



April 3, 2009

Via Email (records@utc.wa.gov)
Washington Utilities and Transportation Commission
1300 South Evergreen Park Drive, S.W.
P.O. Box 47250
Olympia, WA 98504-7250

**SUBJECT: Docket TG-080591
Solid Waste Definitions Rulemaking, WAC 480-70**

Dear Sir and/or Madam:

This letter is submitted in response to the Washington Utilities and Transportation Commission (Commission) March 11, 2009 notice inviting comments on Docket TG-080591, Solid Waste Definitions Rulemaking, WAC 480-70.

Please be advised that Del Monte Foods Company (Del Monte) has reviewed the changes that you propose to WAC 480-70-016 and we believe that the subject changes that you propose will certainly eliminate the current state of regulatory uncertainty for our Washington vegetable and fruit processing plants regulated by the Commission under RCW 81.80 and RCW 81.77.

In particular, we fully support your determination that industrial byproducts used as animal feed and in land application to enrich soil or for composting should not be classified as disposal under your regulations. If anything, such ongoing by-product reuse/recycling practices should be encouraged to continue by all state regulatory agencies since they help local communities meet state recycling goals and they conserve valuable landfill capacity.

In regard to the use of commercial or industrial byproducts for daily landfill cover or alternative daily cover (ADC), we submit that this practice should also be classified as recycling/reuse under your rules and be encouraged particularly in situations where other onsite materials are unavailable for daily cover. We state this in that the use of acceptable industrial byproducts as alternative daily cover at landfills can reduce the need to use clean soil as well as other more potentially valuable green waste materials as daily cover.

With respect to how commission inspectors may determine whether waste shipments will be used as ADC or for disposal at a landfill, the Commission will have to define what constitutes an acceptable load for daily cover materials. This may have to be done on a case by case basis in working with specific landfills that have elected to use ADC materials. Most landfills would likely reject loads for use as ADC if they were contaminated by garbage or other unacceptable

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materials anyway. Further, most unprocessed garbage and putrescible waste by-products would not be acceptable for use as daily landfill cover or ADC. Accordingly, it should be fairly easy from an enforcement standpoint to identify haulers who claim (but are not really hauling) by-products for use as ADC.

Thank you for considering these comments.

Sincerely,

DEL MONTE CORPORATION



Timothy P. Ruby
Environmental Water Manager

c: Craig Smith, Northwest Food Processors Association