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BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

HAROLD LeMAY ENTERPRISES, INC.,
ET AL

Docket No. TS-040221

For an Extension of Certificate No.
G-98 for a Certificate of Public
Convenience and Necessity

.....
In re Application No. GA-079254 of

Docket No. TG-040248

KLEEN ENVIRONMENTAL
TECHNOLOGIES, INC.

For a Certificate of Public Convenience
and Necessity

.....
In re Application No. GA-079226 of

Docket No. TG-040553

RUBATINO REFUSE REMOVAL, INC.

For an Extension of Certificate No.
G-58 for a Certificate of Public
Convenience and Necessity to Operate
Motor Vehicles in Furnishing Solid
Waste Collection Service

**PROTESTANTS HAROLD LeMAY ENTERPRISES, RUBATINO REFUSE,
CONSOLIDATED DISPOSAL SERVICES AND WASHINGTON REFUSE AND
RECYCLING ASSOCIATION'S DESIGNATION OF REBUTTAL WITNESS**

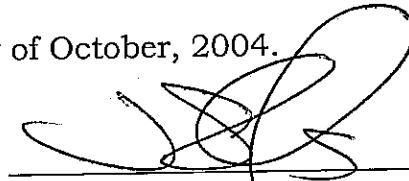
Protestants LeMay, Rubatino, Consolidated,
WRRR Designation of Rebuttal Witness - 1
Z:\SELL.S\LeMay\protestants HLM, Rubatino, Consolidated, WRRR Rebuttal Witness.doc 10.4.04

Ryan Sells Uptegraft, Inc. P.S.
9657 Levin Road N.W., Suite 240
Silverdale, WA 98383
360-307-8860 Fax 360-307-8865

1 COME NOW Protestants above named and designate their rebuttal
2 witness as follows:

3 **Rusty Cole:** Mr. Cole is the Operations Assistant Manager of
4 Land Recovery, Inc. He will testify that "LRI" has an autoclave but it is
5 only available for use by Harold LeMay Enterprises, Inc. and Waste
6 Connections, Inc., the two Pierce County haulers. Also, he has no
7 knowledge of LRI's having been contacted by Applicant regarding use of
8 the autoclave. Finally, LRI is a county facility and can only take Pierce
9 County waste, thus, could not accept medical waste generated outside
10 Pierce County. Mr. Cole will testify in person, if necessary, or, if
11 deemed appropriate, by letter.

12 Respectfully submitted this 4 day of October, 2004.



13 JAMES K. SELLS
14 WSBA No. 6040
15 Attorney for Protestants Harold LeMay
16 Enterprises, Rubatino Refuse Removal,
17 Consolidated Disposal Service and
18 Washington Refuse and Recycling Assoc.
19 RYAN SELLS UPTEGRAFT, INC. P.S.
20 9657 Levin Rd. NW, Suite 240
21 Silverdale, WA 98383
22 (360) 307-8860

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2 CERTIFICATE OF SERVICE

3 I hereby certify that on October 4, 2004, I caused to be served the
4 original and six (6) copies of the foregoing document to the following address
via first class mail, postage prepaid to:

5 Carole Washburn, WUTC Executive Secretary
6 Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W.
7 P.O. Box 47250
Olympia, WA 98504-7250

8 I certify I have also provided to the Washington Utilities and Transportation
9 Commission's Secretary an official electronic file containing the foregoing
document via email to: records@wutc.wa.gov

10 I certify I have electronically sent a PDF version of the foregoing document to:

11
12 Greg W. Haffner
Curran Mendoza, P.S.
13 555 W. Smith Street
PO Box 140
14 Kent, WA 98035-0140
Attorney for Kleen Environmental Technologies, Inc.
15 gwh@curranmendoza.com


16 Stephen B. Johnson
17 Garvey Schubert Barer
1191 - 2nd Ave., Floor 18
18 Seattle, WA 98101-2939
Attorney for Stericycle of Washington, Inc.
19 sjohnson@gsblaw.com

20 Gregory J. Trautman
Assistant Attorney General
21 1400 S. Evergreen Park Dr. SW
22 PO Box 40128
Olympia, WA 98504-0128
23 gtrautman@wutc.wa.gov

24 I swear under the penalty of perjury of the laws of the State of
25 Washington that the foregoing is true and correct.

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DATED and signed at Silverdale, Washington on October 4, 2004.


Cheryl L. Sinclair