

TG-021715



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WASH. UT. & TP. COMM.

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE TO OPERATE AS A SOLID WASTE COLLECTION COMPANY UNDER CHAPTER 81.77 RCW

1300 South Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

TOLL FREE 1-888-606-9566 PHONE 360-664-1222
FAX 360-586-1181 or 360-586-1118
TTY 360-586-8203 TTY TOLL FREE 1-887-210-5963
WEBSITE: www.wutc.wa.gov

The UTC has a policy of providing equal access to its services. If you need special accommodations, please call 360-664-1133.

Table with 2 columns: Type of Solid Waste Authority Requested, Fee Required. Rows include Expedited Temporary Authority (\$25), Temporary Authority (\$25), New Permanent Authority (\$200), Permanent Authority to Transfer (\$200), Reinstatement of Cancelled Certificate (\$200), Name Change (\$35), Mortgage of Certificate (\$35), Lease of Authority (\$200).

SECTION 1 - APPLICATION INFORMATION

✓ 008903

Name of Applicant: William D. Hearn
Trade Name(s) (if applicable): Bingen Garbage Service
Phone Number: (800) 622-1096 Fax Number: (509) 493-9292 E-Mail:
Business Address: Street 240 Northwest Loop Road City White Salmon State/Zip Wash. 98672
Mailing address (if different from Business Address): Street PO Box 6 City Bingen State/Zip Wash. 98606

FOR OFFICIAL USE ONLY

Table with 4 columns: Date Filed, Staff Assigned, Motcar, Permit Issued, Tariff, Insurance, Contract, DOL/SOS, Application, RMS Docket #, Related App ID, Map, Text approved for docket, Reception #, 227-02, 032-05.

SECTION 2 - BUSINESS INFORMATION

Type of business structure:

Individual Partnership Corporation Other(LP, LLP, LLC) _____ UBI No. 600348448

List the name, title, and percentage of partner's share or stock distribution for major stockholders:

<u>Name</u>	<u>Title</u>	<u>Stock Distribution or Percentage of Shares</u>
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Indicate below the commodity to be hauled and the territory in which you wish to operate. **PLEASE NOTE** Territory must be described using boundaries such as streets, avenues, roads, highways, townships, ranges, city limits, county boundaries or other geographic descriptions. In addition to describing the territory, you must file a map that meets the requirements of WAC 480-70-056 and clearly shows the described territory.

This application is intended to remove restrictive language that limits our service territory. We are requesting removal of the following language from our permit: "ALSO, garbage and refuse disposal in conjunction with Certificate No. G-51 to Klickitat County Landfill located in Klickitat Co. and to Stevenson transfer station and Mt. Pleasant transfer station located in Skamania County. THIS PORTION OF AUTHORITY SHALL NOT AUTHORIZE ANY PICKUPS IN THESE AREAS, BUT SHALL BE LIMITED TO DISPOSAL ONLY. State below the conditions that justify the granting of this application. If you are applying for temporary certificate authority, be sure your statement addresses and supports the question of "immediate and urgent need."

This application is needed because the disposal sites listed on our permit have changed or no longer exist.

Do you currently hold, or have you ever held, a solid waste certificate?

No Yes If yes, please indicate your certificate number: G- 48&51

Have you ever applied for and been denied a certificate to transport solid waste?

No Yes If yes, please explain: _____

Please tell us about your experience and knowledge of transportation or solid waste, including motor carrier driver and equipment safety requirements. Mr. Hearn has owned and operated two solid waste

disposal companies for 25 years. They are: William D. Hearn d/b/a Bingen Garbage Service and Skamania County Sanitary Service, Inc. G-48.

Have you been cited for violation of state laws or Commission rules?

No Yes If yes, please explain: _____

SECTION 3 – RATES AND TARIFFS

Is this application to operate under a contract?

No Yes If yes, submit the original or a duplicate original of each contract under which service will be performed. The contract must contain all the elements stated in WAC 480-70-146.

If this application is for temporary authority, a new certificate, or extension of existing certificated authority, you must attach two copies of your proposed tariff using either the standard tariff format included in this package, or an approved alternate format. All tariffs submitted must comply with the provisions of WAC 480-70-226 through WAC 480-70-351.

If this application is a transfer or a lease of authority from an existing certificate, you must either file a new tariff at the same rate levels as on file, or you must adopt the current certificate holder's tariff. To file a new tariff, use the standard tariff format attached to this application or an approved alternate format. Indicate which option you will use:

- ~~XXXXXX~~ Currently filed tariff rates will apply.
 File a new tariff

SECTION 4 – FINANCIAL STATEMENT

You may attach a Balance Sheet, Profit and Loss Statement, or business plan if available.

ASSETS		LIABILITIES	
Cash in Bank	\$ 8,537	Salaries/Wages Payable	\$
Notes Receivable	\$ 27,726	Accounts Payable	\$ 18,309
Accounts Receivable	\$ 5,000	Notes Payable	\$ 38,000
Investments	\$	Mortgages Payable	\$
Other Current Assets	\$	Contracts and Bonds Payable	\$ 87,043
Prepaid Expenses	\$ 1,573	TOTAL LIABILITIES	\$ 143,352
Land and Buildings	\$	NET WORTH	
Trucks and Trailers	\$	Preferred Stock	\$
Office Furniture	\$ 2,035	Common Stock	\$
Other Equipment	\$ 53,331	Retained Earnings	\$
Other Assets	\$ 17,500	Capital	\$ (27,650)
TOTAL ASSETS	\$ 115,702	TOTAL LIABILITIES AND NET WORTH	\$ 115,702

SECTION 5 – EQUIPMENT LIST

Describe the equipment that will be used (attach additional sheets if necessary). Vehicles must pass inspection and be issued a valid Commercial Vehicle Safety Alliance inspection decal before your application will be granted.

Year	Make	License Number	Vehicle ID Number	Gross Vehicle Weight	Type of vehicle
1973	White	UC 6258	R44244W18727	46,000	Roll-Off Truck
1971	White	20876L	BF002HA736021	46,000	Roll-Off Truck
1991	Int'l	94853T	1HTSDNGN9MH306684	38,000	Packer Truck
1990	Int'l	47035U	2HSPHAGR1LCO40847	46,000	Roll-Off Truck
1992	Int'l	52057U	2HSFHEBRXNCO58121	46,000	Packer Truck
1995	Volvo	96861X	4V52CFHD1SR474032	46,000	Packer Truck
1987	White	A46546N	1WUEDEJF6HN119303	46,000	Roll-Off Truck

SECTION 6 – SAFETY AND OPERATIONS

In each of the categories show below, list the person and position responsible for understanding and complying with the Federal Motor Carrier Safety Regulations (FMCSR) and Washington State laws and rules. Please refer to the WAC rules, Fact Sheets, and publication "Your Guide to Achieving a Satisfactory Safety Rating" for assistance with requirements that may apply to your specific operations.

SAFETY RESPONSIBILITIES

COMMERCIAL DRIVERS LICENSE (CDL) REQUIREMENTS (Title 49, Code of Federal Regulations Part 383) Any driver who operates a vehicle that meets the definition of a commercial motor vehicle, as defined in Part 383, must have a valid CDL.

Name: William D. Hearn	Position: Owner
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DRIVER QUALIFICATION REQUIREMENTS (Title 49, Code of Federal Regulations Part 391) Driver's must meet minimum qualification requirements and each company must maintain driver qualification files for each driver.

Name: William D. Hearn	Position: Owner
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DRIVERS HOURS OF SERVICE (Title 49, Code of Federal Regulations Part 395) Drivers must maintain logs and each company must maintain true and accurate hours of service records for each driver.

Name: William D. Hearn	Position: Owner
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CONTROLLED SUBSTANCES AND ALCOHOL TESTING (Part 382) All persons who drive commercial vehicles requiring a CDL must be in a Controlled Substance and Alcohol Testing program that complies with the FMCSR in 49 CFR Part 382 and 49 CFR Part 40.

Each company will have in place a system for complying with FMCSR governing alcohol and controlled substances testing requirements (49 CFR Part 382 and 49 CFR Part 40).

Name: William D. Hearn	Position: Owner
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INSPECTION, REPAIR AND MAINTENANCE (Title 49, Code of Federal Regulations Part 396) Every motor carrier shall systematically inspect, repair, and maintain all motor vehicles subject to its control.

Name: William D. Hearn	Position: Owner
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OPERATIONAL RESPONSIBILITIES

List the person and/or position responsible for understanding and complying with the requirements of each category shown below.

TARIFF RATES AND CHARGES (WAC 480-70-226 through WAC 480-70-351) Companies must file with the Commission a tariff showing all rates and charges it will charge its customers, together with rules that govern how rates and charges will be assessed.

Name: William D. Hearn	Position: Owner
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ANNUAL REPORTS and REGULATORY FEES (WAC 480-70-071 & 076) Companies must annually file a report of their financial operations and pay regulatory fees.

Name: William D. Hearn	Position: Owner
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BIOMEDICAL WASTE (WAC 480-70-426 through 476) Companies that transport biomedical waste must handle and transport that waste according to the appropriate requirements of the federal hazardous materials regulations (49 CFR Parts 170-189) and the additional requirements in these rules.

Name: Not applicable	Position:
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CUSTOMER SERVICE –Person responsible for customer service complaints, customer notice requirements, and compliance with county solid waste plans.

Name: William D. Hearn	Position: Owner
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STATE OF WASHINGTON – general laws, rules and regulations: Individuals and companies doing business in the state of Washington must comply with the regulations of local, state, and federal agencies. Please state the name and position of the person in your organization who will be responsible for ensuring compliance with the laws of the state of Washington, such as, but not limited to: Department of Labor and Industries (industrial insurance, safety, prevailing wage); Department of Licensing (vehicle and drivers licenses, business licensing, Unified Business Identifier (UBI number), fuel permits, fuel tax); Secretary of State (corporate registrations); Department of Transportation (over-size or over-weight permits); Department of Revenue and Internal Revenue Service (taxes); and Employment Security.

Name: William D. Hearn	Position: Owner
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SECTION 7 – HEARING INFORMATION

If the Commission assigns this application for formal hearing, estimate the number of witnesses you will present and the amount of time you will need for your presentation. 2 One hour each.

Number of witnesses: 2	Amount of time: One hour each
Will an attorney be representing you? If yes, complete the following:	
Attorney's name:	Attorney's phone number:
Attorney's address:	Fax Number:
Street	E-mail:
City, State, Zip	

TYPE OF PAYMENT:

<input type="checkbox"/> Check	<input type="checkbox"/> Money Order	<input type="checkbox"/> AMEX	<input type="checkbox"/> Discover	<input type="checkbox"/> MasterCard	<input checked="" type="checkbox"/> Visa
Credit Card Information:					
Expiration Date: <u>08/04</u>					Amount: <u>\$200.00</u>

SECTION 8 - DECLARATION OF APPLICANT:

V-008903

I understand that filing this application **does not** in itself constitute authority to operate as a solid waste collection company.

As the applicant for a solid waste collection company certificate, I understand the responsibilities of a solid waste collection company, and I am in compliance with all local, state, and federal regulations governing business in the state of Washington.

I certify under penalty of perjury under the laws of the State of Washington that the information contained in this application is true and correct.

I certify that I am authorized to execute and file this document.

Printed name of applicant: William D. Hearn

Signature of Applicant: *William D. Hearn*

Date, County, State: 12-23-02 Klickitat, Washington

HEARN, WILLIAM D.
d/b/a BINGEN GARBAGE SERVICE
240 N. LOOP ROAD
WHITE SALMON, WA 98672

PERMIT NO.
G-51
D-2

THIS CERTIFICATE SUBJECT TO MORTGAGE IN FAVOR OF THE COLUMBIA RIVER BANK AS SECURITY FOR A PROMISSORY NOTE IN THE PRINCIPAL AMOUNT OF \$201,000 AUTHORIZED BY THE COMMISSION ORDER TG-991402 DATED April 24, 2002.

GARBAGE AND REFUSE COLLECTION SERVICE in that portion of Skamania County described as follows: Beginning at the point of intersection of the White Salmon River, the Columbia River, the Skamania County and Klickitat County line, Section 23, T. 3 N., R. 10 E.; thence west along the Skamania County south line to the extension of west line of Section 27, T. 3 N., R. 9 E.; thence north along said west line to the northwest corner of Section 3, T. 4 N., R. 9 E.; thence east along the north line of said Section 3 to the northeast corner of Section 1, T. 4 N., R. 9 E., and the Skamania-Klickitat County line; thence south along the east line of said Section 1 and the Skamania-Klickitat County line to the northwest corner of Section 6, T. 3 N., R. 10 E.; thence east along the north line of Section 6 and the Skamania-Klickitat County line to the center line of the White Salmon River and the Skamania-Klickitat County line, Section 2, T. 3 N., R. 10 E.; thence southerly along the Skamania-Klickitat County line and the center line of the White Salmon River to the Columbia River and the point of beginning.

ALSO, in Bingen, Lyle and Dallesport in Klickitat County and territory surrounding Dallesport described as follows: Starting at the point where the east line of Section 18, T. 2 N., R. 14 E. intersects with the north bank of the Columbia River; thence westerly following said river bank to the point where it intersects with the north line of Section 12, T. 2 N., R. 12 E.; thence east on the north line of said section projected to the northeast corner of Section 7, T. 2 N., R. 14 E.; thence south on the east line of said section projected to the north bank of the Columbia River, the place of beginning.

ALSO, garbage and refuse disposal in conjunction with Certificate No. G-51 to Klickitat County landfill located in Klickitat County and to Stevenson transfer station and Mt. Pleasant transfer station located in Skamania County. THIS PORTION OF AUTHORITY SHALL NOT AUTHORIZE ANY PICK UPS IN THESE AREAS, BUT SHALL BE LIMITED TO DISPOSAL ONLY.

TG No. 991402

04-24-2002

GA-79124 is an application for extension of Certificate No. G-51 to remove the following restrictive language:

Garbage and refuse disposal in conjunction with Certificate No. G-51 to Klickitat County landfill located in Klickitat County and to Stevenson transfer station and Mt. Pleasant transfer station located in Skamania County. THIS PORTION OF AUTHORITY SHALL NOT AUTHORIZE ANY PICK UPS IN THESE AREAS, BUT SHALL BE LIMITED TO DISPOSAL ONLY.

Note: This carrier currently holds the following authority:

THIS CERTIFICATE SUBJECT TO MORTGAGE IN FAVOR OF THE COLUMBIA RIVER BANK AS SECURITY FOR A PROMISSORY NOTE IN THE PRINCIPAL AMOUNT OF \$201,000 AUTHORIZED BY COMMISSION ORDER TG-991402 DATED APRIL 24, 2002.

GARBAGE AND REFUSE COLLECTION SERVICE in that portion of Skamania County described as follows: Beginning at the point of intersection of the White Salmon River, the Columbia River, the Skamania County and Klickitat County line, Section 23, T. 3 N., R. 10 E.; thence west along the Skamania County south line to the extension of west line of Section 27, T. 3 N., R. 9 E.; thence north along said west line to the northwest corner of Section 3, T. 4 N., R. 9 E.; thence east along the north line of said Section 3 to the northeast corner of Section 1, T. 4 N., R. 9 E., and the Skamania-Klickitat County line; thence south along the east line of said Section 1 and the Skamania-Klickitat County line to the northwest corner of Section 6, T. 3 N., R. 10 E.; thence east along the north line of Section 6 and the Skamania-Klickitat County line to the center line of the White Salmon River and the Skamania-Klickitat County line, Section 2, T. 3 N., R. 10 E.; thence southerly along the Skamania-Klickitat County line and the center line of the White Salmon River to the Columbia River and the point of beginning.

ALSO, in Bingen, Lyle and Dallesport in Klickitat County and territory surrounding Dallesport described as follows: Starting at the point where the east line of Section 18, T. 2 N., R. 14 E. intersects with the north bank of the Columbia River; thence westerly following said river bank to the point where it intersects with the north line of Section 12, T. 2 N., R. 12 E.; thence east on the north line of said section projected to the northeast corner of Section 7, T. 2 N., R. 14 E.; thence south on the east line of said section projected to the north bank of the Columbia River, the place of beginning.

ALSO, garbage and refuse disposal in conjunction with Certificate No. G-51 to Klickitat County landfill located in Klickitat County and to Stevenson transfer station and Mt.

Pleasant transfer station located in Skamania County. THIS PORTION OF AUTHORITY SHALL NOT AUTHORIZE ANY PICK UPS IN THESE AREAS, BUT SHALL BE LIMITED TO DISPOSAL ONLY.