

BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION

In Re Application of Waste
Management of Washington,
Inc. d/b/a WM Healthcare
Solutions of Washington

Docket TG-120033

Exhibit No. _____ (MG-1T)

PREFILED TESTIMONY OF MARK
GINGRICH AND EXHIBITS OF
MURREY'S DISPOSAL CO., INC.

SUMMARY OF TESTIMONY

Mark Gingrich, Operations Manager of Murrey's Disposal Co., Inc. Mr. Gingrich will testify that Murrey's holds Washington Utilities and Transportation Commission Permit G-9 which covers territory primarily in East Pierce County, and that Murrey's provides medical waste service within its certificated territory and competes for biomedical waste generator customers with Stericycle, and that entry of a third provider into this market would cause further diminution of the customer base which would be detrimental to Murrey's continued ability to provide medical waste service.

TESTIMONY (WITNESS MARK GINGRICH)

Q. State your name and employment.

A. Mark Gingrich, Operations Manager with Murrey's Disposal Co., Inc., located at 3600 Port of Tacoma Road, Suite 505, Tacoma, WA, 98424.

1 **Q. Are you authorized to testify on behalf of Murrey's in this**
2 **matter?**

3 A. Yes.

4 **Q. What is the business of Murrey's?**

5 A. We are a solid waste collection and recycling company

6
7 **Q. What is your business structure?**

8 A. We are a corporation which is a wholly-owned subsidiary of Waste
9 Connections, Inc.

10 **Q. Does Murrey's hold a Certificate of Public Convenience and**
11 **Necessity from the Washington Utilities and Transportation**
12 **Commission?**

13 A. Yes, G-9.

14 **Q. Is Ex. MG-2 a true copy of that Certificate?**

15 A. Yes.

16
17 **Q. In addition to conventional solid waste collection, does**
18 **Murrey's provide medical waste service within the entire area of the**
19 **Certificate?**

20 A. Yes.

21 **Q. In general terms, where is that territory?**

22 A. Eastern and southeastern Pierce County.

23 **Q. Is the medical waste portion of Murrey's under your**
24 **operational supervision?**

25 A. Yes.

1 **Q. Are you familiar with the rules and regulations of the WUTC**
2 **regarding medical waste collection and transportation?**

3 A. Generally, yes.

4 **Q. Do you have equipment dedicated to medical waste service?**

5 A. Yes, a company-owned 2009 Ford F-350 for local collection; and
6 we rent a larger truck for transportation from our facility to disposal.

7
8 **Q. Do inspectors from the Pierce County Health Department**
9 **review your overall operations with County Ordinances governing solid**
10 **waste handling operations?**

11 A. Yes, we have inspectors on-site at our location in Fife
12 approximately once a month who also routinely inspect our biomedical waste
13 operations for compliance.

14 **Q. Are both vehicles in compliance with WUTC requirements for**
15 **transportation of medical waste?**

16 A. Yes.

17 **Q. Do you have drivers assigned to medical waste?**

18 A. Yes, one driver, Darrell Brown is the primary person, with John
19 Mahon as back-up.

20 **Q. Have they both received required training as drivers for**
21 **medical waste collection, handling and transportation?**

22 A. Yes.

23 **Q. Which disposal facility do you use?**

24 A. We store the material in a refrigerated and secure container at
25 our facility. It is then transported for incineration at the Marion County WTE
26

1 facility in Brooks, Oregon. We make an average of about 13 trips to Brooks
2 yearly.

3
4 **Q. Do you provide boxes, liners and bags to customers, and are
they in compliance with all applicable laws and rules?**

5 A. We do, and they are.

6
7 **Q. Do you advertise this service?**

8 A. Yes, in both the Puyallup and Tacoma Yellow Pages.

9
10 **Q. Has Murrey's received any citations or other notice of
regulatory non-compliance relating to medical waste within the last
11 year?**

12 A. No.

13
14 **Q. Have you directed the financial staff at Murrey's to provide a
summary of revenue and expenses for your medical waste program, and
15 is Ex. MG-3 a true copy of that summary?**

16 A. I did, and it is.

17
18 **Q. Was it prepared under your direction and from regularly kept
business records of Murrey's?**

19 A. Yes and with assistance from Irmgard Wilcox, our Senior Pricing
20 Manager.

21
22 **Q. Does it accurately reflect the current situation?**

23 A. Yes, it covers the 12-month period ending December 31, 2011.

24 **Q. How many medical waste customers do you have?**

1 A. It varies somewhat, as we have some "on call" customers who
2 have infrequent need for unscheduled service. Currently though, I would
3 estimate we have approximately 86 customers.

4 **Q. If the need arises, can you serve additional customers?**

5 A. Yes, we can and will provide medical waste service to any facility
6 within our territory that requires it and obviously have capacity to collect and
7 transport additional volume for existing or new customers.

8 **Q. Does Murrey's have the financial ability to acquire additional
9 equipment and/or personnel to provide medical waste service?**

10 A. Yes.

11 **Q. Why is Murrey's protesting this application?**

12 A. There are already two medical waste companies with WUTC
13 authority in our area, Murrey's and Stericycle. The addition of a third
14 provider would further dilute the market, which most likely would lead to
15 price competition with regular tariff revisions becoming necessary to compete.
16 Generators in our area now have a choice between two providers, both of
17 whom seem to be providing service to the satisfaction of the WUTC. There is
18 no need for a third provider in my opinion.

19 **Q. Does that complete your testimony?**

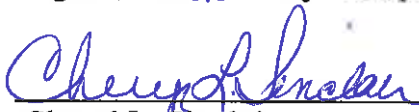
20 A. Yes it does.

CERTIFICATE OF SERVICE

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

Washington Utilities and Transportation Commission 1300 S. Evergreen Park Dr. SW PO Box 47250 Olympia, WA 98504-7250 360.664.1160 records@utc.wa.gov	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input checked="" type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email
Fronda Woods 1400 S. Evergreen Park Dr. SW PO Box 40128 Olympia, WA 98504-0218 <u>fwoods@utc.wa.gov</u> <u>BDeMarco@utc.wa.gov</u>	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email
Administrative Law Judge Gregory Kopta <u>gkopta@utc.wa.gov</u>	<input checked="" type="checkbox"/> Via Email
Jessica Goldman Polly L. McNeill Summit Law Group 315 - Fifth Avenue S. Suite 1000 Seattle, Washington 98101-2939 <u>jessicag@summitlaw.com</u> <u>pollym@summitlaw.com</u> <u>kathym@summitlaw.com</u> <u>deannas@summitlaw.com</u>	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email
Stephen B. Johnson Jared Van Kirk Garvey Schubert Barer 1191 Second Avenue Suite 1800 Seattle, WA 98101 <u>sjohnson@gsblaw.com</u> <u>jvankirk@gsblaw.com</u> <u>dbarrientes@gsblaw.com</u> <u>vowen@gsblaw.com</u>	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> Via Facsimile <input type="checkbox"/> Via U.S. Mail <input checked="" type="checkbox"/> Via Email

DATED at Silverdale, Washington, this 28th day of September 2012.


Cheryl L. Sinclair

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION

1300 S EVERGREEN PARK DRIVE SW, PO BOX 47250

OLYMPIA, WA 98504-7250

(360) 664-1222

This certificate authorizes the following operations under the provisions of RCW Title 81:

**MURREY'S DISPOSAL COMPANY, INC.
d/b/a OLYMPIC DISPOSAL
PO BOX 399
PUYALLUP, WA 98371**

**Cert. No.
G-9**

PID5 SOLID WASTE COLLECTION SERVICE In that portion of Pierce County described as follows: Beginning in Section 30, Township 21 North, Range 4 E.W.M. at the point of intersection of the northeast Tacoma city limits and the Pierce County-King County line; thence south along the Tacoma city limits as they exist on April 1, 1974, to the intersection of the said Tacoma city limits with 72nd Street East; thence east on the centerline of 72nd Street East to Waller Road; thence south on the centerline of Waller Road to 112th Street; thence east along centerline on 112th Street to Meridian; thence south on the centerline of Meridian to the Kapowsin Highway; thence east on the centerline of the Kapowsin Highway to its intersection with Electron County Road; thence east along the centerline of Electron County Road to the southwest corner of Section 33 Township 18 North, Range 5 E.W.M.; thence continuing east along the centerline of the Section line between Township 17 North and 18 North, to its intersection with the East boundary line of Mt. Rainier National Park; thence south along said boundary to its intersection with the Pierce County-Yakima County boundary line; thence north along the Pierce County-Yakima County boundary to the intersection of the Pierce County-Yakima County-Kittitas County-King County line; thence west along said line to its intersection with the northeast boundary of the City of Tacoma, situated in Section 30, Township 21 North, Range 4 E.W.M. the point of beginning.

PID6 Also in that portion of Pierce County described as follows: Starting at the point where the N.E. corporate limits of Tacoma intersects with the shoreline of Commencement Bay in Section 21, T. 21 N., R. 3 E.; thence following said shoreline in a clockwise direction to the point of intersection with the King-Pierce County line; thence southeasterly on said county line to the corporate limits of Tacoma (south line of Section 14, T. 21 N., R. 3 E.); thence following said corporate limits westerly in a counter-clockwise direction to the point of intersection with the shoreline of Commencement Bay in Section 21, T. 21 N., R. 3 E., the place of beginning.

**WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION**



By _____

Murrey's Disposal Co., Inc. G-9
 Bio-medical Waste
 12-Months ended 12-31-2011

	IS
Revenue:	
31300 Bio-medical Waste	\$120,087
Expenses:	
41300 Shop Expenses	842
41600 Tires & Tubes	265
42400 Fuel & Oil	5,875
42100 Wages Supervisor	1,015
42300 Wages Driver	25,433
42800 Other Collection Exp	18,448
43610 Incineration Charges	7,378
44300 WUTC Fee	513
44500 Advertising	1,596
45300 Public Liability	213
45400 Workmen's Comp	1,460
46100 Management Fees	4,203
46130 Salaries Office	2,754
46200 Billing Costs	598
46210 Other Office Expenses	518
46500 Employee Welfare	7,130
46510 Pension	500
46920 Utilities	900
50200 Depr Coll Equipment	5,121
52030 State Excise Tax	2,162
52200 Vehicle License	101
52400 Payroll Taxes	1,946
Total Expenses	\$88,970
Net Operating Income	\$31,117
Operating Ratio	74.09%
Net Average Investment	\$27,656