



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

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March 3, 2021

Mark L. Johnson Executive Director and Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
Olympia, Washington 98504-7250

RE: *Washington Utilities and Transportation Commission v. Jeffery K. Cummins d/b/a
Community Waste & Recycling*
Commission Staff's Recommendation to Impose Suspended Penalties of Order 01
Docket TG-180957

Dear Mr. Johnson:

On February 4, 2019, the Washington Utilities and Transportation Commission (commission) entered Order 01, Granting Mitigation, in Part, Imposing and Suspending Penalty (Order 01), in Docket TV-190111. Order 01 granted, in part, Jeffery K. Cummins d/b/a Community Waste & Recycling's (Community Waste or Company) request for mitigation, assessed a reduced penalty of \$3,050, and suspended a \$2,050 portion of the reduced penalty for a period of two years, subject to the following conditions:

- (1) Community Waste must pay the \$1,000 portion of the penalty that is not suspended;
- (2) The Company may not incur any repeat violations of critical regulations; and
- (3) Commission staff (staff) must conduct a follow-up safety investigation in two years, or as soon thereafter as practicable to review the Company's safety management process.

On February 8, 2019, Community Waste paid the \$1,000 non-suspended portion of the penalty in full.

On February 25, 2021, staff completed the follow-up safety investigation of Community Waste and identified a repeat violation of critical regulations. The Company failed to have its commercial motor vehicle periodically inspected.

Staff finds that Community Waste failed to satisfy each requirement of Order 01 by incurring a repeat violation of critical regulations and recommends that the \$2,050 suspended penalty be imposed.

Mark L. Johnson

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If you have any questions, please contact Jason Sharp, Motor Carrier Safety Supervisor, Transportation Safety, at Jason.Sharp@utc.wa.gov or (360) 701-1603.

Sincerely,



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Mathew Perkinson

Assistant Director, Transportation Safety