



**Snohomish County**

**Public Works**

*Solid Waste*

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**Dave Somers**  
*County Executive*

Lisa Gafken  
Assistant Attorney General  
via e-mail: Lisa.gafken@atg.wa.gov

February 14, 2025

RE: Docket TG-240761

Dear Ms. Gafken:

Snohomish County, through the Solid Waste Division of its Public Works Department, has reviewed UTC docket TG-240761, concerning an investigation and action brought by the UTC against DTG. For the Attorney General's benefit, this letter provides some additional information, context, clarification, and explanation related to aspects of the investigation/action about which the County has particular knowledge and familiarity:

- In 2011, the Snohomish County Council enacted Snohomish County Code (SCC) Chapter 7.35.125 – Disposal of Solid Waste. The general intent of SCC 7.35.125 was and is to promote recycling in Snohomish County and establish some rules and expectations related to the operation of reclamation facilities in Snohomish County. The County strongly supports recycling as a strategy to reduce the waste stream and has an ongoing commitment to encourage the diversion of materials from landfills via recycling.
- Specifically, SCC 7.35.125(6) was targeted to allow residual waste from the reclamation process employed by operators of reclamation facilities in the County to be transported, in intermodal containers, directly to the Snohomish County-owned intermodal facility in North Everett.
- As an operator of a reclamation facility in Snohomish County and approved user of the County's Residual Reclamation Waste (RRW) program (which has been in operation for nearly thirteen years), DTG is currently authorized by Snohomish County to transport residual materials from their reclamation process directly to our intermodal facility. (For purposes of such transport, RRW program customers (including DTG) typically lease intermodal containers and hauling chassis from our intermodal services provider, Republic Services, Inc.).
- The Snohomish County Solid Waste fee schedule delineates separate rates for RRW program customers from regular MSW tipping fees, as the RRW program provides a route for RRW material to bypass transfer stations and RRW material is directly hauled to the intermodal facility instead--thus conserving transfer station resources (including staff time) and reducing facility maintenance needs.
- According to County records, as of 2023, during the approximate time of the UTC's investigation of DTG's practices at issue in UTC docket TG-240761, there were three RRW program customers:

| BUSINESS                          | Sum of LOADS | Sum of NET TONS |
|-----------------------------------|--------------|-----------------|
| CEDAR GROVE COMPOSTING INC. (RRW) | 69           | 1718.07         |
| DTG ENTERPRISES INC. (RRW)        | 3329         | 74774.36        |
| UNITED RECYCLING COMPANY (RRW)    | 2            | 42.62           |
| <b>TOTAL</b>                      | <b>3400</b>  | <b>76535.05</b> |

- This information was provided by DTG in Attachment Z of the UTC docket. (Note that DTG acquired United Recycling, so those metrics should be combined for a total of 3,331 loads for 74,816.98 tons of residual waste processed.)
- SCC 7.35.125(6) provides, “residual waste generated from a reclamation site where the processing of recyclable materials has occurred may be transported directly to an intermodal facility which is part of the Snohomish county solid waste disposal system only if the reclamation site complies with the following requirement: (a) The reclamation site is compliant with local, state and federal regulations.” In general, the County’s understanding has been that the Federal Railroad Administration (FRA) regulates commerce via rail, including the disposal of waste-by-rail. Based on this understanding, the County has observed and documented various common carriers delivering residual waste to the County’s Intermodal Facility since the creation of the RRW program in 2011 and believes that DTG and other companies who have participated in the County’s RRW program have transported this specific type of waste to the County’s Intermodal Facility in accordance with Snohomish County Code.
- The County’s RRW, flow control, and SCC solid waste related programs are delineated in multiple locations throughout the County’s Comprehensive Solid and Hazardous Waste Management Plan (approved by Department of Ecology).
- If there is a functional change to the current recycling program in connection or consistent with the UTC’s action against DTG, there likely would be a direct impact to the County’s solid waste system, both at the County collection facilities and at the County Intermodal Facility. Any significant change may require updates to the County’s Comprehensive Solid and Hazardous Waste Management Plan and Snohomish County Code.

It appears the parties have presented much information in UTC Docket TG-240761. While the County cannot directly address or comment upon issues outside the Snohomish County system, we are actively engaged with DTG on several aspects of RRW program implementation, including: acceptance of materials, reporting of information, handling of source separated materials, and provision of appropriate containers on project sites. With respect to the transport of residual waste materials to the County’s intermodal facility, in the County’s view DTG currently is operating within scope of the RRW program as it was designed.

Snohomish County would be happy to provide additional information as needed.

Sincerely



David Schonhard  
Solid Waste Director, Snohomish County Public Works

Copy:

Kelly Snyder, Director, Snohomish County Public Works  
Jon Greninger, Solid Waste Operations Manager, Snohomish County Public Works  
Kathryn McPherson, Passenger Carrier Compliance Investigator, UTC