

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF  
WASHINGTON, INC., WASTE  
MANAGEMENT DISPOSAL SERVICES OF  
OREGON, INC., AND MJ TRUCKING &  
CONTRACTING,

Respondents.

DOCKET TG-200650 and  
TG-200651 (*Consolidated*)

**DECLARATION OF JUSTIN  
WHEELER IN SUPPORT OF  
RESPONDENTS' MOTION FOR  
SUMMARY JUDGMENT**

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MURREY'S DISPOSAL COMPANY, INC.,

Complainant,

v.

WASTE MANAGEMENT OF  
WASHINGTON, INC., WASTE  
MANAGEMENT DISPOSAL SERVICES OF  
OREGON, INC., AND DANIEL ANDERSON  
TRUCKING AND EXCAVATION, LLC,

Respondents.

I, Justin Wheeler, hereby declare:

1. I am over the age of 18 and make this declaration based on personal knowledge.
2. I am the Manager of Transportation & Logistics at Waste Management of Washington, Inc. ("WMW"). I have worked for WMW for approximately 3.5 years.
3. Waste Management Disposal Services of Oregon, Inc. ("WMDSO") provides solid waste disposal services and contracts with third parties to collect and transport solid waste to provide these services.
4. In 2010, Atlas Trucking, Inc. began hauling containerized solid waste from Nippon Paper Industries, USA (which is now the McKinley Paper Company ("McKinley Paper"))

facility) via motor carrier to the Olympic View Transfer Station (“OVTS”), where Waste Management of Washington, Inc. transloaded the containers to Union Pacific Rail Road (“UPRR”) trains for delivery to the Columbia Ridge Landfill.

5. WMDSO and UPRR have a prior-existing agreement by which UPRR transports intermodal containers of solid waste to the Columbia Ridge Landfill in Arlington, Oregon. All intermodal containers holding OCC Rejects generated by the Port Townsend Paper Company or McKinley Paper and delivered to OVTS or North Mason Fiber Co. are transported by the UPRR under this agreement.

6. WMDSO and UPRR have a prior-existing agreement by which UPRR loads the intermodal containers of solid waste from the Argo Yard to the Columbia Ridge Landfill. All intermodal containers holding OCC Rejects generated by McKinley Paper and delivered to the Argo Yard are transported by UPRR under this agreement.

I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct.

EXECUTED this 15th day of March 2021 in Seattle, Washington.

Justin Wheeler 

## CERTIFICATE OF SERVICE

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

<p><i>Attorneys for Complainant Murrey's Disposal Co., Inc.</i></p> <p>Blair I. Fassburg, WSBA #41207 David W. Wiley, WSBA #08614 Sean D. Leake, WSBA #52658 WILLIAMS, KASTNER &amp; GIBBS PLLC 601 Union Street, Suite 4100 Seattle, WA 98101-2380 Legal Asst: Maggi Gruber <a href="mailto:dwiley@williamskastner.com">dwiley@williamskastner.com</a> <a href="mailto:bfassburg@williamskastner.com">bfassburg@williamskastner.com</a> <a href="mailto:sleake@williamskastner.com">sleake@williamskastner.com</a> <a href="mailto:mgruber@williamskastner.com">mgruber@williamskastner.com</a></p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email</p>
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DATED this 16th day of March, 2021.



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