

### **Staff**

Kathryn McPherson, Compliance Investigator  
(360) 867-8305  
Kathryn.McPherson@utc.wa.gov

---

<sup>1</sup> Attachment A - Applicable laws and rules.

## INVESTIGATION

### Overview

On May 4, 2021, staff received a complaint from Tim Jopp, owner of Jopp Energy. Joop reported that DTG collects large amounts of solid waste during the process of commercial recycling.<sup>2</sup>

Staff investigated DTG operations and licensing, and believes the company is operating as a solid waste collection company without a certificate of convenience from the Commission, in violation of RCW 81.77.040.

Staff found that the company transported solid waste as follows:

1. Between January 1, 2023 and June 30, 2023, DTG collected 63,134 tons of commercial debris, 12,998 tons from other facilities, and received 110,766 tons of commercial debris from commercial contractors. DTG transported 3,389 loads of solid waste, totaling 73,279 tons, to Snohomish County Solid Waste Facilities between January 1, 2023, and June 30, 2023.

### Company Information

DTG Enterprises, Inc. is a Washington limited liability company, UBI 602-747-951.<sup>3</sup> The Washington Secretary of State's records for Washington profit corporation lists CT Corporation System as registered agent and Daniel Guimont, Jordan Reber, and Mark Schifani as governing persons.<sup>4</sup>

### Commission Permit History

On January 3, 2017, DTG obtained a common carrier permit.<sup>5</sup>

On April 12, 2021, DTG's common carrier Permit CC067476 was canceled due to insufficient proof of insurance.<sup>6</sup> The company provided verification of insurance the same day, and the permit was reinstated.

On July 31, 2024, the DTG applied for a solid waste certificate for the collection and transportation of e-waste in the state of Washington.

On July 31, 2024, DTG applied for a solid waste certificate for the transportation of residual wastes originating from DTG owned and operated material recovery facilities.

---

<sup>2</sup> Attachment B – Record of complaint.

<sup>3</sup> Attachment C – Department of Revenue record of Unified Business Identifier.

<sup>4</sup> Attachment D – Secretary of State record from Corporation and Charities Filing System.

<sup>5</sup> Attachment E – Common Carrier Permit issues January 3, 2017.

<sup>6</sup> Attachment F – Cancellation of Common Carrier Permit dated April 12, 2021.

### **Technical Assistance and Investigation**

On May 5, 2017, Staff initiated a complaint to the Company regarding a construction debris drop-box discovered at 706 View Ridge Drive, Everett, Washington.

On May 9, 2017, David Black, Corporate Secretary and Attorney for DTG, emailed information that DTG had received payment from the residential owner for construction debris.<sup>7</sup> Staff provided technical assistance to DTG, and the complaint was closed.

On February 4, 2020, Staff received an email indicating DTG was disposing of solid waste at Snohomish County's Airport Road transfer station.<sup>8</sup>

On February 7, 2020, Staff met with Tom Vaughn, Chief Executive Officer for DTG, to discuss the report that the Company was transporting to the Airport Road transfer station in Snohomish County. Vaughn stated that their residual waste is not taken to transfer stations, but transported by Waste Management.<sup>9</sup> Staff provided technical assistance and closed the investigation.<sup>10</sup>

On May 4, 2021, Staff received a complaint from Tim Jopp, owner of Jopp Energy, stating DTG was accepting an overage of waste at their facility located at 2117 E River Street, Tacoma, Washington.

On May 11, 2021, Staff discovered advertisements on DTG's website offering Big Blue Bag service, which was disposal of debris for both residential and commercial recycling customers.<sup>11</sup>

On May 18, 2021, Staff sent a non-permitted compliance letter to DTG regarding ongoing overage of residual waste collected and transported, providing technical assistance.<sup>12</sup>

On May 18, 2021, Staff sent a non-permitted compliance letter to the Company, regarding the Big Blue Bag, providing technical assistance regarding advertising for solid waste services.<sup>13</sup>

On June 14, 2022, DTG responded by email to both the overage and advertising complaints.<sup>14</sup> Regarding residual waste overage, DTG stated that the loads consisted of construction and demolition recyclables, kept within the 5% residual waste limit. DTG further explained that it contracts with a licensed third party to handle waste hauling. While

---

<sup>7</sup> Attachment G – Email from David Black dated May 9, 2017.

<sup>8</sup> Attachment H – Email complaint received February 4, 2020.

<sup>9</sup> Attachment I – Notes from meeting with Tom Vaughn February 7, 2020.

<sup>10</sup> Attachment J – Complaint closed with technical assistance on April 29, 2020.

<sup>11</sup> Attachment K – Big Blue Bag advertisement.

<sup>12</sup> Attachment L – NonComp Letter sent regarding overage.

<sup>13</sup> Attachment M – NonComp Letter sent regarding advertising residential recycling.

<sup>14</sup> Attachment N – DTG's Response Email

DTG admitted to advertising the Big Blue Bag, it argued that the service falls outside RCW 81.77.040, claiming the bags act as "drop boxes" and are not subject to the definition of "solid waste collection" under RCW 81.77.010(8)."

On June 24, 2021, Staff emailed DTG regarding the Company response.<sup>15</sup> Staff outlined a detailed explanation and education on why the Big Blue Bag for residential customers is in violation of RCW 81.77.040. In the email, Staff also requested the information asked for in compliance request of overage information as DTG had not provided the information.

On August 26, 2021, Staff contacted the company using a fictitious email name requesting services for a residential customer for residential recycling services. The company declined the request stating that it discontinued this service to residential customers.<sup>16</sup>

On August 26, 2021, after multiple emails with DTG and Staff between the dates from July 2, 2021, to July 29, 2021, the Company refused to provide the requested information regarding overages in complaint.<sup>17</sup>

On September 3, 2021, the Commission served the Company a Notice Requiring Production of Documents in Docket TG-210684.

On September 8, 2021, Staff emailed DTG notifying the company that the investigation regarding advertising for residential customer recycling with the Big Blue Bag was closed. Staff had found DTG in violation, but the complaint was closed having provided technical assistance.<sup>18</sup>

Between October 20, 2021, and October 22, 2021, DTG complied with the request for information in Docket TG-210684. The data showed that the Company did have an excessive residual waste; however, the certificated hauler for that area transported for disposal. Therefore, DTG was not in violation of RCW 81.77.040 for this activity.

On December 22, 2021, Staff received a solid waste complaint from Sanitary Services Company regarding a complaint of disposal boxes after a flooding at a Motel 6 located at 5671 Riverside Drive, Ferndale, WA 98248.<sup>19</sup> The complaint alleged that DTG, hired by ServePro, collected and hauled waste derived from the Motel 6 that included mattresses and demolition resulting from the flooding.

---

<sup>15</sup> Attachment O – Email to DTG with explanations dated June 24, 2021.

<sup>16</sup> Attachment P – Email request and decline of residential services dated August 24, 2021.

<sup>17</sup> Attachment Q – Refusal to provide records date August 26, 2021.

<sup>18</sup> Attachment R – Email closure with technical assistance for Big Blue Bag dated September 8, 2021.

<sup>19</sup> Attachment S – Complaint received from Sanitary Services Company.

On January 11, 2022, Staff sent a non-compliance letter to DTG regarding the Motel 6 collections.<sup>20</sup>

On January 26, 2022, the Company responded to Staff's letter.<sup>21</sup> The response asserted that the Company only collected construction and demolition recycling, and that zero loads were 90 percent or greater was recyclable. The response also asserted that DTG collected recyclables, but there were other waste receptacles onsite.

On February 15, 2022, Staff followed up with DTG regarding their response.<sup>22</sup> Specifically, Staff questioned DTG about the mattresses collected on site at the Motel 6.

On March 7, 2022, DTG provided information stating the mattresses were processed for recycling.<sup>23</sup> The complaint was closed.

On July 22, 2022, Staff had a phone conversation with David Black, legal counsel for DTG, regarding the Company's use of another carrier to transport residual waste for disposal. Staff provided the Company with technical assistance regarding the transportation of waste without a certificate.<sup>24</sup>

On October 2, 2023, Staff received an email from Stephan Banchero, President of Cedar Grove, with information that DTG was transporting large loads of residual waste to the Snohomish County transfer facilities.<sup>25</sup>

On April 18, 2024, Staff requested data regarding DTG's disposal of materials at the Snohomish County solid waste facilities. Snohomish County responded the same day with information that DTG had disposed of 3,329 loads of waste, totaling approximately 74,774 tons from the period of January 1, 2023, to June 30, 2023.<sup>26</sup>

On August 19, 2024, Staff sent a non-compliance letter to the Company requesting information regarding the information received from Snohomish County.<sup>27</sup>

On September 9, 2024, DTG responded to the request for information.<sup>28</sup> The Company provided information that it collected and received approximately 186,898 tons from the

---

<sup>20</sup> Attachment T – Non-compliance letter sent to DTG January 11, 2022.

<sup>21</sup> Attachment U – Response from DTG dated January 26, 2022.

<sup>22</sup> Attachment V – Follow up to DTG Response February 15, 2022.

<sup>23</sup> Attachment W – Response email dated March 7, 2022.

<sup>24</sup> Attachment X – Notes from phone call with DTG July 18, 2022.

<sup>25</sup> Attachment Y – Email and supporting documents from Cedar Grove.

<sup>26</sup> Attachment Z – Info from Snohomish County regarding DTG disposal.

<sup>27</sup> Attachment AA – NonComp letter to DTG dated August, 19, 2024.

<sup>28</sup> Attachment AB – Company response dated September 6, 2024.

period of January 1, 2023, to June 30, 2023. DTG disposed of 73,270 tons from this period, for a total disposal rate of 39 percent.

## **STAFF FINDINGS AND RECOMMENDATIONS**

### **Staff Findings**

Based on information received from DTG, the Company collected and received a total of 186,898 tons of waste for disposal. Snohomish County Solid Waste Division confirmed that DTG disposed of 3,389 loads of waste. Commission staff finds that DTG knowingly violated RCW 81.77.040 at least 3,389 occurrences by engaging in the business of solid waste transportation without first having obtained a certificate from the Commission to do so. Specifically, DTG operated as a solid waste collection company when it:

1. Transported residual solid waste from their materials recovery facilities to Snohomish County solid waste facility for disposal on at least 3,389 occasions between January 1, 2023, through June 30, 2023, without first obtaining a solid waste certificate as it was previously instructed to do.

### **Staff Recommendations**

Staff recommends that the Commission institute a classification proceeding under RCW 81.04.510 to determine whether DTG is operating as a solid waste collection company in Washington without the certificate required for such operations by RCW 81.77.040.

Staff recommends that the Commission file a complaint for penalties of up to \$1,000 per violation for a total of \$3,389,000, as authorized by RCW 81.04.380, against DTG for engaging in the business of a solid waste carrier without obtaining the required certificate from the Commission.



## **Attachment A**

### Applicable Laws and Rules

RCW 80.04.405 allows the commission to assess an administrative penalty for any violation by a regulated company of a statute, rule, the company's own tariff, or commission order.

RCW 81.04.510 Engaging in business or operating without approval or authority— Procedure. Whether or not any person or corporation is conducting business requiring operating authority, or has performed or is performing any act requiring approval of the commission without securing such approval, shall be a question of fact to be determined by the commission. Whenever the commission believes that any person or corporation is engaged in operations without the necessary approval or authority required by any provision of this title, it may institute a special proceeding requiring such person or corporation to appear before the commission at a location convenient for witnesses and the production of evidence and bring with him or her or it books, records, accounts, and other memoranda, and give testimony under oath as to his or her or its operations or acts, and the burden shall rest upon such person or corporation of proving that his or her or its operations or acts are not subject to the provisions of this chapter. The commission may consider any and all facts that may indicate the true nature and extent of the operations or acts and may subpoena such witnesses and documents as it deems necessary.

After having made the investigation herein described, the commission is authorized and directed to issue the necessary order or orders declaring the operations or acts to be subject to, or not subject to, the provisions of this title. In the event the operations or acts are found to be subject to the provisions of this title, the commission is authorized and directed to issue cease and desist orders to all parties involved in the operations or acts.

In proceedings under this section, no person or corporation shall be excused from testifying or from producing any book, waybill, document, paper, or account before the commission when ordered to do so, on the ground that the testimony or evidence, book, waybill, document, paper, or account required of him or her or it may tend to incriminate him or her or it or subject him or her or it to penalty or forfeiture; but no person or corporation shall be prosecuted, punished, or subjected to any penalty or forfeiture for or on account of any account, transaction, matter, or thing concerning which he or she or it shall under oath have testified or produced documentary evidence in proceedings under this section: PROVIDED, That no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him or her in his or her testimony.

RCW 81.01.010 Adoption of provisions of chapter 80.01 RCW. The provisions of chapter 80.01 RCW, as now or hereafter amended, apply to Title 81 RCW as fully as though they were set forth herein.

DTG Enterprises Inc  
Docket TG-240761

RCW 81.04.380 allows the commission to assess a penalty not to exceed \$1,000 for each violation following a hearing.

Chapter 81.77 RCW and Chapter 480-70 WAC contain statutes and rules that apply to solid waste and refuse companies operating in Washington.

Docket A-120061 - Enforcement Policy of the Washington Utilities and Transportation Commission – Section V.1

Attachment B

9/18/24, 5:38 PM

Motor Carrier Activities - Complaint received

Activity Date 5/4/2021 3:00 PM

Title Complaint received

Activity Status Complete

Activity Due Date

Activity Type [Phone call](#)

Activity Mode

Activity Contact Name Tim Jopp

Activity Contact Email

Activity Contact Phone

Activity Contact Address

Activity Contact Location

Desc I spoke with Mr. Jopp. He has been monitoring activities of DTG. He states he has witnessed the company collecting alleged recycling, sending down the transport line without sorting, then transporting out a larger portion of the materials as non recyclable. He alleges the company is collecting waste without the intent to recycle.

I sent Mr. Jopp an email confirming the submission of his complaint.

UTC Staff Members  McPherson, Kathryn (UTC)

InvestigationItemSPID 1,094

Activity Document Count 1

Is Reportable No

Investigation ID

Content Type: MotorCarrierInvestigationActivity  
Created at 5/11/2021 2:55 PM by  McPherson, Kathryn (UTC)  
Last modified at 5/11/2021 2:55 PM by  McPherson, Kathryn (UTC) Close

Search for Documents Delete Selected

Attachment ▼

Documents

✓ 	Name	Modified	Modified By	InvestigationDocIndustry	InvestigationDocumentType
	Compliant referral - DTG_10293	... May 11, 2021	<input type="checkbox"/> McPherson, Kathryn (UTC)		<a href="#">letter</a>

Attachment C

9/17/24, 1:25 PM

Washington State Department of Revenue



Washington State Department of Revenue



< Business Lookup

### License Information:

[New search](#) [Back to results](#)

**Entity name:** DTG ENTERPRISES, INC.

**Business name:** DTG ENTERPRISES, INC.

**Entity type:** [Profit Corporation](#)

**UBI #:** 602-747-951

**Business ID:** 001

**Location ID:** 0023

**Location:** Active

**Location address:** 3701 PACIFIC HWY E  
FIFE WA 98424-1135

**Mailing address:** PO BOX 14203  
MILL CREEK WA 98082-2203

**Excise tax and reseller permit status:** [Click here](#)

**Secretary of State status:** [Click here](#)

### Endorsements

Endorsements held	License #	Count	Details	Status	Expiration	First issue
-------------------	-----------	-------	---------	--------	------------	-------------



[https://secure.dor.wa.gov/gteunauth/\\_/#6](https://secure.dor.wa.gov/gteunauth/_/#6)

1/4

Endorsements held	License #	Count	Details	Status	Expiration	First issue
<a href="#">Fife General Business</a>				Active	May-31-2	Jun-03-20

### Governing People May include governing people not registered with Secretary of State

Governing people	Title
GUIMONT, DANIEL	
REBER, JORDAN	
SCHIFANI, MARK	

Page 1 of 2

### Registered Trade Names

Filter

Registered trade names	Status	First issued
1 GREEN PLANET	Active	Jan-07-2023
CLAYTON WARD	Active	Jan-23-2023
CLAYTON WARD - KENNEWICK	Active	Sep-05-2023
CLAYTON WARD - RICHLAND	Active	Sep-05-2023
DTG ENTERPRISES INC	Active	Jan-28-2020
DTG ENTERPRISES, INC	Active	Feb-19-2019
DTG ENTERPRISES, INC.	Active	Jan-31-2020



DTG Enterprises Inc  
Docket TG-240761

9/17/24, 1:25 PM

Washington State Department of Revenue

Registered trade names	Status	First issued
DTG MALTBY NORTH	Active	Dec-16-2021
DTG RECYCLE	Active	Oct-21-2019
DTG RECYCLE - MALTBY	Active	Oct-21-2019
DTG RECYCLE - MALTBY NORTH	Active	Dec-16-2021
DTG RECYCLE - REDMOND	Active	Jan-31-2020
DTG RECYCLE - RENTON	Active	Oct-21-2019
DTG RECYCLE - SEATTLE	Active	Oct-21-2019
DTG RECYCLE - TACOMA	Active	Oct-21-2019

[View Additional Locations](#)

The Business Lookup information is updated nightly. Search date and time: 9/17/2024 1:24:59 PM



[Contact us](#)

How are we doing?

[Take our survey!](#)



Attachment D

9/17/24, 1:30 PM

Corporations and Charities System

Business Information Corporations and Charities Filing System



**BUSINESS INFORMATION**

Business Name:

**DTG ENTERPRISES, INC.**

UBI Number:

**602 747 951**

Business Type:

**WA PROFIT CORPORATION**

Business Status:

**ACTIVE**

Principal Office Street Address:

**22745 29TH DR SE, SUITE 200, BOTHELL, WA, 98021-4402, UNITED STATES**

Principal Office Mailing Address:

**22745 29TH DR SE, SUITE 200, BOTHELL, WA, 98021-4402, UNITED STATES**

Expiration Date:

**07/31/2025**

Jurisdiction:

**UNITED STATES, WASHINGTON**

Formation/ Registration Date:

**07/26/2007**

Period of Duration:

**PERPETUAL**

Inactive Date:

Nature of Business:

**WASTE MANAGEMENT & REMEDIATION SERVICES, COMMERCIAL RECYCLING, CONSTRUCTION AND DEMOLITION RECYCLING AND SERVICES, AND RELATED ACTIVITIES**

**REGISTERED AGENT INFORMATION**

Registered Agent Name:

**C T CORPORATION SYSTEM**

Street Address:

**711 CAPITOL WAY S STE 204, OLYMPIA, WA, 98501-1267, UNITED STATES**

Mailing Address:

**711 CAPITOL WAY S STE 204, OLYMPIA, WA, 98501-1267, UNITED STATES**

**GOVERNORS**

Title	Governors Type	Entity Name	First Name	Last Name
GOVERNOR	INDIVIDUAL		DANIEL	GUIMONT
GOVERNOR	INDIVIDUAL		JORDAN	REBER
GOVERNOR	INDIVIDUAL		MARK	SCHIFANI

[Back](#)

- [Filing History](#)
- [Name History](#)
- [Print](#)
- [Return to Business Search](#)



Attachment E

**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:**

DTG Enterprises, Inc.  
P.O. Box 14203  
Mill Creek, WA 98082

Permit No.  
CC067476

General commodities in the state of Washington excluding household goods, hazardous materials and armored car service

January 3, 2017

WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION



By

A handwritten signature in black ink, written over a horizontal line.

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

Attachment F



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503  
P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY 1-800-833-6384 or 711

April 12, 2021

DTG Enterprises Inc.  
P.O. Box 14203  
Mill Creek, WA 98082

**Cancellation of Permit CC067476 Due To Insufficient Proof of Insurance**

Dear DTG Enterprises Inc.:

On March 11, 2021, the Washington Utilities and Transportation Commission (Commission) notified you that your transportation permit would be canceled unless you submitted acceptable proof of insurance by April 10, 2021. Our records show that you failed to submit acceptable proof of insurance by that deadline. As a consequence, **the Commission has CANCELED your permit. You must immediately CEASE all operations associated with this permit.**

**You have the right to a hearing.** If you believe the Commission should not have canceled your permit, you may ask the Commission to schedule a hearing before an administrative law judge. At the hearing the only issue the Commission will address is whether you had proof of insurance on file to avoid cancellation. Email your request to Mark L. Johnson, Secretary, at [records@utc.wa.gov](mailto:records@utc.wa.gov). You may also mail your request to WUTC, PO Box 47250, Olympia, WA 98504-7250. The Commission must receive your request within 14 days after the date of this letter.

**You may apply to reinstate your permit.** Download the reinstatement application at [www.utc.wa.gov](http://www.utc.wa.gov). To locate application instructions, type "File Your Transportation Application Electronically" in the site search bar, and select this link. Then, to locate the application, click on the Common Carrier "other applications" link, and choose the appropriate application.

If you have questions about this notice, please contact Licensing Services at (360) 664-1222. You may also email us at [transportation@utc.wa.gov](mailto:transportation@utc.wa.gov).

Sincerely,

 Digitally signed by  
Suzanne L. Stillwell  
Date: 2021.04.12  
11:33:04 -07'00'

Suzanne Stillwell  
Licensing Services Manager

**NOTICE:** This action is delegated to the Secretary, or the Secretary's delegate, for decision. In addition to serving you this letter, the Commission will post on its website for at least 14 days a list of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. Email your request to Mark L. Johnson, Secretary, at [records@utc.wa.gov](mailto:records@utc.wa.gov). You may also mail your request to 621 Woodland Square Loop SE, Lacey, WA 98503, PO Box 47250, Olympia, WA 98504-7250. You must file a request for Commission review no later than 14 days after the date of this letter.

Respect. Professionalism. Integrity. Accountability.

Attachment G

**McPherson, Kathryn (UTC)**

---

**From:** Dave Black <dblack@dtgreecycle.com>  
**Sent:** Tuesday, May 9, 2017 2:11 PM  
**To:** Hoxit, Jason (UTC)  
**Subject:** RE: Container at 706 View Ridge Drive, Everett

Mr. Hoxit,

Please see responses below (in red).

Thank you.

**Dave Black, Corporate Secretary**  
**Attorney At Law (WSBA No. 29183)**



DTG Enterprises, Inc.  
PO Box 14203  
Mill Creek, WA 98082  
Direct: (425) 549 - 7837  
Fax (425) 549 - 3000  
email: [dblack@dtgreecycle.com](mailto:dblack@dtgreecycle.com)  
[www.dtgreecycle.com](http://www.dtgreecycle.com)

This communication (and any information or material transmitted with this communication) is confidential and has been prepared for the intended recipient's exclusive use. This communication may also contain Protected Health Information as defined by federal law and subject to protections required by law. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to protect the information after its stated need has been fulfilled. If you are not the intended recipient, any review, re-transmission, conversion to hard copy, copying, circulation, publication, dissemination, distribution, reproduction or other use of this communication, information or material is strictly prohibited and may be illegal. If you received this communication in error, please notify us immediately by telephone or by return email, and delete this communication, information and material from any computer, disk drive, diskette or other storage device or media.

---

**From:** Hoxit, Jason (UTC) [mailto:JHoxit@utc.wa.gov]  
**Sent:** Tuesday, May 09, 2017 8:48 AM  
**To:** Dave Black  
**Subject:** RE: Container at 706 View Ridge Drive, Everett

Good morning Mr. Black,

Thank you for your response dated May 8. I do wish to get some further clarification on a few answers provided in your response:

- 1) Your response to who hired DTG Enterprises, Inc. (DTG) was Nancy Burman. Is Nancy Burman both the homeowner and the party compensating DTG for the collection and hauling of recyclable materials?
  - a. **Response: As far as DTG knows, Ms. Burman is a homeowner somehow connected with the job. DTG received payment delivered by Ms. Burman, but is unaware of the specific source of the payment (whether it is Ms. Burman or a consulting General Contractor or a subcontractor).**
- 2) Your response to who loaded the DTG container was customer. Is Nancy Burman the customer that you are referring to?

a. Response: The customer was obligated to arrange and provide loading. DTG lacks sufficient knowledge regarding the specific identity of the company, owner or contractor who actually provided the labor.

3) Your response to the destination of the materials was DTG's facility at 22014 W. Boston Road, Woodville. Is this facility permitted with the Department of Ecology?

a. Response: DTG is fully licensed and permitted through all required counties as well as the WA Department of Ecology.

Please respond to this email by May 19, 2017. If you have any questions for me, please let me know.

Thank you,

**Jason Hoyt**  
Compliance Investigator  
(360) 664-1320 Office

**Utilities and Transportation Commission**  
Respect. Professionalism. Integrity. Accountability.  
[www.utc.wa.gov](http://www.utc.wa.gov)

---

**From:** Dave Black [<mailto:dblack@dtgrecycle.com>]  
**Sent:** Monday, May 08, 2017 4:55 PM  
**To:** Hoyt, Jason (UTC)  
**Subject:** Container at 706 View Ridge Drive, Everett

Mr. Hoyt:

Please see attached correspondence. If you have additional questions or concerns, please direct all related correspondence to me.

Thank you and kind regards,

**Dave Black**, Corporate Secretary  
Attorney At Law (WSBA No. 29189)



DTG Enterprises, Inc.  
PO Box 14283  
Mill Creek, WA 98082  
Direct: (425) 549 - 7837  
Fax: (425) 549 - 9000  
email: [dblack@dtgrecycle.com](mailto:dblack@dtgrecycle.com)  
[www.dtgrecycle.com](http://www.dtgrecycle.com)

This communication (and any information or material transmitted with this communication) is confidential and has been prepared for the intended recipient's exclusive use. This communication may also contain Protected Health Information as defined by federal law and subject to protections required by law. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to protect the information after its stated need has been fulfilled. If you are not the intended recipient, any review, re-transmission, conversion to hard copy, copying, circulation, publication, dissemination, distribution, reproduction or other use of this communication, information or material is strictly prohibited and may

DTG Enterprises Inc  
Docket TG-240761

be illegal. If you received this communication in error, please notify us immediately by telephone or by return email, and delete this communication, information and material from any computer, disk drive, diskette or other storage device or media.

Attachment H

**From:** [Sharp, Jason \(UTC\)](#)  
**To:** [McPherson, Kathryn \(UTC\)](#)  
**Subject:** RE: Complaint  
**Date:** Tuesday, February 4, 2020 7:20:33 AM  
**Attachments:** [image001.png](#)

---

Ed Rubatino called January 31 @ 3:30 pm to report that one of his drivers witnessed a DTG Recycling truck pulling out of the Snohomish Co. transfer station on Airport Rd. on January 30 around 9:00 am.

If you need any additional information from the complainant, Mr. Rubatino may be reached at 425-328-0197

---

**From:** McPherson, Kathryn (UTC) <kathryn.mcpherson@utc.wa.gov>  
**Sent:** Tuesday, February 4, 2020 7:18 AM  
**To:** Sharp, Jason (UTC) <jason.sharp@utc.wa.gov>  
**Subject:** Complaint

Did you still want to forward the complaint about dumping at Sno Co. Airport station?

Thank you,

**Kathryn McPherson**  
Investigator, Solid Waste Enforcement  
Transportation Safety Division  
(360) 664-1108 Office  
[Kathryn.Mcpherson@utc.wa.gov](mailto:Kathryn.Mcpherson@utc.wa.gov)  
[www.utc.wa.gov](http://www.utc.wa.gov)



This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

Attachment I

9/18/24, 5:45 PM

Motor Carrier Activities - Meeting with Tom Vaughn, CEO DTG

Activity Date	2/7/2020 9:00 AM
Title	Meeting with Tom Vaughn, CEO DTG
Activity Status	Complete
Activity Due Date	
Activity Type	Response
Activity Mode	In Person
Activity Contact Name	
Activity Contact Email	
Activity Contact Phone	
Activity Contact Address	
Activity Contact Location	
Desc	While meeting at DTG, I discussed a report the company had utilized the Airport Rd Transfer Station. Mr. Vaughn stated he was sure that would not be for a dump, as they don't take their residuals to transfer stations. Residuals are picked up at their facilities by Waste Management. He said he will follow up on the incident and let me know.
UTC Staff Members	<input type="checkbox"/> McPherson, Kathryn (UTC)
InvestigationItemSPID	939
Activity Document Count	0
Is Reportable	No
Investigation ID	
Content Type:	MotorCarrierInvestigationActivity
Created at	2/7/2020 1:19 PM by <input type="checkbox"/> McPherson, Kathryn (UTC)
Last modified at	2/7/2020 1:19 PM by <input type="checkbox"/> McPherson, Kathryn (UTC)

Close

<input type="text" value="Search for Documents"/>	<input type="text" value="Delete Selected"/>
<input type="text" value="Attachment"/> ▼	

Documents

✓  Name Modified Modified By InvestigationDocIndustry InvestigationDocumentType

There are no documents in this view.

Attachment J

9/18/24, 5:52 PM

Motor Carrier Investigations - Non-permitted carrier DTG enterprises

Case Summary Include Documents	Case Summary No Documents
-----------------------------------	------------------------------

Title	Non-permitted carrier DTG enterprises
Investigation Industry	227
Investigation Type	<a href="#">Technical Assistance</a>
Investigation Status	Closed
OpenDate	1/31/2020
UTC Staff	<input type="checkbox"/> McPherson, Kathryn (UTC)
Assigned AAG	
Investigator Assigned	
Investigation Company Name	DTG Enterprises Inc.
Company Link	
Company DBA	
Non-Registered DBA	
Investigation Company ID	17988
Company UBI	602747951
Company Owner	
Company Contact Number	
Docket No.	
Investigation Description	Staff compliance investigation to determine if company violated RCW 81.77.040
Next Action	After follow up on the complaint, I found the company had not transported solid waste to the Snohomish County facilities.
Max Penalty	
Recommended Penalty	
Investigation Final Penalty	
Staff Recommendation	None
Staff Recommendation Date	
Results	
Closed Date	4/29/2020
Is Reportable	No
InvestigationFormal	No
Content Type: MotorCarrierInvestigation	
Created at 2/7/2020 12:57 PM by <input type="checkbox"/> McPherson, Kathryn (UTC)	
Last modified at 1/11/2021 2:48 PM by <input type="checkbox"/> McPherson, Kathryn (UTC)	

Close

New Activity



# DTG Enterprises Inc

## Docket TG-240761

9/18/24, 5:52 PM

Motor Carrier Investigations - Non-permitted carrier DTG enterprises

New Violation

### Activities

✓	Title	Activity Date	Activity Contact Name	Activity Document Count	Activity Type	Activity Status	Activity Due Date
	Telephone call to Complainant with closure	4/29/2020 8:19 AM		0	Phone call	Complete	
	Email closure to DTG	2/18/2020 1:56 PM		1	Email	Complete	
	Email from Mary Nichols Snohomish County Public Works	2/13/2020 10:57 AM		2	Email	Complete	
	Email inquiry to Snohomish County Solid Waste	2/13/2020 10:28 AM	Mary Nichols	1		Complete	
	Email From DTG	2/13/2020 9:06 AM		1	Email	Complete	
	Meeting with Tom Vaughn, CEO DTG	2/7/2020 9:00 AM		0	Response	Complete	
	Telephone call to Ed Rubitino	2/6/2020 4:10 PM	Ed Rubitino	0	Phone call	Complete	
	SW Non-permitted Tip from Waste Connections	1/31/2020 3:30 PM	Ed Rubitino	1	Non-Permitted Tip	Complete	

### Motor Violations

✓ Violation Type Title Violation Count Occurrences Desc

There are no items to show in this view of the "Motor Violations" list.

### Related Investigations

Insert the link to the related investigation:

Relate Case

Attachment K

## Service Area

---

DTG Recycle currently pickups up Big Blue Bags in the Seattle area from Tacoma to Everett and in parts of Yakima County. Enter your zip code below to confirm pickup service is available in your area.

**Zip Code**

98407

CHECK SERVICE AREA

**YES! Big Blue Bag collection is available!**

Attachment L



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503  
P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY 1-800-833-6384 or 711

May 18, 2021

David Black, Daniel Guimont, and Thomas Vaughn  
DTG Enterprises, Inc.  
P.O. Box 14203  
Mill Creek, WA 98082

Re: Compliance investigation complaint

Dear David, Daniel, and Thomas,

The Washington Utilities and Transportation Commission believes you may be engaged in solid waste transportation services that require a certificate from the Commission. It is illegal to operate or advertise as a solid waste collection company in Washington without the required solid waste certificate from the Commission. You can receive a penalty of \$1,000 for each violation of this law.

**What you need to do**

Review the compliance investigation section of this letter and respond in writing to the following questions regarding loads incoming and outgoing, located at 2117 E River St, Tacoma, Washington, 98421, between April 1, 2021 and April 30, 2021. Your response is due by June 8, 2021:

1. What materials were intended for collection?
2. What items were collected?
3. Who loads the drop-boxes?
4. What was the intended destination of the drop-boxes?
5. How many total loads did your Company collect?
6. How many loads did your Company transport to a disposal facility?
7. Which disposal facility did your Company transport to?
8. What was the distribution of solid waste to recycling for each load?
  - a. How was that number calculated or determined?

**Solid waste collection regulations**

Solid waste collection includes residential and commercial garbage, residential recycling, yard waste, and drop box service.

Respect. Professionalism. Integrity. Accountability.

David Black, Daniel Guimont, and Thomas Vaughn  
DTG Enterprises, Inc.  
May 18, 2021  
Page 2

**Compliance investigation**

Commission Staff received a complaint that DTG Enterprises, Inc. (DTG) is collecting commercial recycling with an ongoing overage of allowable residual solid waste. The complaint alleges DTG is collecting commercial construction loads that exceed the five percent standard regulated by Washington Administrative Code (WAC) 173-350-210(3)(c). The complaint alleges that DTG is collecting loads with high volumes of solid waste in recyclable containers, then disposing excessive residual waste at a solid waste transfer station or landfill on a more than occasional basis. Your Company may be in violation of RCW 81.77.040 for transporting solid waste without a certificate.

**Solid Waste Certificate application**

To provide solid waste collection services, DTG must first submit a solid waste application. Your Company cannot operate until the Commission grants a solid waste certificate. An application is enclosed.

All applications are subject to public protest and your application must demonstrate that the current solid waste collection company in your proposed service area is not providing the service your company will offer. The Commission only grants new certificates if the current Company is unfit, unwilling, or unable to provide the service.

Send your response to [kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov) or mail P.O. Box 47250, Olympia, WA 98504. Please call Commission investigator, Kathy McPherson at (360) 522-6121, if you have any questions.

Sincerely,

MATHEW PERKINSON  
Assistant Director, Transportation Safety

Enclosure

Attachment M



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503  
P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY 1-800-833-6384 or 711

May 18, 2021

David Black, Daniel Guimont, and Thomas Vaughn  
DTG Enterprises, Inc.  
P.O. Box 14203  
Mill Creek, WA 98082

Re: Compliance investigation complaint

Dear David, Daniel, and Thomas,

The Washington Utilities and Transportation Commission believes you are engaged in solid waste transportation services without a required certificate from the Commission. It is illegal to operate or advertise as a solid waste collection company in Washington without the required solid waste certificate from the Commission. You can receive a penalty of \$1,000 for each violation of this law.

This letter is to help you understand solid waste transportation requirements and what actions you need to take to avoid these penalties.

**What you need to do**

To avoid enforcement action by the Commission, your Company must:

- Immediately remove any advertisement offering to collect solid waste;
- Stop providing solid waste collection services; and
- Submit a complete solid waste application (enclosed) or **by June 8, 2021**, respond in writing explaining your Company's operations and why they do not require operating authority from the Commission.

**Solid waste collection regulations**

Solid waste collection includes residential and commercial garbage, **residential recycling**, yard waste, and drop box service.

**Compliance investigation**

Commission Staff recently discovered advertisements online for DTG Enterprises, Inc. (DTG) collecting residential recycling. The complaint alleges DTG advertises for the pick of residential

Respect. Professionalism. Integrity. Accountability.

David Black, Daniel Guimont, and Thomas Vaughn  
DTG Enterprises, Inc.  
May 18, 2021  
Page 2

recycling via its product Big Blue Bag. Details online display residents may self-load recyclables, and DTG will pick up curbside when the consumer requests.

Per Washington Administrative Code (WAC) 480-70-041, Residential recycling service means collection of those solid wastes that are separated for recycling or reuse (items) that are identified as recyclable materials pursuant to local comprehensive solid waste plan.

As the Big Blue Bag is available for residential consumers to self-load, your Company may be in violation by advertising for solid waste services in the form of residential recycling. Your Company may be in violation of RCW 81.77.040 for transporting solid waste without a certificate.

**Solid Waste Certificate application**

To provide solid waste collection services, DTG must first submit a solid waste application. Your Company cannot operate until the Commission grants a solid waste certificate. An application is enclosed.

All applications are subject to public protest and your application must demonstrate that the current solid waste collection company in your proposed service area is not providing the service your Company will offer. The commission only grants new certificates if the current Company is unfit, unwilling, or unable to provide the service.

Send your response to [kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov) or mail P.O. Box 47250, Olympia, WA 98504. Please call Commission investigator, Kathy McPherson at (360) 522-6121, if you have any questions.

Sincerely,

MATHEW PERKINSON  
Assistant Director, Transportation Safety

Enclosures(6)

Attachment N



Customer Focused. Planet Obsessed.

Monday, June 14, 2021

State of Washington  
Utilities and Transportation Commission  
Attn: Kathryn McPherson  
PO Box 47250  
Lacey, WA 98504-7250  
Email: Kathryn.mcpherson@utc.wa.gov

*Re: Initial Response to Complaints -  
(1) 2117 E. River St. Tacoma, WA  
(2) Big Blue Bag*

Dear Ms. McPherson:

I am legal counsel for DTG and I write to respond to the two above-referenced UTC complaints. Please direct all correspondence regarding these matters to me.

**2117 E. RIVER ST., TACOMA, WA**

The Commission advised that it received a complaint that: (1) DTG is collecting commercial construction loads that exceed the five percent standard regulated by Washington Administrative Code (WAC) 173-350-210(3)(c) [sic]; and (2) DTG is collecting loads with high volumes of solid waste in recyclable containers, then disposing excessive residual waste at a solid waste transfer station or landfill on a more than occasional basis.

DTG denies both allegations. DTG operates a Material Recovery Facility (MRF) at 2117 E. River St., Tacoma, WA, hereinafter referred to as DTG Recycle – Tacoma. (See solid waste handling permit, attached hereto in Exhibit 1). DTG Recycle – Tacoma operates the MRF according to the operations plan (“Ops Plan”) on file in support of the Solid Waste handling permit. Consistent with and pursuant to DTG’s Ops plan, DTG does not collect any loads but only receive loads that are brought to the facility. DTG properly regulates the acceptance and processing of waste materials, publishes its requirements to customers and the public, and strictly enforces the standards via contract, visual inspection at the gate, rejection of loads, penalties, and other methods.



Customer Focused. Planet Obsessed.

Monday, June 14, 2021  
K. McPherson  
Page 2

DTG also provides container hauling service for commercial contractors. The materials DTG receives and processes at its subject Tacoma facility via the MRF and/or container hauling service are defined in Exhibit E to its Ops plan and includes those materials defined as recyclables under the Pierce County Solid Waste Management Plan, namely:

<b>Appendix E – Acceptable and Unacceptable Waste</b>	
<b>ACCEPTABLE MATERIALS<sup>1</sup></b>	
1.	WOOD (some SOURCE SEPERATED): plywood, chipboard, mdf, glulam, with nails, with glue, brush, trees stumps, etc)
2.	METAL: (steel, aluminum, copper and all other metals)
3.	AGGREGATE (some SOURCE SEPERATED): (Concrete, Asphalt, Rock, Masonry)
4.	CARDBOARD and PAPER.
5.	PLASTIC ALL TYPES..
6.	WIRE.
7.	OTHER. MATTRESSES and any other construction and demolition waste – accompanied by appropriate asbestos and lead abatement certificates, but excluding prohibited materials shown on the attached list.

When DTG hauls commercial construction loads via the container service, the hauled loads are restricted to construction and demolition recyclables that are clearly within the 5% requirement.

With regard to the residual waste material generated at the MRF, DTG confidentially contracts for the hauling of the waste with an authorized third party entity who is fully licensed, permitted and authorized to perform such hauling. DTG does no more than occasional hauling at the request of the third party when said party has insufficient transportation resources needed to fulfill the contractual obligations.

### **BIG BLUE BAG**

The Commission advises DTG that “As the Big Blue Bag is available for residential consumers to self-load, your Company may be in violation by advertising for solid waste services in the form of residential recycling.” This accusation lacks merit for two independent reasons.





Customer Focused. Planet Obsessed.

Monday, June 14, 2021  
K. McPherson  
Page 3

First, DTG denies that it advertises a solid waste service in a form of "residential recycling" that in any way violates RCW 81.77.040. DTG does not require or state in any advertisement that residential customers must or should self-load Big Blue Bags.

Second, and more importantly, none of DTG's ads depict "residential recycling" since the Big Blue Bag permitted materials are not "source-separated for recycling or reuse" under WAC 480-70-041. Materials deposited into the Big Blue Bag are deposited therein whole and commingled with other recyclables, unseparated demolition, and other materials. As such, they have yet to be separated (unlike the curbside cardboard, plastics and other materials which have been separated by the resident) and are therefore exempt from the applicable UTC definition of "solid waste" covered by RCW Ch. 81.77. See RCW 81.77.010(7) stating that "solid waste does not include recyclable materials except for source separated recyclable materials collected from residences."

Third, even if a mere ad depiction of residential customers loading the Big Blue Bag without more was sufficient to constitute advertising to haul in violation of RCW 81.77.040, and even if the Commission ignores the fact the Big Blue Bag recyclables are not yet separated, at the end of the day, Big Blue Bag materials are exempt from RCW Chapter 81.77 since the bags are essentially "drop boxes" which excludes DTG's hauling activities from the definition of "Solid waste collection" in RCW 81.77.010 (8). After the drop box materials are picked-up, they are transported to DTG for sorting/separation and further processing and/or recycling before going to DTG's end customers.

If you need additional information, please do not hesitate to contact me.

Thank you and kind regards,

**DTG ENTERPRISES, INC. D/B/A DTG RECYCLE**

A handwritten signature in blue ink that reads "David H. Black, Jr." with a stylized flourish at the end.

By: David H. Black, Jr.  
Its: General Counsel and Secretary  
Direct: (425) 549-7837  
Email: dblack@dtgrecycle.com

Attachment O

**From:** [McPherson, Kathryn \(UTC\)](#)  
**To:** ["Dave Black"](#)  
**Cc:** ["Tom Vaughn"](#); ["Dan Guimont"](#); ["John Martin"](#); ["Matt Dunyon"](#); ["Mike Sheldon"](#); ["Brian Thompson Jr"](#)  
**Subject:** RE: UTC Complaints // DTG Initial Responses (Tacoma facility and Big Blue Bag)  
**Date:** Thursday, June 24, 2021 3:01:00 PM  
**Attachments:** [2019 Comprehensive Solid Waste Management Plan - King County Solid Waste Division Page 98 Recyclables.pdf](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

My apologies. I forgot to enclosed the list of recyclables from the King County solid waste plan as stated in my response.

Sincerely,

Kathryn McPherson  
Investigator, Solid Waste Enforcement  
(360) 522-6121

This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

---

**From:** McPherson, Kathryn (UTC)  
**Sent:** Thursday, June 24, 2021 2:58 PM  
**To:** 'Dave Black'  
**Cc:** Tom Vaughn ; Dan Guimont ; John Martin ; Matt Dunyon ; Mike Sheldon ; Brian Thompson Jr  
**Subject:** RE: UTC Complaints // DTG Initial Responses (Tacoma facility and Big Blue Bag)

Dear Mr. Black,

Thank you for responding to the compliance investigation regarding DTG activities. Your cooperation is appreciated.

**2117 E. RIVER ST., TACOMA, WA**

In the response received, specific information requested was not received. Please re-read the follow request for information requested, and reply to Staff no later than July 2, 2021.

Review the compliance investigation section of this letter and respond in writing to the following questions regarding loads incoming and outgoing, located at 2117 E River St, Tacoma, Washington, 98421, between April 1, 2021, and April 30, 2021. Your response is due by June 8, 2021:

1. What materials were intended for collection?
2. What items were collected?
3. Who loads the drop-boxes?
4. What was the intended destination of the drop-boxes?
5. How many total loads did your company collect?
6. How many loads did your company transport to a disposal facility?
7. Which disposal facility did your company transport to?
8. What was the distribution of solid waste to recycling for each load?
  - a. How was that number calculated or determined?

Staff will need specifics for the time frame requested. This information may be provided in an Excel document. Staff read the response stating that DTG hauls commercial construction loads that are clearly within the five percent requirement, and is asking for verifications from the company.

**BIG BLUE BAG**

In addition, Staff has reviewed the King County recyclables list, provided in this email, and sees that despite the company's website stating DTG will not collect materials collected by curbside pick-ups, DTG is offering services for residential consumers. Referring to WAC 480-70-041, Definitions, states the following:

"Commercial recycling service" means transportation of recyclable commodities from a buy-back center, drop box, or from a commercial or industrial generator of recyclable materials when those recyclable materials are being transported for use other than landfill disposal or incineration. Commercial recycling is regulated under chapter **81.80** RCW.

"Recyclable materials" means materials that are transported for recycling, reprocessing, reclamation, or for any process that extracts or modifies the commodity for reuse or another commercially valuable purpose.

"Residential recycling service" means collection of those solid wastes that are separated for recycling or reuse, such as paper, plastic, metals, and glass, that **are identified as recyclable materials pursuant to a local comprehensive solid waste plan.**

"Residential service" means solid waste collection from residences.

Furthermore, DTG does not have exception from holding a certificate based on WAC 480-70-011(1)(e)(g) Exceptions, unless DTG has a contract within the following:

(1) The following collection and hauling operations are not regulated by the commission:

(e) The operations of a recycling company or nonprofit entity collecting and transporting recyclable materials from a buy-back center, drop box, or from a commercial or industrial generator of recyclable materials when those recyclable materials are being transported for use other than disposal or incineration, or under agreement with a solid waste collection company (refer to RCW **81.77.140**);

(g) The operations of private carriers who, in their own vehicles, transport solid waste purely as an incidental adjunct to some other established private business owned or operated by them in good faith. This private-carrier exemption does not include persons transporting solid waste from residential sources, such as apartment houses or mobile home parks, in vehicles designed or used primarily for the transport of solid waste.

Your company must take action by ceasing to provide residential recycling services, or apply for and receive a certificate of necessity and convenience to operate as a solid waste carrier.

To provide solid waste collection services, DTG must first submit a solid waste application. Your Company cannot operate until the Commission grants a solid waste certificate. An application is enclosed.

All applications are subject to public protest and your application must demonstrate that the current solid waste collection company in your proposed service area is not providing the service your Company will offer. The commission only grants new certificates if the current Company is unfit, unwilling, or unable to provide the service.

Again, thank you for your cooperation with this compliance review. **I look forward to your response regarding both the transportation and advertising mentioned in these complaints no later than July 2, 2021.**

Sincerely,  
Kathryn McPherson  
Investigator, Solid Waste Enforcement  
(360) 522-6121

This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

---

**From:** Dave Black <[dblack@dtgreecycle.com](mailto:dblack@dtgreecycle.com)>

**Sent:** Monday, June 14, 2021 1:40 PM

**To:** McPherson, Kathryn (UTC) <[kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov)>

**Cc:** Tom Vaughn <[tvaughn@dtgreecycle.com](mailto:tvaughn@dtgreecycle.com)>; Dan Guimont <[dguimont@dtgreecycle.com](mailto:dguimont@dtgreecycle.com)>; John Martin <[john@dtgreecycle.com](mailto:john@dtgreecycle.com)>; Matt Dunyon <[mdunyon@dtgreecycle.com](mailto:mdunyon@dtgreecycle.com)>; Mike Sheldon <[msheldon@dtgreecycle.com](mailto:msheldon@dtgreecycle.com)>; Brian Thompson Jr <[bthompson@dtgreecycle.com](mailto:bthompson@dtgreecycle.com)>

**Subject:** UTC Complaints // DTG Initial Responses (Tacoma facility and Big Blue Bag)

---

External Email

Hi Ms. McPherson,

Please see DTG's attached response letter regarding the above complaints.

Thank you and kind regards,



**Dave Black**  
General Counsel, Corporate Secretary & CHRO  
Office 425.549.3000  
Email [dblack@dtgrecycle.com](mailto:dblack@dtgrecycle.com)  
P.O. Box 14203, Mill Creek, WA, 98082

[www.dtgrecycle.com](http://www.dtgrecycle.com)

This communication (and any information or material transmitted with this communication) is confidential and has been prepared for the intended recipient's exclusive use. This communication may also contain Protected Health Information as defined by federal law and subject to protections required by law. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to protect the information after its stated need has been fulfilled. If you are not the intended recipient, any review, re-transmission, conversion to hard copy, copying, circulation, publication, dissemination, distribution, reproduction or other use of this communication, information or material is strictly prohibited and may be illegal. If you received this communication in error, please notify us immediately by telephone or by return email, and delete this communication, information and material from any computer, disk drive, diskette or other storage device or media.



**Dave Black**  
General Counsel & CHRO  
P 425.549.7837  
E [dblack@dtgrecycle.com](mailto:dblack@dtgrecycle.com)  
P.O. Box 14203, Mill Creek, WA, 98082

[www.dtgrecycle.com](http://www.dtgrecycle.com)



Material Recovery Facilities | Alternative Fuels | Roll Off Containers

Custom Sustainability Solutions

Maltby • Port of Tacoma • Redmond • Renton • Seattle • Tacoma • Woodinville • Yakima

Attachment P



Kelley Jurgensen <kkplay1221@gmail.com>

---

**Big bag**

2 messages

---

< @gmail.com>  
To: info@dtgrecycle.com

Thu, Aug 26, 2021 at 1:26 PM

Hi. I am tearing out my kitchen next month to save money on the install. If I get one of these blue bags, Can you pick up my old kitchen cabinets at my house after I load it up? How long does it take. How much will it cost.

Kelley 425-835-2732

---

**DTG Info** <info@dtgrecycle.com>  
To: Kelley <@gmail.com>, DTG Info <info@dtgrecycle.com>

Thu, Aug 26, 2021 at 1:50 PM

Hi Kelley!

Our big blue bags are sold at our facilities and only to construction companies and general contractors.

We had to discontinue them for residential customers.

Sorry for the inconvenience.

Thanks!

[Quoted text hidden]

Attachment Q

**McPherson, Kathryn (UTC)**

**From:** Dave Black <dblack@dtgrecycle.com>  
**Sent:** Thursday, August 26, 2021 4:52 PM  
**To:** McPherson, Kathryn (UTC)  
**Subject:** RE: UTC Complaints // DTG Initial Responses (Tacoma facility and Big Blue Bag)

**Importance:** High

External Email

Ms. McPherson,

Your request is overbroad and overburdensome and you are on a fishing expedition. DTG has already provided you with sufficient information to establish that the Tacoma loads at issue to a disposal facility were occasional. If you have a specific date to which your complaint relates, please narrow your request.

Thank you and kind regards,



**Dave Black**  
General Counsel, Corporate Secretary & CHRO  
Office 425.549.3994  
Email [dblack@dtgrecycle.com](mailto:dblack@dtgrecycle.com)  
P.O. Box 14203, Mill Creek, WA, 98082  
[www.dtgrecycle.com](http://www.dtgrecycle.com)

This communication (and any information or material transmitted with this communication) is confidential and has been prepared for the intended recipient's exclusive use. This communication may also contain Protected Health Information as defined by federal law and subject to protections required by law. The authorized recipient of this information is prohibited from disclosing this information to any other party unless required to do so by law or regulation and is required to protect the information after its stated need has been fulfilled. If you are not the intended recipient, any review, re-transmission, conversion to hard copy, copying, circulation, publication, dissemination, distribution, reproduction or other use of this communication, information or material is strictly prohibited and may be illegal. If you received this communication in error, please notify us immediately by telephone or by return email, and delete this communication, information and material from any computer, disk drive, diskette or other storage device or media.



**Dave Black**  
General Counsel & CHRO  
Desk 425.549.7837 | Cell  
dblack@dtgrecycle.com  
P.O. Box 14203 Mill Creek, WA 98082  
[www.dtgrecycle.com](http://www.dtgrecycle.com)



Material Recovery Facilities | Roll Off Containers | Innovative Recycled Products  
Custom Sustainability Solutions

Attachment R

**From:** [McPherson, Kathryn \(UTC\)](#)  
**To:** ["Dave Black"](#)  
**Cc:** [Tom Walker](#); ["Dan Guimont"](#); ["John Martin"](#); ["Tom Vaughn"](#); ["Matt Dunvon"](#); ["Mike Sheldon"](#); ["Brian Thompson Jr"](#)  
**Subject:** Residential recycling - complaint closure  
**Date:** Wednesday, September 8, 2021 11:50:00 AM  
**Attachments:** [image001.png](#)

---

Thank you again for your cooperation during the solid waste service investigation of DTG Enterprises, Inc. (DTG) and advertising for residential recycling services. At this time, the staff investigation to determine if the company violated RCW 81.77.040, transporting solid waste without a certificate, is closed with the following determination:

Based on the information researched by Staff and received from the Company, Staff did find violations for advertising to provide residential recycling services. An explanation of the rules regarding solid waste and residential recycling, including advertising, was provided to the Company. DTG provides commercial recycling service. The Company has removed advertisements for residential recycling, and refused offers of service at residential addresses after technical assistance was provided.

The investigation is closed. Technical assistance was provided to the Company. Staff encourages the DTG to make all necessary corrections for future compliance. Repeat violations may result in enforcement action, including monetary penalties. Staff considers a number of factors when recommending penalties, including whether past technical assistance was provided and subsequently followed.

If you have any questions regarding the closure of this complaint, or should you find the Company is operating, please contact me. Again, thank you for your assistance with solid waste compliance for Washington Utilities and Transportation Commission.

Thank you,

**Kathryn McPherson**  
Investigator, Solid Waste Enforcement  
Transportation Safety Division  
(360) 522-6121  
[Kathryn.Mcpherson@utc.wa.gov](mailto:Kathryn.Mcpherson@utc.wa.gov)  
[www.utc.wa.gov](http://www.utc.wa.gov)



This email/letter states the informal opinions of commission staff, offered as technical

assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.



Attachment S

**From:** [Rodd Pemble](#)  
**To:** [McPherson, Kathryn \(UTC\)](#)  
**Cc:** [Paul Razole](#); [Ted Carlson](#); [Brad Lovaas](#); [Rod Whittaker](#); [James Sells \(jamesells47@gmail.com\)](#)  
**Subject:** FW: DTG under hire by ServPro Seattle, Motel 6, 5671 Riverside Drive, Ferndale, WA  
**Date:** Wednesday, December 22, 2021 3:41:50 PM  
**Attachments:** [DTG 4-3-17 1156 W. Smith Rd - illegal roofing haul.doc](#)  
[DTG 12-22-21 Illegal Hauler Report, 5671 Riverside Dr .doc](#)

---

External Email

Dear Officer McPherson,

Please find attached our Report of Illegal Hauling for DTG, as hired by ServPro of WA for the flooded out Motel 6, 5671 Riverside Drive, Ferndale, WA 98248.

I spoke to a ServPro manager onsite, who referred me to his supervisor Brian in King County ServPro (425-606-0366), who ordered the DTG disposal boxes. When I spoke to Brian, and explained that solid waste loads needed to be hauled through the certificated hauler SSC, he avowed no knowledge of this system, took my number, and said he'd get back to me.

He called back a few minutes later to say that DTG had told him they hauled these loads to their facility in Woodinville where they had permits to handle these materials. He hung up before I could say a word.

Thank you for your prompt follow up on site in Ferndale, as this job is well underway (demo and TI rebuild after serious recent flooding), and continuing. The loads of wet, moldy, mixed materials are clearly not recyclable, but will be lost in the tonnage flowing through the DTG facility if untracked by your office.

Sincerely,



Rodd Pemble

*Recycling/Safety Manager*

**Sanitary Service Company Inc.**

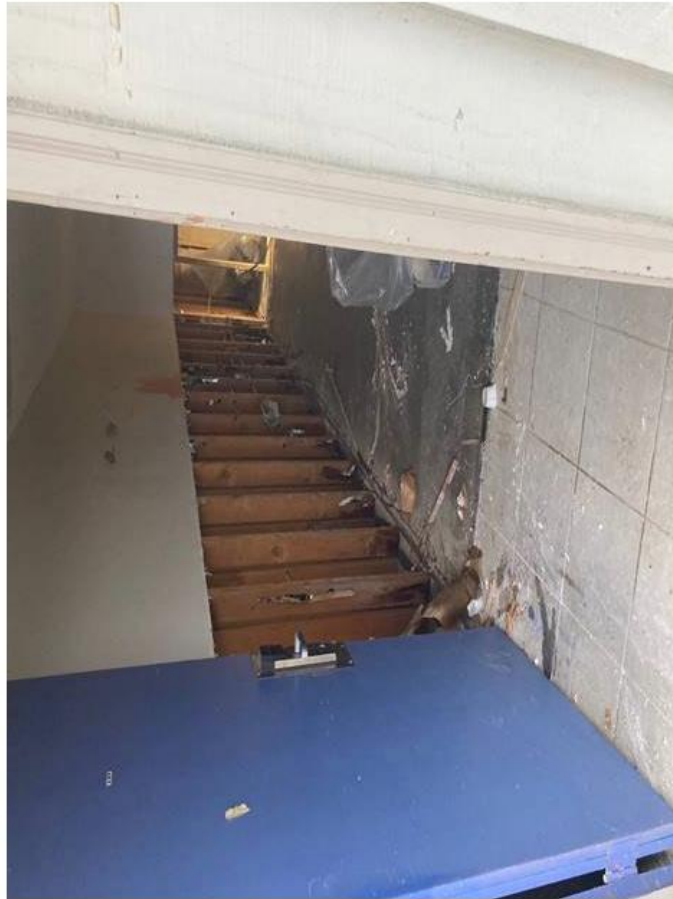
21 Bellwether Way Suite 404 • Bellingham, WA 98225

Cell 360-815-1098 • Fax 360-671-0239 • Direct 360-527-9785

[www.ssc-inc.com](http://www.ssc-inc.com)

*Go Paperless! Sign up for E-Statements at [ssc-inc.com](http://ssc-inc.com).*

Stripping motel 4' high all rooms on ground floor for disposal.









Sent from my iPhone

Attachment T



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503  
P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY (360) 586-8203

January 11, 2022

David Black  
DTG Enterprises, Inc.  
PO Box 14203  
Mill Creek, Washington 98082

Re: Compliance investigation complaint

Dear David Black,

The Washington Utilities and Transportation Commission believes you may be engaged in solid waste transportation services that require a certificate from the commission. It is illegal to operate or advertise as a solid waste collection company in Washington without the required solid waste certificate from the commission. You can receive a penalty of \$1,000 for each violation of this law.

**What you need to do**

Review the compliance investigation section of this letter and respond in writing to the following questions by **January 25, 2022**:

1. What materials were intended for collection?
2. What items were collected?
3. Who loaded the drop-box?
4. Who hired DTG Enterprises to transport the drop-box?
5. What was the intended destination of the drop-box?
6. How many total loads did your company collect and transport to a disposal facility?
7. What was the distribution of solid waste to recycling? Please provide if by weight or volume, which ever is more stringent per WAC 173-350-210 (2)(3).
  - a. How was that number calculated or determined?
8. Was there a solid waste receptical at the job site?

**Solid waste collection regulations**

Solid waste collection includes residential and commercial garbage, residential recycling, yard waste, and drop box service.

Respect. Professionalism. Integrity. Accountability.

David Black  
January 11, 2022  
Page 2

**Compliance investigation**

A compliance investigation revealed that your company may be in violation of RCW 81.77.040. Commission staff recently received a complaint that DTG Enterprises Inc is providing solid waste disposal services at **Motel 6**, located at **5671 Riverside Drive, Bellingham, Washington, 98248**. The complaint asserts that your Company transports waste for ServePro on a construction cleanup site that does not contain a majority of recycling.

**What you need to do**

To avoid enforcement action by the commission, your company must:

- Immediately stop providing solid waste services;
- If you choose to, submit a complete solid waste application (enclosed) or respond in writing by January 25, 2022, explaining your company's operations and why they do not require operating authority from the commission.

**Solid Waste Certificate application**

To provide solid waste collection services, your company must first submit a solid waste application. Your company cannot operate until the commission grants a solid waste certificate.

All applications are subject to public protest and your application must demonstrate that the current solid waste collection company in your proposed service area is not providing the service your company will offer. The commission only grants new certificates if the current company is unfit, unwilling, or unable to provide the service.

Send your response to [kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov) or mail P.O. Box 47250, Olympia, WA 98504. Please call commission investigator, Kathryn McPherson at (360) 522-6121, if you have any questions.

Sincerely,

MATHEW PERKINSON  
Assistant Director, Transportation Safety

Enclosures

Attachment U



Customer Focused. Planet Obsessed.

**VIA Electronic Mail & US Mail**

Wednesday, January 26, 2022

State of Washington Utilities and  
Transportation Commission

621 Woodland Square Loop, SE  
Lacey, WA 98503

Email: Kathryn.mcpherson@utc.wa.gov

PO Box 47250  
Olympia, WA 98504-7250

*Subject: Compliance Investigation Complaint, Letter dated January 11, 2022*

Dear UTC & Ms. McPherson:

I write to answer, respectively, your eight questions set forth in the above-referenced correspondence:

1. **What materials were intended for collection?**
  - a. At the subject location, construction and demolition recyclables (e.g. wood, drywall, metal scrap, etc.)
2. **What items were collected?**
  - a. Construction and demolition recyclables (e.g. wood, drywall, metal scrap, etc.)
3. **Who loaded the drop box?**
  - a. No DTG employees were there, so we are not sure, but presumably the contractor DTG customer who ordered the box – Style Corp. -- loaded it with their employee labor or subcontracted out the labor.
4. **Who hired DTG Enterprises to transport the drop-box?**
  - a. Style Corp.
5. **What was the intended destination of the drop-box?**
  - a. Our closest Material Recovery Facility – DTG Maltby at 8624 219<sup>th</sup> St. SE, Woodinville, WA 98072
6. **How many total loads did your company collect and transport to a disposal facility?**
  - a. Zero.



7. **What was the distribution of solid waste to recycling? Please provide if by weight or volume, which ever is more stringent per WAC 173-350-210 (2)(3)?**
  - a. 90% or greater by volume per visual inspection.
8. **Was there a solid waste receptable at jobsite?**
  - a. While DTG does not own any garbage dumpsters, presumably yes, there was one or more waste containers on site either contracted by Style Corp. or the tenant/landowner because the site is a commercial motel with regular waste container service provided by the appropriate certificated disposal company.

If you have additional questions or concerns, please do not hesitate to contact me.

Thank you and kind regards,

**DTG ENTERPRISES, INC.**  
**D/B/A DTG RECYCLE**



By: David H. Black, Jr., Esq.  
Its: General Counsel

Email: [dblack@dtgreecycle.com](mailto:dblack@dtgreecycle.com)  
Direct: (425) 549-7837

Enclosure

Attachment V

**McPherson, Kathryn (UTC)**

---

**From:** McPherson, Kathryn (UTC)  
**Sent:** Tuesday, February 15, 2022 3:45 PM  
**To:** Dave Black  
**Subject:** RE: UTC Complaint Letter dated January 11, 2022

Good day.

I am following up on services for DTG regarding mattress recycling. Were the mattresses located at the Motel 6 recycled upon collection by DTG?

If you are unable to provide an answer at this time, can you provide an estimated response time?

Sincerely,

Kathryn McPherson  
Investigator, Solid Waste Enforcement  
(360) 522-6121

This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

---

**From:** McPherson, Kathryn (UTC)  
**Sent:** Wednesday, January 26, 2022 4:38 PM  
**To:** 'Dave Black' <[dblack@dtgrecycle.com](mailto:dblack@dtgrecycle.com)>  
**Subject:** RE: UTC Complaint Letter dated January 11, 2022

Thank you for the information. I suspected DTG had a process for mattresses. If you can confirm they were recycled or left on site, it would benefit my notes. I will wait for the response.

Have a good day.

Sincerely,

Kathryn McPherson  
Investigator, Solid Waste Enforcement  
(360) 522-6121

This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

---

**From:** Dave Black <[dblack@dtgrecycle.com](mailto:dblack@dtgrecycle.com)>  
**Sent:** Wednesday, January 26, 2022 4:35 PM  
**To:** McPherson, Kathryn (UTC) <[kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov)>  
**Subject:** RE: UTC Complaint Letter dated January 11, 2022

Attachment W

**McPherson, Kathryn (UTC)**

---

**From:** Dave Black <dblack@dtgrecycle.com>  
**Sent:** Monday, March 7, 2022 4:40 PM  
**To:** McPherson, Kathryn (UTC)  
**Cc:** Tom Walker; Christy Astle  
**Subject:** RE: UTC Complaint Letter dated January 11, 2022

External Email

Hi Kathryn,

Finally ran this issue to ground. I'm not an Ops person so it took me a while. I am advised of the following, by Mr. Walker, our Comptroller who heads the accounting department and Christine Astle in our dispatch department:

The Motel 6 job at 5671 Riverside Drive, Ferndale, WA 98248 for which you submitted pictures occurred on January 4, 2022 for our client Style Corp. This was what we call a "Haul Container" job where we drop one or more container(s) for a contractor client (typically a roofer, builder, or C&D demolition co.), the client fills up, and we haul for processing to our closest facility. For Haul Container jobs, we do not separately itemize and charge for all the extra items (e.g., Mattresses,) that we charge our "Gate" customers (customers who drive to our facility with one or more loads of recyclables and pay a fee for processing). We have records for each mattress processing for Gate customers because we collect a fee per mattress. For the Haul Container jobs, we do not maintain itemized records per mattress.

However, I am further advised by Mr. Walker with **100% certainty** that (1) DTG took the mattresses from the Motel 6/Style Corp. job and (2) that DTG processed 100% of the mattresses to **recover/recycle 100%** of the metal, wood and textiles due to the value of metal and the guaranteed end-sourcing for each commodity that is recovered from the process.

I can provide sworn declarations from our accounting department and operations department for the above if you desire something more than this e-mail. If you have any additional questions or needs, please do not hesitate to follow-up with me.

Thank you and kind regards,

Dave

---

**From:** McPherson, Kathryn (UTC) <kathryn.mcpherson@utc.wa.gov>  
**Sent:** Monday, March 7, 2022 11:04 AM  
**To:** Dave Black <dblack@dtgrecycle.com>  
**Subject:** RE: UTC Complaint Letter dated January 11, 2022

I look forward to your response. Thanks for getting back with me. I am sure you are busy.

Sincerely,

Kathryn McPherson

Attachment X

10/3/24, 4:47 PM

Motor Carrier Activities - Telephone call with David Black DTG

Activity Date 7/18/2022 3:37 PM  
Title Telephone call with David Black DTG  
Activity Status Complete  
Activity Due Date  
Activity Type [Phone call](#)  
Activity Mode [Phone Call](#)  
Activity Contact Name  
Activity Contact Email  
Activity Contact Phone 425-549-7837  
Activity Contact Address  
Activity Contact Location  
Desc David Black, attorney for DTG, spoke with me by phone. He stated that Hermann Brothers is transporting to the DTG MRF portion of Anderson landfill, not the landfill. I stated to Mr. Black that Mr. Hermann had told me that he contacted DTG after our conversation last week and was told he could deposit the waste to the MRF portion at this time. I explained to Mr. Black, Mr. Hermann had acknowledged he was transporting waste from DTG to the Anderson landfill in the landfill disposal area until he was provided technical assistance. Mr. Black agreed that was occurring. I stated Mr. Hermann stated he transports for Republic who has a certificate and he was told that DTG has a certificate. Mr. Black said no they do not have a certificate, but may need one at some point. LRI is not accepting waste with their limitations. I stated DTG also has issues with the restrictions to Cowlitz landfill, and he agreed. He stated the operations of the MRF at anderson are now up and running, able to accept recyclable waste. He stated that DTG has agreed to pay for any penalties Hermann brothers have if they are fined for transporting waste. He also stated that at this time DTG is transporting residual waste. I stated that to the information I have received, DTG was transporting waste on more than an occational basis, which requires a certificate. He stated the goal is to recycle but with the volume there is residual waste. And they are using Hermann brothers previously for waste, but the company will only be transporting recyclables for repurposing. The goal of the company is to sell commodities from recycling. He stated that DTG will look at applying for a certificate.  
UTC Staff Members  McPherson, Kathryn (UTC)  
InvestigationItemSPID 1,228  
Activity Document Count 0  
Is Reportable No

[https://apps.utc.wa.gov/apps/investigations/Lists/Motor Carrier Activities/DispForm.aspx?ID=11118&Source=https%3A%2F%2Fapps%2Eutc%2Ewa%2F...](https://apps.utc.wa.gov/apps/investigations/Lists/MotorCarrierActivities/DispForm.aspx?ID=11118&Source=https%3A%2F%2Fapps%2Eutc%2Ewa%2F...) 1/2

# DTG Enterprises Inc

## Docket TG-240761

10/3/24, 4:47 PM

Motor Carrier Activities - Telephone call with David Black DTG

Investigation ID

Content Type: MotorCarrierInvestigationActivity

Created at 7/18/2022 4:15 PM by  McPherson, Kathryn (UTC)

Last modified at 7/18/2022 5:01 PM by  McPherson, Kathryn (UTC)

Close

Search for Documents

Delete Selected

Attachment



### Documents

✓  Name Modified Modified By InvestigationDocIndustry InvestigationDocumentType

There are no documents in this view.

Attachment Y

**McPherson, Kathryn (UTC)**

**From:** Stephan Banchemo <jsb3@cgcompost.com>  
**Sent:** Monday, October 2, 2023 9:33 AM  
**To:** McPherson, Kathryn (UTC)  
**Cc:** Jay Blazey  
**Subject:** FW: Residual Rate Motion at GLS 9/27/23 @ 9AM  
**Attachments:** 2023\_RRW\_YTD\_Jul.pdf; RRW 2022.pdf; 2023\_DTG Maltby\_Inspection Report.pdf; 2022\_May\_DTG\_Inspection\_Report.pdf; CD Report DTG Maltby June 2023 MC.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

External Email

Hi, please see attached and below

J. Stephan Banchemo III | President



Office: 206.832.3002 | Cell: 206.948.1204 | [jsb3@cgcompost.com](mailto:jsb3@cgcompost.com)

Customer Service: 1.877.764.5748 | [www.cedar-grove.com](http://www.cedar-grove.com)

*Cedar Grove is offering [contactless delivery](http://soundbitesdelivers.com) of our farm produce and restaurants favorites! Check us out [soundbitesdelivers.com](http://soundbitesdelivers.com)*

---

**From:** Stephan Banchemo  
**Sent:** Tuesday, September 26, 2023 12:23 PM  
**To:** Greninger, Jon <Jon.Greninger@co.snohomish.wa.us>  
**Cc:** Schonhard, David <David.Schonhard@co.snohomish.wa.us>; Jay Blazey <jayb@cgcompost.com>  
**Subject:** Residual Rate Motion at GLS 9/27/23 @ 9AM

Hi Jon, thank you for the update regarding the RRW. We will plan to attend the call Wednesday at 9am.

Just thinking out loud, I have been spending some time in the comp plan, always fun 😊. Assuming I am reading it right, in 2019 the County ran ~457,000 tons of garbage through the transfer stations en route to Roosevelt. Rubatino hauls about 75,000 tons / year of garbage through this system from the largest city in Snohomish County. Based on the attached report it shows that the combined DTG tonnage through the RRW program was over 130,000 tons in 2022 and already nearly 90,000 tons through July, which projects to an even larger number this year vs 2022. DTG brings Snoco double our tonnage...and we aren't even claiming to sort ours. And to do some quick math, if DTG is truly meeting a 90%

recovery rate, or anything even remotely close to that, they would need to be hauling over a million tons a year inbound to their reclamation site(s) of 'source separated recyclables' to offset the 10% residual amount of ~150,000 tons. That is obviously not possible and frankly proves that they are hauling regulated garbage.

I am concerned that the residents of Snohomish County are being burdened with tonnage that may be coming from outside of SnoCo and having it disposed of through Snohomish County at a reduced rate compared to the County of origin. I also wonder if DTG is remitting the city and state taxes relevant to hauling garbage while recyclables are exempt? For Example, in Everett Rubatino charges garbage customers 6% city tax in addition to 3.6% state refuse tax, Marysville charges a 10% City tax, etc.

And how is all of this material going through the County system impacting rail capacity? I came across these articles that are very concerning to Rubatino and Snohomish County residents and businesses:

- [Snohomish County has a solid waste problem, Public Works plans to fix it - Lynnwood Times](#)
- [Snohomish County, Washington, addresses waste transfer delays - Waste Today \(wastetodaymagazine.com\)](#)

I am concerned that this trash tonnage from a 'recycling' company going through SnoCo, or even worse landfilled recyclables, could potentially breach the collection system altogether putting the region at risk. How can the County allow this volume of trash from a non-permitted garbage hauler? Based on the sheer volume and the risk to the system, we believe the County should no longer accept this volume from DTG in an effort to free up space for solid waste consistent with the comp plan which supports public need and necessity. The inspection reports attached also prove the amount of garbage being handled at a supposed reclamation center. Lastly, the Maltby June report highlights a 34% diversion rate.

June-23		DTG Maltby	
Total Outbound Transload (tons)	0	Diversion % from Transload Destination Facility	0
Outbound Recycle (tons)	1550.1	Outbound Beneficial Use (tons)	1263.9
		Diversion from Transfer (tons)	0
		Total Inbound (tons)	8261.1
		<b>Monthly Facility Diversion %</b>	<b>34%</b>
Variation between total inbound and total outbound		Total Inbound Tons	8261.1
		Total Outbound Tons	8816.8
		Difference	-555.7

Happy to talk if that is easier.

J. Stephan Banchemo III | President



DTG Enterprises Inc  
Docket TG-240761



Office: 206.832.3002 | Cell: 206.948.1204 | [jsb3@cgcompost.com](mailto:jsb3@cgcompost.com)

Customer Service: 1.877.764.5748 | [www.cedar-grove.com](http://www.cedar-grove.com)

*Cedar Grove is offering [contactless delivery](#) of our farm produce and restaurants favorites! Check us out [soundbitesdelivers.com](http://soundbitesdelivers.com)*

---

**From:** Greninger, Jon <[Jon.Greninger@co.snohomish.wa.us](mailto:Jon.Greninger@co.snohomish.wa.us)>  
**Sent:** Friday, September 22, 2023 4:11 PM  
**To:** Stephan Banchero <[jsb3@cgcompost.com](mailto:jsb3@cgcompost.com)>; Jay Blazey <[jayb@cgcompost.com](mailto:jayb@cgcompost.com)>  
**Cc:** Schonhard, David <[David.Schonhard@co.snohomish.wa.us](mailto:David.Schonhard@co.snohomish.wa.us)>  
**Subject:** Residual Rate Motion at GLS 9/27/23 @ 9AM

Hi Stephan and Jay,

I just wanted to update you that the proposed residual reclamation waste (RRW) rate increase was discussed by County Council at the 9/19/23 Public Infrastructure and Conservation Committee meeting. As we discussed before, we are proposing an increase from \$65 per ton to \$85 for residual waste hauled directly to the intermodal yard. The next steps for the motion are to go to the 9/27/23 General Legislative Session at 9AM for additional Council discussion. You are welcome to provide public comment at the beginning of the meeting if you would like to address Council prior to any decisions.

**Jon Greninger, MS** | Operations Manager  
[Snohomish County Public Works](#) | [Solid Waste Division](#)  
3000 Rockefeller Ave., M/S 607 | Everett, WA 98201  
O: [425-388-6484](tel:425-388-6484) | C: [425-754-7298](tel:425-754-7298) | F: [425-388-7044](tel:425-388-7044) | [jon.greninger@snoco.org](mailto:jon.greninger@snoco.org)

Follow us on [Facebook](#) | [Twitter](#)

**NOTICE:** All emails, and attachments, sent to and from Snohomish County, are public records and may be subject to disclosure pursuant to the Public Records Act (RCW 42.56)

**CONFIDENTIALITY STATEMENT:** This message may contain information that is protected by the attorney-client and/or work product privilege. If this message was sent to you in error, any use, disclosure or distribution of its contents is prohibited. If you receive this message in error, please contact me at the telephone number or e-mail address listed above and delete this message without printing, copying, or forwarding it. Thank you.



Attachment Z

**2023 Jan-June RRW Summary**

Snohomish County - Solid Waste Management

Sites : All  
Business Types : RRW  
Material Types : 19  
Orig Facilities : All  
Customer Accounts : All

For Period: Jan-01-2023 to Jun-30-2023

Material Stream : All  
Material Direction : All  
Dest Facilities : All

Material Type	Loads	Net Weight (ton)	Fees (\$)
<b>3800 (CEDAR GROVE COMPOSTING INC (RRW))</b>			
19 (Residual Reclamation Waste)	69.00	1,718.07	\$118,154.00
<b>3801 (UNITED RECYCLING COMPANY(RRW))</b>			
19 (Residual Reclamation Waste)	2.00	42.62	\$3,098.00
<b>3808 (DTG ENTERPRISES INC (RRW))</b>			
19 (Residual Reclamation Waste)	3,329.00	74,774.36	\$5,517,404.00
<b>Grand Totals :</b>	<b>3,400.00</b>	<b>76,535.05</b>	<b>\$5,638,656.00</b>

Displayed Fees include Base Fee plus Refuse Tax plus Sales Tax.

GEOWARE® Administration Application

Customer By Material Summary Report

Run Date: Apr-18-2024 09:28 AM

Run By: SPWTLB

Page 1 of 1

Attachment AA



STATE OF WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503  
P.O. Box 47250 • Olympia, Washington 98504-7250  
(360) 664-1160 • TTY 1-800-833-6384 or 711

August 19, 2024

Janusz Bajsarowicz  
DTG Enterprises, Inc.  
P.O. Box 14203  
Mill Creek, WA 98082

Re: Compliance investigation complaint

Dear Janusz Bajsarowicz:

The Washington Utilities and Transportation Commission believes that DTG Enterprises, Inc. (DTG) may be engaged in solid waste transportation services that require a certificate from the Commission. It is illegal to operate or advertise as a solid waste collection company in Washington without the required solid waste certificate from the Commission, and persons or entities doing so are subject to a penalty of \$1,000 for each violation of this law.

**What you need to do**

Please review the compliance investigation section of this letter and respond in writing to the following questions regarding loads incoming and outgoing, received at all Snohomish County, Washington DTG facilities, between January 1, 2023, and June 30, 2023. DTG's response is due by September 6, 2024:

1. How many total loads did DTG collect from outside sources?
  - a. What materials were intended for collection?
  - b. What items were collected?
  - c. What was the approximate total tonnage?
2. How many total loads did DTG receive from non-DTG persons or entities as part of DTG's operation of materials recovery facilities within Snohomish County?
  - a. What materials were intended for receipt?
  - b. What items were received?
  - c. What was the approximate total tonnage?
3. How many total loads were transported to Snohomish County DTG facilities from other DTG facilities outside Snohomish County?
  - a. What was the approximate total tonnage?

Respect. Professionalism. Integrity. Accountability.

Janusz Bajsarowicz  
DTG Enterprises, Inc.  
August 19, 2024  
Page 2

4. What was the intended destination of collected materials transported to DTG facilities in Snohomish County?
5. How many loads did DTG transport to a disposal facility?
  - a. What was the approximate total tonnage?
6. To which waste disposal facility or facilities did DTG transport residual waste?
7. What is DTG's estimated ratio(?) of solid waste to recycling for all collected source materials?
  - a. How was that number calculated or determined?

**Solid waste collection regulations**

Solid waste collection includes residential and commercial garbage, residential recycling, yard waste, and drop box service.

**Compliance investigation**

Commission Staff received a complaint that DTG is collecting and receiving commercial recycling with ongoing residual waste more than the allowable residual solid waste. The complaint alleges that DTG is collecting loads with high volumes of solid waste in recyclable containers, then disposing excessive residual waste at a solid waste transfer station or landfill on a more than occasional basis. DTG may be in violation of RCW 81.77.040 for collecting and transporting solid waste without a certificate.

**Solid Waste Certificate application**

To provide solid waste collection services, DTG must first submit a solid waste application. DTG cannot operate as a solid waste collection company until the Commission grants it a certificate of convenience and necessity authorizing such operations. An application is enclosed.

All applications are subject to public protest and your application must demonstrate that the incumbent solid waste collection company in your proposed service area is not providing the service that DTG will offer. The Commission only grants new certificates if the incumbent solid waste collection company is unfit, unwilling, or unable to provide the service.

Send your response to [kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov) or mail P.O. Box 47250, Olympia, WA 98504, if you have any questions.

Sincerely,

  
Digitally signed by  
Perkinson, Mathew (UTC)  
Date: 2024.08.15  
14:57:31 -07'00'

MATHEW PERKINSON  
Assistant Director, Transportation Safety

Attachment AB



Customer Focused. Planet Obsessed.

**BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

DTG is a committed recycler and is heavily investing in compliance, automation, digital tools including AI systems to ensure compliance with all Federal, State and Local regulations. We have reaffirmed our understanding and commitment to Snohomish county flow control as and have the support of the county in our recycling mission. DTG recently submitted applications for G certification and will continue to pursue all available licenses and permits to continue to expand our capability within Washington. DTG is a partner to the communities we serve.

In December 2022, United Recycling was acquired by DTG Recycle, which resulted in two different scale software systems used throughout the company. Integration between the two systems was not finalized until later in 2023. Data from early 2023 until system upgrades were completed is inadequate to provide detailed responses to some of your questions

**WUTC STAFF INFORMAL DATA REQUEST NO. 01:**

RE: Incoming and outgoing loads received at all Snohomish County, Washington DTG facilities between January 1, 2023 and June 30, 2023.

1. How many total loads did DTG collect from outside sources?
  - a. What materials were intended for collection?
  - b. What items were collected?
  - c. What was the approximate total tonnage?

**Response:**

1. DTG collected 16,837 loads from outside sources during this period.
  - a. DTG accepts the following materials: asphalt and concrete, cardboard, carpet, drywall, mattresses, plastics, roofing, Styrofoam, and wood wastes, in addition to organics materials.
  - b. The various materials we accept for recycling were accepted at our Snohomish County facilities during this time frame. Any materials that are not accepted follow our black bag disposal policies, and customers are charged an additional fee for items found in containers that are not asphalt

📍 22745 29th Dr. SE Suite 200 Bothell, WA 98021

📞 425.549.3000

🌐 dtgrecycle.com

Contractor ID: DTGENE1853RT



Customer Focused. Planet Obsessed.

- and concrete, cardboard, carpet, drywall, mattresses, plastics, roofing, Styrofoam, wood wastes, and organic materials.
- c. The approximate total tonnage of materials received from January through June 2023 at our Snohomish County facilities was 63,134 tons.

**WUTC STAFF INFORMAL DATA REQUEST NO. 02:**

2. How many loads did DTG receive from non-DTG persons or entities as part of DTG's operation of material recovery facilities within Snohomish County?
  - a. What materials were intended for receipt?
  - b. What items were received?
  - c. What was the approximate total tonnage?

**Response:**

2. DTG received 38,726 loads from non-DTG persons during this period.
  - a. DTG accepts the following materials: asphalt and concrete, cardboard, carpet, drywall, mattresses, plastics, roofing, Styrofoam, and wood wastes, in addition to organics materials.
  - b. The items received included: asphalt and concrete, cardboard, carpet, drywall, mattresses, plastics, roofing, Styrofoam, wood waste, and organic materials.
  - c. The approximate total tonnage was 110,766 tons.

**WUTC STAFF INFORMAL DATA REQUEST NO. 03:**

3. How many total loads were transported to Snohomish County DTG facilities from other DTG facilities outside Snohomish County?
  - a. What was the approximate total tonnage?

 22745 29th Dr. SE Suite 200 Bothell, WA 98021

 425.549.3000

 dtgrecycle.com

Contractor ID: DTGENE1853RT



Customer Focused. Planet Obsessed.

**Response:**

3. A total of 5,281 loads were transported to DTG Snohomish County facilities from other DTG facilities outside the County.
  - a. The approximate total tonnage was 12,998 tons.

**WUTC STAFF INFORMAL DATA REQUEST NO. 04:**

4. What was the intended destination of the collected materials transported to DTG facilities in Snohomish County?

**Response:**

4. Materials collected at our facilities is separated using various mechanical and manual sorting systems and is stored or processed further onsite for eventual recycling. Materials without a recyclable value of disposed as residual solid waste.

**WUTC STAFF INFORMAL DATA REQUEST NO. 05:**

5. How many loads did DTG transport to a disposal facility?
  - a. What was the approximate total tonnage?

 22745 29th Dr. SE Suite 200 Bothell, WA 98021

 425.549.3000

 dtgrecycle.com

Contractor ID: DTGENE1853RT



Customer Focused. Planet Obsessed.

**Response:**

5. DTG transported 3,389 loads to disposal facilities.
  - a. The approximate total tonnage was 73,279 tons.

**WUTC STAFF INFORMAL DATA REQUEST NO. 06:**

6. To which waste disposal facility or facilities did DTG transport residual waste?

**Response:**

6. Residual materials, after sorting/processing is completed at our facilities was disposed to Snohomish County Solid Waste.

**WUTC STAFF INFORMAL DATA REQUEST NO. 07:**

7. What is DTG's estimated ratio(?) of solid waste to recycling for all collected source materials?
  - a. How was the number calculated or determined?

📍 22745 29th Dr. SE Suite 200 Bothell, WA 98021

📞 425.549.3000

🌐 dtgrecycle.com

Contractor ID: DTGENE1853RT



Customer Focused. Planet Obsessed.

**Response:**

7. DTG accepts only recyclable materials and our policy is to receive only 90% or greater recyclable materials. We have a rigorous processes to ensure compliance with this policy. DTG has punitive fees for "black bag" or any MSW found mixed with recyclable material. The new ownership along with a new leadership team has invested heavily in staff to physically analyze all material received at our facilities, using photographic evidence to support fees and education of our customers, and we will soon be deploying additional educational videos through our new digital ordering platform.
  - a. The recycling ratios are generally calculated by dividing the tonnage of total exported materials for recycling by the total amount of material imported on a monthly basis.

Sincerely,

A handwritten signature in black ink, appearing to read "JB", written over a white background.

Janusz Bajsarowicz

Sr. Director of Compliance

T: 425.549.3000 | M: 425.508.7159

[jbajsarowicz@dtgrecycle.com](mailto:jbajsarowicz@dtgrecycle.com)

22745 29th Dr. SE Suite 200 Bothell, WA 98021

425.549.3000

[dtgrecycle.com](http://dtgrecycle.com)

Contractor ID: DTGENE1853RT