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**From:** Jammie Scott  
**Sent:** Monday, January 31, 2022 12:57 PM  
**To:** Blancaflor, Dawn; Wilhelm, Brian  
**Cc:** Butkus, Paul; Thorne, Kurt; Owen Scott  
**Subject:** RE: Regulations for exemption on solid waste carrier

Good afternoon Dawn as far as I know this was the last correspondence from BDI

**From:** Richard Dietrich <[richardd@basindisposal.com](mailto:richardd@basindisposal.com)>  
**Sent:** Monday, January 17, 2022 10:13 AM  
**To:** Owen Scott <[owen@jammiesenviro.com](mailto:owen@jammiesenviro.com)>  
**Subject:** OCC rejects

Subject: PCA's OCC Rejects and state law

Mr. Scott,

I am writing to you following Basin Disposal Inc.'s ("BDI") recent discussions with Packaging Company of America ("PCA") about PCA's disposal of OCC Rejects generated by its Wallula, Washington mill. It is our understanding that Jammie's Environmental Inc. ("Jammie's") has contracted with PCA and is collecting and transporting the mill's OCC Rejects to a landfill for disposal.

You may not have been aware, but Washington state law requires that a company hold a certificate from the Washington Utilities and Transportation Commission ("WUTC") before it may provide solid waste collection service. RCW 81.77.040. Solid waste collection includes collection and transportation for disposal of solid waste for compensation. WAC 480-70-041. Thus, the service provided by Jammie's to PCA is clearly prohibited under state law.

The WUTC recently heard a complaint regarding the unauthorized hauling of OCC Rejects from other paper mills in the State and concluded that this service requires a Commission-issued certificate. *See Murreys Disposal Co., Inc., v. Waste Mgmt. of Wash., Inc. et al*, Dkts. TG-200650 and TG-200651 (Consolidated), Order 06 , (May 3, 2021). In another recent complaint proceeding, the WUTC levied significant fines against a company that violated state law by operating as a solid waste collection company without the requisite authority. *See, e.g., In re Cascade Recycling, Inc.*, Dkt. TG-210102, Order 02 (Dec. 16, 2021).

Basin Disposal, Inc. ("BDI") is the only company authorized to provide solid waste collection service in the portion of Walla Walla County where the PCA mill is located and its rights are violated by Jammie's continued unlawful service. However, rather than pursue a complaint against Jammie's at the WUTC, BDI is simply interested in commencing service at PCA and bringing Jammie's into compliance with the law. We expect that once you review the relevant laws cited above you will agree. Consequently, we will continue communicating with PCA to coordinate the commencement of service by BDI and expect Jammie's to cease all solid waste collection and transportation services within 30 days of the date of this email. If Jammie's does not comply to cease solid waste collection within 30 days we reserve the right to pursue additional legal remedies.

Please confirm by no later than January 24, 2022 that Jammie's will comply with state law and work with BDI to ensure a seamless transition as BDI commences service at PCA. We look forward to your response.

Best regards,

**Richard Dietrich**

**Director of Maintenance**

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Pasco, WA 99302-3850

*Ph. 509-547-2476*

*Cell 509-518-3423*

[richardd@basindisposal.com](mailto:richardd@basindisposal.com)



Jammie D. Scott

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*Go Hawks!!!*



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**From:** Blancaflor, Dawn [mailto:DawnBlancaflor@packagingcorp.com]

**Sent:** Monday, January 31, 2022 12:44 PM

**To:** Jammie Scott <jammie@jammiesenviro.com>; Wilhelm, Brian <BrianWilhelm@packagingcorp.com>

**Cc:** Butkus, Paul <PaulButkus@packagingcorp.com>; Thorne, Kurt <KurtThorne@packagingcorp.com>; Owen Scott <owen@jammiesenviro.com>

**Subject:** RE: Regulations for exemption on solid waste carrier

Hi team,

I'm just got off the phone with Kathryn at the UTC. She was very helpful! She confirmed that you (Jammie) you have received your Common Carrier Permit, are exempt from getting the Solid Waste Certification, and PCA is free to contract with you for your services.

Please remind me, what was the last correspondence from BDI. I suggest we hope on a quick call to discuss. Thoughts?

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**From:** Jammie Scott <[jammie@jammiesenviro.com](mailto:jammie@jammiesenviro.com)>

**Sent:** Monday, January 31, 2022 12:55 PM

**To:** Wilhelm, Brian <[BrianWilhelm@packagingcorp.com](mailto:BrianWilhelm@packagingcorp.com)>

**Cc:** Blancaflor, Dawn <[DawnBlancaflor@packagingcorp.com](mailto:DawnBlancaflor@packagingcorp.com)>; Butkus, Paul <[PaulButkus@packagingcorp.com](mailto:PaulButkus@packagingcorp.com)>; Thorne, Kurt <[KurtThorne@packagingcorp.com](mailto:KurtThorne@packagingcorp.com)>; Owen Scott <[owen@jammiesenviro.com](mailto:owen@jammiesenviro.com)>

**Subject:** [EXTERNAL] RE: Regulations for exemption on solid waste carrier

Good morning all I wanted to check in on this, would you like me to respond to BDI



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*Go Hawks!!!*



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**From:** Jammie Scott

**Sent:** Saturday, January 22, 2022 11:16 AM

**To:** [brianwilhelm@packagingcorp.com](mailto:brianwilhelm@packagingcorp.com)

**Cc:** [dawnblancaflor@packagingcorp.com](mailto:dawnblancaflor@packagingcorp.com); [paulbutkus@packagingcorp.com](mailto:paulbutkus@packagingcorp.com); [kurtthorne@packagingcorp.com](mailto:kurtthorne@packagingcorp.com)

**Subject:** FW: Regulations for exemption on solid waste carrier

Good afternoon here is the response I received after speaking directly with the UTC. Please let me know how we want to proceed with our response to BDI



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*Go Hawks!!!*



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**From:** McPherson, Kathryn (UTC) <[kathryn.mcpherson@utc.wa.gov](mailto:kathryn.mcpherson@utc.wa.gov)>  
**Sent:** Thursday, January 20, 2022 4:49 PM  
**To:** Jammie Scott <[jammie@jammiesenviro.com](mailto:jammie@jammiesenviro.com)>  
**Cc:** Villar, Eric (UTC) <[eric.villar@utc.wa.gov](mailto:eric.villar@utc.wa.gov)>  
**Subject:** Regulations for exemption on solid waste carrier

Jammie,

Thank you for speaking with me in detail about your business. I am including the link to apply for your common carrier permit. Based on our discussion, your company is exempt from requiring a solid waste certificate. The service of transporting waste is incidental to the cleanup and collection onsite of the industrial waste.

[WAC 480-70-011](#) (1) (g) The operations of private carriers who, in their own vehicles, transport solid waste purely as an incidental adjunct to some other established private business owned or operated by them in good faith.

By definition of [WAC 480.70.041](#), your company does transport waste: Solid waste or solid wastes means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to:

- Garbage;
- Rubbish;
- Refuse;
- Swill;
- Ashes;
- **Industrial wastes;**
- Sewage sludge;
- Demolition and construction wastes;
- Abandoned vehicles or parts of abandoned vehicles; and
- Source-separated recyclable materials collected from single and multifamily residences.

Your company would be classified as a common carrier.

[RCW 81.77.010](#) (1) "Common carrier" means any person who collects and transports solid waste for disposal by motor vehicle for compensation, whether over regular or irregular routes, or by regular or irregular schedules;

Common carriers are required to have a permit based on [RCW 81.80.075](#) (1) (1) A common carrier, contract carrier, or temporary carrier shall not operate for the transportation of property for compensation in this state without first obtaining from the commission a permit for such operation.

Link for [Common Carrier Application](#). The application can be filed online at <https://efiling.utc.wa.gov/Form>.

I am including Eric Villar on this email. He is responsible for the processing of new common carrier applications and very knowledgeable. Also, per our discussion, here is my best knowledge of “flow control.” Its very basic for me to help keep track of info on counties.

Thank you,

**Kathryn McPherson**

Investigator, Solid Waste Enforcement

Transportation Safety Division

(360) 522-6121

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[www.utc.wa.gov](http://www.utc.wa.gov)



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