

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In re Expiration of Lease Between

HAROLD LEMAY ENTERPRISES,  
INCORPORATED and MASON COUNTY  
GARBAGE CO, INC.

Amending Certificates G-0098 and G-0088.

DOCKET TG-220145

ORDER 01

AMENDING CERTIFICATES G-  
0098 AND G-0088 TO REFLECT  
EXPIRATION OF LEASE  
AGREEMENT BETWEEN THE  
TWO COMPANIES

**BACKGROUND**

- 1 On December 6, 2001, a joint application was filed with the Commission for authority to lease a portion of rights under Certificate G-000098, Harold LeMay Enterprises, Incorporated. (Harold LeMay) to Certificate G-000088 Mason County Garbage Co, Inc. (Mason County Garbage) in Docket TG-011621.
- 2 The original lease of certificate application was filed as a result of a settlement following a private Commission complaint action and a subsequent appeal to the Washington Court of Appeals. Prior to the lease of the certificate, both companies held solid waste collection authority within Mason County.
- 3 In TG-011621, Order 01, certificate G-000088 was amended to include the following:

Permission to lease Garbage Collection authority in Mason County, excluding biomedical waste, from Harold LeMay Enterprises, Inc. (G-98) is granted in Docket TG-011621 effective February 27, 2002. The purpose of this long-term lease is to eliminate duplication of garbage collection

services by the two certificate holders resulting from the existing overlap of authority to serve Mason County. This lease is not intended to create a duplication of operating rights for the lessee. The lease is for a period of 20 years and will expire February 27, 2022.

4 In TG-011621, Order 01, certificate G-000098 was amended to include the following:

Authority to provide Garbage Collection Service in Mason County, Excluding biomedical waste, has been leased to Mason County Garbage Company, Inc. (G-88) under Docket TG-011621 effective February 27, 2002. The lease is for a period of 20 years and will expire February 27, 2022.

5 On February 10, 2022, Harold LeMay and Mason County Garbage submitted a joint letter to request that the Commission amend Certificates G-000088 and G-000098 to remove the language concerning the leased authority upon the lease's expiration.

6

7 The lease agreement has expired and the language in each certificate is no longer relevant for the purposes of regulation.

8 Both Harold LeMay and Mason County Garbage are now owned by Waste Connections US, Inc.

### **DISCUSSION AND DECISION**

9 The Commission grants the request by LeMay and Mason County Garbage. The Commission has reviewed certificates G-000088 and G-000098 and finds that the aforementioned lease language in items 3 and 4 is outdated and that these certificates should be amended to reflect the expiration of the lease. These amendments will not be detrimental to the public interest because although Harold LeMay and Mason County

Garbage will now hold independent authority to collect solid waste, the companies, which now share common ownership, have represented that Mason County Garbage will perform all solid waste collection within Mason County for the foreseeable future, avoiding any detrimental overlap in service territory.

10 Finally, the Commission notes this authority is not transferrable and neither company can sell or lease its solid waste collection authority without Commission approval.

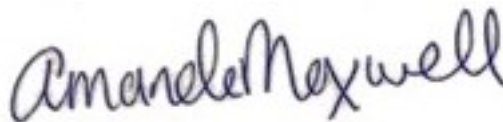
**ORDER**

**THE COMMISSION ORDERS:**

- 11 (1) Certificate G-000088 is amended as described in attached Appendix A.
- 12 (2) Certificate G-000098 is amended as described in attached Appendix B.
- 13 (3) The Commission retains jurisdiction over Harold LeMay Enterprises, Inc. and Mason County Garbage Company, Inc., to effectuate the provisions of this Order.
- 14 The Commission has delegated authority to the Secretary to enter this Order under RCW 80.01.030 and WAC 480-07-905(6)(c).

DATED at Lacey, Washington, and effective March 14, 2022

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



AMANDA MAXWELL

Executive Director and Secretary

**NOTICE TO PARTIES: This is an order delegated to the Executive Secretary for decision. As authorized in WAC 480-07-904(3), you must file any request for Commission review of this order no later than 14 days after the date the decision is posted on the Commission's website.**

APPENDIX A

MASON COUNTY GARBAGE CO. INC.  
d/b/a MASON COUNTY GARBAGE  
PO Box 787  
Shelton, WA 98584

Certificate No.  
G000088

SOLID WASTE COLLECTION SERVICE in Mason County.

GARBAGE COLLECTION SERVICE in Mason County, Excluding biomedical waste.

TO THE EXTENT THAT THE AUTHORITY GRANTED IN THIS ORDER  
DUPLICATES ANY AUTHORITY PREVIOUSLY GRANTED OR NOW HELD  
SHALL NOT BE CONSTRUED AS CONFERRING MORE THAN ONE OPERATING  
RIGHT NOR SHALL ANY DUPLICATING RIGHTS BE AVAILABLE FOR  
PURPOSES OF TRANSFER.

TG-220145

March 14, 2022

APPENDIX B

HAROLD LEMAY ENTERPRISES, INC.	Certificate No.
d/b/a BUTLERS COVE REFUSE SERVICE; CITY	G000098
SANITARY CO.; EGH DISPOSAL; HARBOR	
DISPOSAL CO.; JOE'S REFUSE SERVICE;	
LAKWOOD REFUSE SERVICE; PACIFIC DISPOSAL;	
PIERCE COUNTY REFUSE; RURAL GARBAGE	
SERVICE; WHITE PASS GARBAGE CO.	
4111 192 <sup>nd</sup> Street E	
Tacoma, WA 98446	

SOLID WASTE GARBAGE COLLECTION SERVICE In that portion of Pierce County described as follows: beginning at the intersection of 72nd Street East and Waller Road; thence south on the centerline of Waller Road to 112th Street; thence east on the centerline of 112th Street (becomes 39th St in Puyallup) to Meridian Street (also State Highway 161); thence south on the centerline of Meridian Street to the Kapowsin Highway; thence east on the centerline of Kapowsin Highway to its point of intersection with Electron County Road (also the north line of Section 5, T17N, R5E); thence east along the centerline of Electron County Road to the Southwest corner of Section 33, T18N, R5E; thence east along the south line of said Section extended to its intersection with the East boundary line of Mt. Rainier National Park (along the south line of Section 34, T18N, R10E); thence south along said boundary to its intersection with the Pierce-Yakima County boundary line; thence south along the Pierce-Yakima County line to the intersection of said line with the Pierce-Lewis County line; thence west along the Pierce-Lewis County line to the intersection of the Thurston-Pierce-Lewis County line; thence northerly along the Thurston-Pierce County line to its intersection with the shoreline of Puget Sound; thence northerly along the east shoreline of Puget Sound (including service to Anderson Island, McNeil Island and Ketron Island) to the intersection with the centerline of Chambers Bay; thence east along the centerline of Chambers Bay to its intersection with the centerline of Chambers Creek;

thence following the centerline of Chambers Creek east to its intersection with the centerline of Leach Creek; thence northerly along the centerline of Leach Creek to its intersection with Alameda Avenue extended; thence north on Alameda Avenue extended to South 48th Street extended west; thence east on South 48th Street extended to its meeting with the centerline of Leach Creek; thence northerly along the centerline of Leach Creek to its intersection with 40th Street; thence east on 40th Street to the intersection with Orchard Street extended; thence north along centerline of Orchard Street extended to the intersection with South 19th Street; thence west along centerline of South 19th Street (also the Tacoma city limits) to the intersection with Day Island Waterway (east side of The Narrows); thence following the shoreline of Puget Sound in a northerly direction to Point Defiance and Commencement Bay; thence following the shoreline of Commencement Bay to its intersection with the west city limits of Tacoma located in Section 21, T21N, R3E; thence following the city limits of Tacoma in a clockwise direction to its intersection with 72nd Street East (also the south line of the northwest quarter of Section 26, T20N, R3E); thence east along said street to its intersection with Waller Rd, the point of beginning.

SOLID WASTE COLLECTION SERVICE In Lewis County.

SOLID WASTE COLLECTION SERVICE in Grays Harbor County.

SOLID WASTE COLLECTION SERVICE in Mason County.

SOLID WASTE COLLECTION SERVICE in Thurston County.

REFUSE COLLECTION SERVICE From the Puget Sound Navy Yard at Bremerton to dumps in Kitsap County.

SOLID WASTE COLLECTION SERVICE In that portion of Pacific County described as follows: Starting at a point at the northeast corner of Section 13, T. 15 N., R. 11 W.; thence south along the east line of said Section 13, extended to Tokeland Peninsula (Section 12, T. 14 N., R. 11 W.); thence following the shoreline of Willapa Bay and the Pacific Ocean

westerly and northerly to its intersection with the Pacific-Grays Harbor County line; thence east along said county line to its intersection with the northeast corner of Section 13, T15N, R11W, the point of beginning.

The operating authority held by Harold and Nancy Lemay, d/b/a City Sanitary Company, in Certificate No. G-47, voluntarily cancelled May 26, 2004, by Commission Order TG-040953, is fully duplicated in Certificate No. G-98 held by Harold Lemay Enterprises, Inc.

TO THE EXTENT THAT THE AUTHORITY GRANTED IN THIS ORDER  
DUPLICATES ANY AUTHORITY PREVIOUSLY GRANTED OR NOW HELD  
SHALL NOT BE CONSTRUED AS CONFERRING MORE THAN ONE OPERATING  
RIGHT NOR SHALL ANY DUPLICATING RIGHTS BE AVAILABLE FOR  
PURPOSES OF TRANSFER.

TG-220145

March 14, 2022