

DATE PREPARED: July 21, 2022	WITNESS: Charlie Dietrich
DOCKET: TG-220215 and 220243	RESPONDER: Basin Disposal, Inc. and
REQUESTER: Jammie's Environmental, Inc.	Charlie Dietrich

DATA REQUEST NO. 004:

Produce all communications between BDI and PCA between January 1, 2021, to present relating in any way to OCC Rejects, Jammie's, or otherwise relating to the claims or defenses in the consolidated dockets referenced above. To the extent there is no record of a communication (because the communication was verbal or otherwise), provide a detailed description of the communication including the date, participants, and content of the communication.

RESPONSE:

Objection. This request is overbroad and seeks information that is irrelevant in the discovery sense to the issues raised in Basin Disposal's formal complaint against Jammie's, which proceeding involves only the question of whether Jammie's is authorized to provide solid waste collection service to PCA to transport OCC Rejects for disposal. The Commission has not specifically authorized discovery in Docket TG-220243, Jammie's Application for Solid Waste Authority. See WAC 480-07-400(2). Thus, this data request is inappropriate and exceeds the scope of permissible discovery. Additionally, the fitness of the protestant is not an issue in application proceedings. See *In Re: Application E-18894 of Carl Oscar Lundell, d/b/a Lundell Trucking, for Extension of Auth. Under Common Carrier Permit No. 36044.*, Order M.V. No. 129479 (Apr. 6, 1984).

Subject to and without waiving the foregoing objections, Basin Disposal responds as follows:

See the documents produced with bates labels **BDI 00083 through BDI 00085**.

Many communications between BDI and PCA were verbal and Basin Disposal will supplement its response to provide information relating to relevant communications.

SUPPLEMENTAL RESPONSE OF 07/28/2022:

Basin is continuing to search for responsive documents and may supplement its response further as necessary. The following descriptions are provided for meetings or phone calls for which there are no responsive communications to produce:

February 19, 2021: Andy Foxx, Charlie Dietrich and Yoyo Saucillo toured PCA's facility and discussed possible options for PCA's process to remove, collect, transport and dispose of OCC Rejects once operations commenced, including a discussion of ways to resolve the problems PCA anticipated, and Basin's the intent to monitor developments and make adjustments as needed.

March 5, 2021: Andy Foxx spoke with Kasey Markland by telephone to inform PCA that containers of OCC Rejects had excessive water content that must be removed by PCA.

March 10, 2021: Andy Foxx spoke with Kasey Markland by telephone to inform PCA that Basin will be unable to haul containers loaded with OCC Rejects with excess water content going forward.

March 11, 2021: Andy Foxx spoke with Kasey Markland by telephone to inform PCA that Basin delivered 3 additional 20 yard containers to help PCA reduce water content of OCC Rejects loads.

March 12, 2021. Andy Foxx spoke with Kasey Markland and Skyler Rachford by telephone to inform PCA that 5 containers of OCC Rejects contained excess water and could not be hauled.

Mid-May, 2021. Phone call between Andy Foxx and a PCA safety representative (name unknown) regarding the potential use of a bunker to process OCC Rejects. PCA rejected the possibility as an option to control the flow of material produced and dismissed the idea of a direct haul to landfill.

Date unknown (possibly late May or early June, 2021). Meeting between Charlie Dietrich and Skyler Rachford to discuss increased production at PCA, the corresponding increase in solid waste (OCC Rejects) generated from increased production, and possible options for handling additional volumes of solid waste, including the use of tractor-trailers, and options for storage of materials.

June 24, 2021. Phone call between Andy Foxx and Skyler Rachford to discuss the number of loads to be hauled.

July 19, 2021. Meeting between Charlie Dietrich, Paul Cova, Kasey Markland, Brian Wilhelm, and Skyler Rachford to discuss Basin's proposal for alternative means of transporting solid waste in the form of OCC Rejects.

Date unknown (likely late July, 2021). Call between Charlie Dietrich and Paul Cova to discuss the movement of specific containers.

August 2, 2021. Phone call between Charlie Dietrich and Paul Cova regarding use of compactors, PCA's desire to continue using them, and Basin's belief that use of compactors was inefficient.

August 16, 2021. Phone call between Andy Foxx and Kasey Markland regarding loading of containers during the week and expected number of dumpsters to be hauled.

August 16, 2021. Meeting with Paul Cova of PCA to discuss continued use of a compactor, which PCA continued to insist on using, and Basin recommended against.

October 20, 2021. Call received from PCA to Basin's main office. Subject of the discussion and its participants are unknown.

November 16, 2021. Call received from PCA to Basin's main office. Subject of the discussion and its participants are unknown.

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Date unknown (late November 2021). Call between Richard Dietrich and Kurt Thorne regarding Basin's position that state law requires a UTC certificate to transport solid waste and that only Basin holds the appropriate authority.

December 14, 2021. Call between Andy Foxx and Kasey Markland regarding PCA's request that Basin remove all containers.

January 19, 2022. Call from PCA to Basin main office with staff. The subject of the call is unknown.

February 9, 2022. Call from PCA to Basin main office with staff. The subject of the call is unknown.

SUPPLEMENTAL RESPONSE OF 08/23/22:

Subject to and without waiving the foregoing objections, Basin Disposal additional responsive records are being produced.

Basin Disposal reserves the right to supplement or amend its response if additional responsive records are identified.

DATE PREPARED: July 21, 2022	WITNESS: N/A
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February 9, 2022. Call from PCA to Basin main office with staff. The subject of the call is unknown.

SUPPLEMENTAL RESPONSE OF 10/07/2022:

3/16/21 – Meeting among Andy Foxx, Kurt Thorne, Skyler Rachford, and a third PCA representative (name unknown) to discuss the water content of the material. Andy Foxx raised the idea of bunkering the material and loading via conveyor belt or a loader. The bunker was suggested because it would reduce water content. PCA representatives inquired about whether other companies were permitted to haul OCC Rejects and Andy Foxx responded that Basin Disposal was the only company authorized to haul it, but that Basin had the ability to provide service in different ways based on PCA's need.

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury of the laws of the State of Washington that on the below date the forgoing Basin Disposal Inc.'s Supplemental Response to JEI DR 004 was served via electronic mail on parties below:

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DATED this 6th day of October, 2022, at Seattle, WA.

/s/ Maggi Gruber

Maggi Gruber, Legal Assistant

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