BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper Carrier Classification of, and Complaint for Penalties Against:

NW DUMPSTERS LLC

DOCKET TG-230242

DECLARATION OF KATHRYN MCPHERSON

Kathryn McPherson, under penalty of perjury under the laws of the State of Washington, declares as follows:

- 1. I am employed by the Washington Utilities and Transportation Commission (Commission) as an investigator in the Solid Waste Enforcement program within the Transportation Safety Division. As an investigator, my responsibilities include conducting investigations regarding the business practices of regulated transportation companies. As part of those duties, I investigate transportation companies that may be operating without the required Commission-issued certificate.
- 2. On April 29, 2022, I received a complaint from Jos Metcalf, Waste Connections District Manager. The complaint alleged NW Dumpsters LLC (NW Dumpsters or Company) was transporting to the Hidden Valley Transfer Station in Puyallup, Washington.¹
- 3. On May 2, 2022, I researched the Company's licensing. I discovered the Company was registered with Washington Department of Revenue and has a unified business number of 604-664-311.² I reviewed Commission records to determine if NW Dumpsters had authority to operate as a solid waste carrier in the state of Washington. I learned that the Commission has no record of the Company.
- 4. On May 2, 2022, I researched company advertising and discovered the Company's price list for drop box rentals.³
- 5. On May 4, 2022, Staff sent a letter to NW Dumpsters at 900 S Puget Dr., Ste 203, Renton, Washington, 98055-4418, stating that I believed the business was in violation of Commission rules by operating as a solid waste carrier without the required certificate.⁴ The letter outlined allowable activities for a company operating without a certificate.

¹ See Attachment A for a copy of complaint email from Josh Metcalf, Waste Connections.

² See Attachment B for copy of Department of Revenue record.

³ See Attachment C for copy of NW Dumpsters price list.

⁴ See Attachment D for a copy of the compliance letter dated May 3, 2022.

- 6. On May 11, 2022, NW Dumpsters applied for and received a common carrier permit.⁵
- 7. On May 12, 2022, I called NW Dumpsters regarding the complaint investigation. In the conversation, I discussed the rules regarding solid waste and the parameters of common carrier.⁶
- 8. On May 12, 2022, NW Dumpsters emailed stating they received a common carrier permit, their webpage would be updated, and they had registered as a transporter of recyclable materials. I followed up with an email reiterating the requirements to transport waste as a junk hauler and stating that dumpster rentals could only be rented for commercial recycling. I stated that the Company may not provide residential recycling. The Company responded by email, acknowledging they would not transport to solid waste facilities, landfills, or transfer stations unless part of a junk removal job. They stated their dumpster rental would only be for commercial recycling and not provide services for residential recycling.⁷
- 9. On July 20, 2022, I received an additional complaint regarding NW Dumpsters transporting to a solid waste facility. Eddie Lewis, Operations Manager with Waste Connections, provided a photo of the company unloading waste.⁸
- 10. On July 27, 2022, Staff emailed the Company regarding the transport to a solid waste facility. I asked for clarification on the type of job performed that NW Dumpsters need to dispose of waste.⁹
- 11. On July 28, 2022, Staff received an email response from the Company. NW Dumpsters stated the disposal of waste on July 20, 2022, was self-haul for disposal of waste originating from Company owned property.¹⁰
- 12. On April 12, 2023, using a fictitious name, I messaged NW Dumpsters via the Company's online system. I requested to rent a drop box for residential service on a demo job being performed at my home. NW Dumpsters responded via email stating delivery prices for Pierce County and requesting when to schedule delivery.¹¹
- ⁵ See Attachment E for a copy of Common Carrier Permit issued May 4, 2022.
- ⁶ See Attachment F for copy of staff notes from May 12, 2022, phone call.
- ⁷ See Attachment G for copy of emails with Staff and Company on May 12, 2022.
- ⁸ See Attachment H for a copy of email and photo from Eddie Lewis, Waste Connections.
- ⁹ See Attachment I for a copy of Staff email dated July 27, 2022.
- ¹⁰ See Attachment J for a copy of Company's email response dated July 28, 2023.
- ¹¹ See Attachment K for a copy of offer of service from NW Dumpsters.

- 13. On April 13, 2023, I researched NW Dumpsters website and found that the Company continued to advertise for drop box services for residential customers.¹²
- 14. On April 13, 2023, I researched advertisements on social media. I found advertisements offering residential services on Yelp.¹³
- 15. On April 13, 2023, I researched advertisements on social media. I found advertisements offering residential services on Facebook.¹⁴
- 16. On April 13, 2023, I researched advertisements on social media. I found advertisements offering residential services on Instagram.¹⁵

DATED this 24th day of April 2023, at Lacey, Washington.

/s/ *Kathryn McPherson* Kathryn McPherson

- ¹³ See Attachment M for a copy of NW Dumpsters Yelp advertisement.
- ¹⁴ See Attachment N for a copy of NW Dumpsters Facebook advertisement.
- ¹⁵ See Attachment O for a copy of NW Dumpsters Instagram advertisement.

¹² See Attachment L for a copy of NW Dumpsters website offering residential services.

Attachment A

From: To: Subject: Date: Attachments: Josh Metcalf McPherson, Kathon (UTC) Hauling Without A Certificate - NW Dumpsters Friday, April 29, 2022 7:02:13 AM image003.png

External Email Kathryn,

These guys showed up to dump a garbage load at the Hidden Valley Transfer Station yesterday, 4/28. Could you please check them out?





Josh Metcalf District Manager O: 253.896.3293 | C:253.377.1927



Attachment B



License Inf	formation:		New search	Back to results	
Entity name:	NW DUMPSTERS LLC	C			
Business name:	NW DUMPSTERS				
Entity type:	Limited Liability Con	npany			
UBI #:	604-664-311				
Business ID:	001				
Location ID:	0001				
Location:	Active				
Location addres	STE 203 STE 203	ET DR A 98055-4418			
Mailing address	STE 203 STE 203	ET DR A 98055-4418			
Excise tax and r	eseller permit status:	Click here			
Secretary of Sta	ate status:	Click here			

1/4

Details Status	Expiration First is
Active	Feb-28-2(Mar-0
Pending	Feb-28-2(
Active	Feb-28-2(Mar-(
Active	Feb-28-2(Feb-2
Active	Feb-28-2(Mar-0
Active	Feb-28-2(Mar-0
Pending	Feb-28-2(
Active	Feb-28-2(Mar-1
	Active Active Active Active Active Active Pending

2/4

5/2/22, 10:40 AM

Washington State Department of Revenue

Endorsements held a	License #	Count	Details	Status	Expiration First issue
Mercer Island General Business - Non-Resident	220208			Active	Feb-28-2(Mar-01-7
Newcastle General Business - Non- Resident				Active	Feb-28-2(Mar-02-2
Puyallup General Business - Non- Resident				Active	Feb-28-2(Mar-01-7
Redmond General Business - Non- Resident				Pending	Feb-28-2(
Ruston General Business - Non- Resident				Active	Feb-28-2(Mar-07-2
SeaTac General Business - Non- Resident				Active	Feb-28-2(Mar-02-7
Snohomish General Business - Non-Resident				Active	Feb-28-2(Feb-28-2
Governing Pe	ople ма	y include gover	ning people not reg	istered with Secretary o	of State
Governing people			Title		
CHATHA, HARANMO	DL				

https://secure.dor.wa.gov/gteunauth/_/#3

5/2/22, 10:40 AM		Washington State Dep	artment of Revenue	
Registered Trade	Names			
Registered trade names	Status			First issued
NW DUMPSTERS	Active			Nov-03-2020
		View Additional Locations		
			ookup information date and time: 5/	50 Decard. Black - Check - Shack - Check - Shack - Sha



Contact us

How are we doing? Take our survey!

Don't see what you expected? Check if your browser is supported

https://secure.dor.wa.gov/gteunauth/_/#3

Attachment C

5/2/22, 8:51 AM

NW DUMPSTERS

Pricing - NW Dumpster

 \equiv

Our Pricing

Call: (206) 866-0688



https://nwdumpsters.com/pricing/

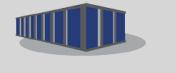
5/2/22, 8:51 AM	Pricing - NW Dumpster
\$	5349
	25 YARD DUMPSTER
	Ideal for small size remodels
	Works well for flooring debris
	Ideal for 1 - 2 room renovation
4	5379
	30 YARD DUMPSTER
	Medium-large size construction jobs
	Muti-room home renovation projects.
	New home construction
	Ideal for medium roofing jobs
	Office renovation
	Landscaping for larger properties and yard.
	Bulk Disposal
d	5399
https://nwdumpsters.cor	n/pricing/ 2/4

Pricing - NW Dumpster

<u>c</u>	
	Ideal for a complete home renovation
	A convenient size for large-scale cleanouts.
	Can handle larger roofing/siding/flooring projects
	Commercial/Industrial cleanouts, construction, and demolition
	Commercial roofing
	Large landscaping jobs
	Large bulky items
	449
\$	
\$	449
	449 45 YARD DUMPSTER
\$	449 45 YARD DUMPSTER Major construction projects

Pricing - NW Dumpster

*Price shown above is for seven-day rental period, additional charges may apply after seven days. per ton additional charge will apply, pass through dumping fees will be added to the bill



NW DUMPSTERS

Business Hours

Monday–Sunday: 6am – 7pm Closed on holidays

Contact Us

1900 S PUCET DR STE 203 RENTON, WA 98055 (206) 866-0688 Hello@nwdumpsters.com

Connect With Us

Contact Us Book a Dumpster



Attachment D



STATE OF WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION 621 Woodland Square Loop S.E. • Lacey, Washington 98503 P.O. Box 47250 • Olympia, Washington 98504-7250 (360) 664-1160 • TTY (360) 586-8203

May 4, 2022

Haranmol Chatha and Chartha Harkawal NW Dumpsters LLC 1900 S Puget Dr, Ste 203 Renton, Washington 98055-4418

Re: Compliance investigation complaint

Dear Haranmol Chatha and Chartha Harkawal,

The Washington Utilities and Transportation Commission believes NW Dumpsters LLC (NW Dumpsters) may be engaged in solid waste transportation services that require a certificate from the commission. It is illegal to operate or advertise as a solid waste collection company in Washington without the required solid waste certificate from the commission. You can receive a penalty of \$1,000 for each violation of this law.

What you need to do

Review the compliance investigation section of this letter and respond in writing to the following questions by May 18, 2022:

- 1. What materials were intended for collection?
- 2. What items were collected?
- 3. Who loaded the drop-box?
- 4. Who hired NW Dumpsters to transport the drop-box?
- 5. What was the intended destination of the drop-box?
- 6. How many total loads did your company collect and transport to a disposal facility between April 1, 2022, and April 30, 2022?

Solid waste collection regulations

Solid waste collection includes residential and commercial garbage, residential recycling, yard waste, and drop box service.

Compliance investigation

A compliance investigation revealed that NW Dumpsters may be in violation of RCW 81.77.040. Commission staff recently received a complaint that your Company is providing solid waste

Respect. Professionalism. Integrity. Accountability.

Haranmol Chatha and Chartha Harkawal May 4, 2022 Page 2

disposal services. NW Dumpsters was witnessed disposing at the Hidden Valley Transfer Station located at 17925 Meridian Ave E, Puyallup, Washington 98375 on or about April 29, 2022. The complaint asserts that your Company transports waste without having the required solid waste certificate required by law.

What you need to do

To avoid enforcement action by the commission, your company must:

- Immediately stop providing solid waste services;
- Remove all advertising for services requiring a certificate;
- If you choose to, submit a complete solid waste application (enclosed) or respond in writing **by May 18, 2022**, explaining your company's operations and why they do not require operating authority from the commission.

Solid Waste Certificate application

To provide solid waste collection services, your company must first submit a solid waste application. Your company cannot operate until the commission grants a solid waste certificate.

All applications are subject to public protest and your application must demonstrate that the current solid waste collection company in your proposed service area is not proving the service your company will offer. The commission only grants new certificates if the current company is unfit, unwilling, or unable to provide the service.

Send your response to <u>kathryn.mcpherson@utc.wa.gov</u> or mail P.O. Box 47250, Olympia, WA 98504. Please call commission investigator, **Kathryn McPherson at (360) 522-6121**, if you have any questions.

Sincerely,

JASON SHARP Motor Carrier Safety Supervisor, Transportation Safety

Enclosures

Attachment E

WASHINGTON STATE UTILITIES AND TRANSPORTATION COMMISSION 621 Woodland Square Loop S.E., Lacey, Washington 98503 PO Box 47250, Olympia, WA 98504-7250 (360) 664-1222					
This permit authorize	the following operations under the provisions of RCW Title 81:				
NW Dumpsters LLC 1900 S Puget Dr Ste. 203 Renton, WA 98055	Permit No. CC070327				
General commodities in the st armored car service	te of Washington excluding household goods, hazardous materials and				
	May 11, 2022				
	WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION				
	Ву				

NOTE: A physical or digital copy of this permit **MUST** be carried in each vehicle being operated under this authority.

Attachment F

4/19/23, 8:25 AM	Mot	tor Carrie	r Activities - Te	lephone cal	I to company		
SharePoint	New	sfeed	OneDrive	Sites	McPherson, Kathryn (UTC) -	Ö:	?
Activity Date	5/12/2022 9:21 AM						
Title	Telephone call to company						
Activity Status	Complete						
Activity Due Date							
Activity Type	Phone call						
Activity Mode	Phone Call						
Activity Contact Name	Haran mol Chatha						
Activity Contact Email							
Activity Contact Phone							
Activity Contact Address	5						
Activity Contact Locatio	n						
Desc	I called the company after rec applied for a common carrier did received the compliance l planning to call later today. Th would like to wait to discuss u up call with company explaini waste hauling versus junk hau	permit. etter. H hey wer until bot ing rule:	Haranmon im and his p re meeting to th are togeth	states he artner we ogether a ner. Follow	nd		
UTC Staff Members	🗆 McPherson, Kathryn (UTC)						
InvestigationItemSPID	1,201						
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Is Reportable	No						
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	rlnvestigationActivity AM by □ McPherson, Kathryn (UT 8 6:24 PM by □ McPherson, Kathry			Close			
Search for Docum ents Email	Delete Selected						

Documents

✓ 🗋 Name Modified Modified By InvestigationDocIndustry InvestigationDocumentType

There are no documents in this view.

https://apps.utc.wa.gov/apps/Investigations/Lists/Motor Carrier Activities/DispForm.aspx?ID=10956&Source=Https%3A%2F%2Fapps%2Eutc%2Ewa%... 1/2

Attachment G

From: To: Subject: Date: <u>NW DUMPSTERS</u> <u>McPherson, Kathryn (UTC)</u> Re: Nw Dumpsters Thursday, May 12, 2022 2:20:28 PM

External Email

Yes, that is correct. We are not transporting to solid waste facilities, landfills or transfer stations unless it is part of our junk removal job where our employees are loading the dumpsters. Our dumpster rental service is only provided for commercial recycling and loads are transported to materials recovery facilities. Our company is not providing residential recycling.

Regards, Haranmol Chatha

NW DUMPSTERS (206) 866-0688 www.nwdumpsters.com 1900 S Puget DR STE 203 Renton, WA 98055

On Thu, May 12, 2022 at 1:59 PM McPherson, Kathryn (UTC) <<u>kathryn.mcpherson@utc.wa.gov</u>> wrote:

Yes. Tony and I went over several details on solid waste transportation requirements and common carrier requirements.

Please ensure that NW Dumpster is not transporting to solid waste facilities (landfill or transfer station) unless it is part of a junk removal job where the company is completing cleaning, clearing, or demos and your employees are loading the dumpster.

Dumpster rental service is only allowable for commercial recycling. All loads must be transported to a materials recovery facility (MRF). Your company may not provide residential recycling. This means that the resident of a home, cannot rent your drop-boxes for self loading projects, despite the final destination of a solid waste facility or MRF. Your company may provide drop-box services at a residential location for a contractor if the loads are exclusively commercial recycling and NW Dumpsters is transporting to a MRF.

If you have questions about specific jobs, you may contact me with questions. Thank you for the update. I look forward to the follow up.

Sincerely,

Kathryn McPherson

Investigator, Solid Waste Enforcement (360) 522-6121

This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

From: NW DUMPSTERS <<u>hello@nwdumpsters.com</u>> Sent: Thursday, May 12, 2022 1:50 PM To: McPherson, Kathryn (UTC) <<u>kathryn.mcpherson@utc.wa.gov</u>> Subject: Nw Dumpsters

External Email

Hi Kathryn,

Tony, our attorney, just gave us an update on the conversation he had with you earlier today. We applied for and received a permit for a common carrier of property from the UTC yesterday. Our website will be updated this weekend or early next week. We'll also register as a transporter of recyclable materials with the Department of Ecology. Thank you so much for your help and guidance.

Regards,

Haranmol Chatha

NW DUMPSTERS

(206) 866-0688

www.nwdumpsters.com

1900 S Puget DR STE 203

Renton, WA 98055

Attachment H

McPherson, Kathryn (UTC)

From: Sent: To: Subject: Eddie Lewis (Centralia) <Eddie.Lewis2@WasteConnections.com> Wednesday, July 20, 2022 2:07 PM McPherson, Kathryn (UTC) Thurston county landfill

External Email

These two companies are bringing multiple truckloads of trash as dump records at Scale will clearly determine their intent to haul garbage a growing problem again



Attachment I

McPherson, Kathryn (UTC)

From:	McPherson, Kathryn (UTC)
Sent:	Wednesday, July 27, 2022 5:09 PM
To:	Hello@nwdumpsters.com
Subject:	Compliance investigation

As part of your continued compliance investigation with the Commission, please explain why your company transported to a solid waste facility in Pierce or Thurston county the week of July 20.

Thank you,

Kathryn McPherson Investigator, Solid Waste Enforcement Transportation Safety Division (360) 522-6121 Kathryn.Mcpherson@utc.wa.gov www.utc.wa.gov



This email/letter states the informal opinions of commission staff, offered as technical assistance, and are not intended as legal advice. We reserve the right to amend these opinions should circumstances change or additional information be brought to our attention. Staff's opinions are not binding on the commission.

1

Attachment J

McPherson, Kathryn (UTC)

From:	NW DUMPSTERS <hello@nwdumpsters.com></hello@nwdumpsters.com>
Sent:	Thursday, July 28, 2022 8:31 AM
То:	McPherson, Kathryn (UTC)
Subject:	Re: Compliance investigation

External Email

Hi Kathryn,

This is a self haul because we own the property in Olympia from which the container was taken to LRI in Thurston County. Sunny is the company's main owner and the owner of the property at 325 Pattison St NE Olympia, WA 98506. Please let me know if you have any questions.

Regards, Harm

NW DUMPSTERS (206) 866-0688 www.nwdumpsters.com 1900 S Puget DR STE 203 Renton, WA 98055

On Wed, Jul 27, 2022 at 5:09 PM McPherson, Kathryn (UTC) <<u>kathryn.mcpherson@utc.wa.gov</u>> wrote:

As part of your continued compliance investigation with the Commission, please explain why your company transported to a solid waste facility in Pierce or Thurston county the week of July 20.

Thank you,

Kathryn McPherson

Investigator, Solid Waste Enforcement

Transportation Safety Division

Attachment K

4/12/23, 6:06 PM

Gmail - Re: New Message From NW Dumpster



Kelley Jurgensen <kkplay1221@gmail.com>

Wed, Apr 12, 2023 at 5:04 PM

Re: New Message From NW Dumpster 1 message

NW DUMPSTERS <hello@nwdumpsters.com> To: Kelley <kkplay1221@gmail.com>

Hi Kelly,

We have containers from 20, 30, and 40 yards.

The 20-yard is \$349 for 7 days, \$10 per day after 7 days, and \$195 per ton for mixed construction debris for pierce county.

Please let me know if you have questions or would like to schedule a delivery.

Thank you Andy

NW DUMPSTERS (206) 866-0688 www.nwdumpsters.com 1900 S Puget DR STE 203 Renton, WA 98055

On Wed, Apr 12, 2023 at 3:36 PM Kelley <admin@nwdumpsters.com> wrote: Message from contact us:

Name:Kelley

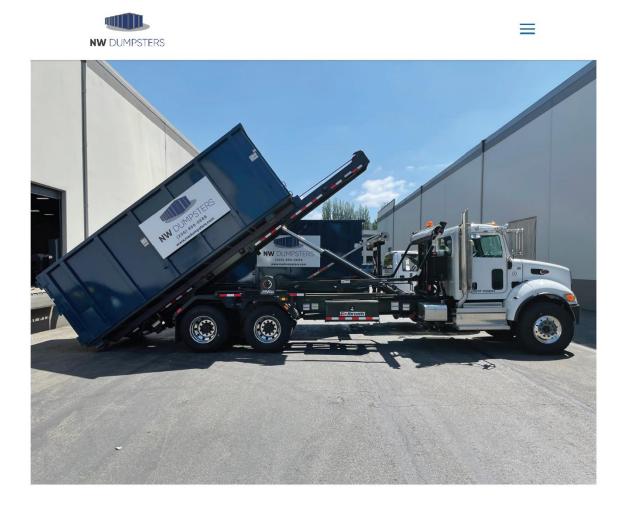
Email:kkplay1221@gmail.com

Message:Hi. My husband and i are renoing our kitchen. We need to rent a box for ourselves to throw away the tear out of the cabinets old floor and other garbage from the job. Can we rent a box for 10 days? Our place is in Spanaway.

Attachment L

4/12/23, 6:49 PM

NW DUMPSTERS I Affordable Dumpster Rental in Seattle Tacoma region.



NW DUMPSTERS

The top-rated Roll-Off Dumpster rental in the Pacific Northwest providing solutions for all your waste management needs. 4/12/23, 6:49 PM

NW DUMPSTERS I Affordable Dumpster Rental in Seattle Tacoma region.



NW DUMPSTERS I Affordable Dumpster Rental in Seattle Tacoma region.

BOOK A DUMPSTER

Locally Owned and Operated Dumpster Rental Service

First Name			
Last Name			
Email Address			
Phone			
Street Address			
City			
Washington			~
Zip Code			
Requested Date			
Container Size Requested			~
Type of Project			~
Message			
I'm not a robot	reCAPTCHA Privacy - Terms		

Submit

ABOUT NW DUMPSTERS

At NW Dumpsters we are a waste management company providing Roll-Off dumpsters, waste disposal and recycling services to Commercial and Residential customers in the Puget Sound region.

We make waste disposal cost-effective, simple, and convenient. We understand the importance of your construction project deadlines. Our team works 7 days a week ensuring you a fast and efficient service so that you are always on schedule with your projects. Our Roll-Off dumpsters sizes range from 20 Yard containers to 45 Yard containers. Our fleet of well-maintained trucks, new and clean dumpsters ensure a prompt delivery within 24 hours of booking.

NW Dumpsters is committed to providing exceptional customer service and satisfaction. Our team of professionals are always available to assist you on choosing the right size container for your project.

NW DUMPSTERS I Affordable Dumpster Rental in Seattle Tacoma region.

OUR DUMPSTER SERVICES

NW DUMPSTERS I Affordable Dumpster Rental in Seattle Tacoma region.

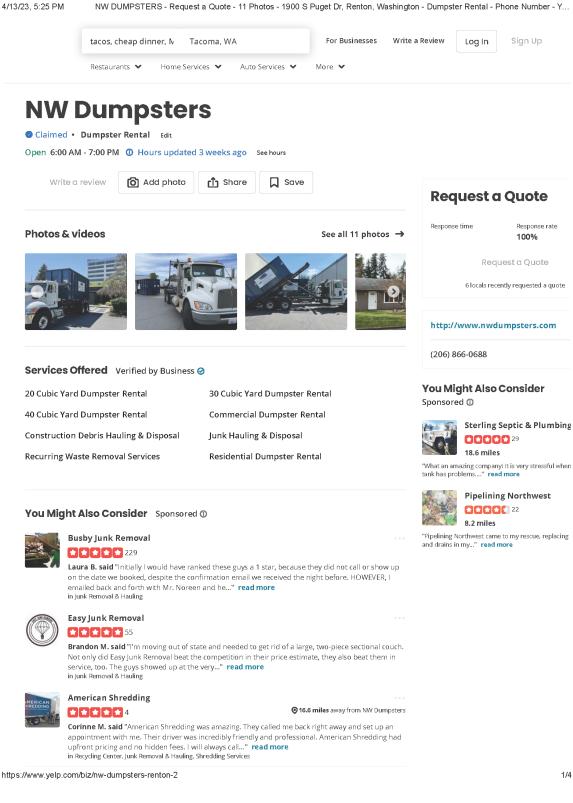


NW Dumpsters provides Roll-Off dumpster rentals throughout Seattle, Bellevue, Everett, Tacoma, Olympia, and the surrounding cities.

Whether it is a residential cleanout or a large size construction project, the variety of dumpster sizes that we offer allows you to customize the service according to your project needs. Conveniently book online or give us a call to speak with our trained professional. Available Roll-Off container sizes include; 20, 25, 30, 40 and even 45 Yard dumpsters.

Book our Dumpster for your project, our licensed drivers will deliver it, fill your roll-off with debris, let us know when it's filled and we will take care of the rest.

Attachment M



Attachment N

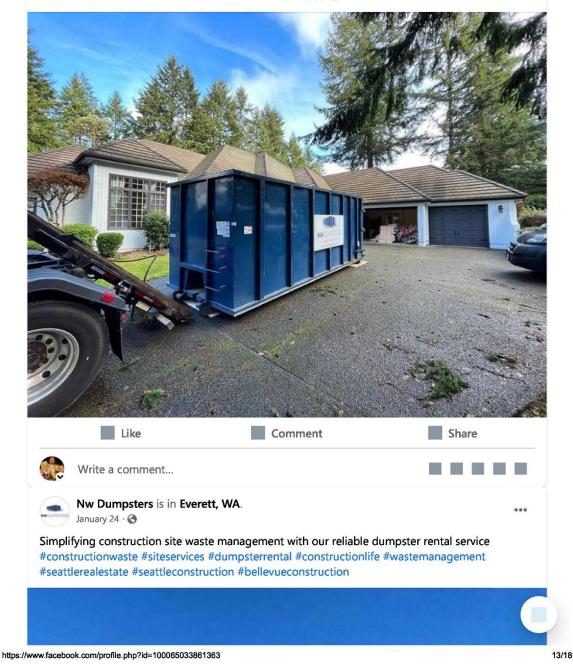
4/19/23, 11:58 AM

(4) Nw Dumpsters | Renton WA | Facebook

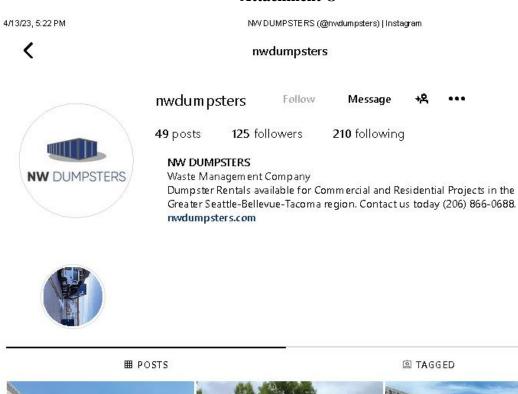


•⁴

Just dropped off a dumpster at this beautiful home! Let us help you tackle your next project and keep your space tidy. Contact us today for all your dumpster rental needs! #DumpsterRental #CleanSpace #HomeRenovation #ConstructionWaste #Recycling #seattleconstruction #contractor #tacoma #bellevue #everett #bellevueconstruction



Attachment O





https://www.instagram.com/nwdumpsters/