

**WINDUS, THOMAS, CALMES & WILEY**

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

JOSEPH C. CALMES, PS.  
TONI L. IMFELD  
B. DAVID THOMAS  
DAVID W. WILEY  
THOMAS K. WINDUS

ATTORNEYS AT LAW  
1700 BELLEVUE PLACE  
10500 N.E. 8TH STREET  
BELLEVUE, WASHINGTON 98004-4332

TELEPHONE  
(206) 455-3787  
FACSIMILE  
(206) 455-3944

April 24, 1992

The Office of the Secretary  
Washington Utilities & Transportation  
Commission  
P. O. Box 9022  
1300 S. Evergreen Park Dr. S.W.  
Olympia, Washington 98504-9022

Re: Enoch Rowland d/b/a Kleenwell Biohazard and General  
Ecology Consultants, TG-920304 - Petition to Intervene of  
American Environmental Management Corporation

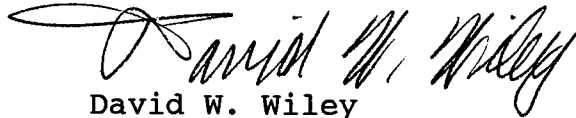
Dear Mr. Curl:

Enclosed please find an original and three copies of AEMC's  
Petition to Intervene in the above-captioned matter.

Please contact the undersigned if you have any questions.

Yours truly,

WINDUS, THOMAS, CALMES & WILEY



David W. Wiley

DWW/khs  
Enclosures

cc: Enoch Rowland  
James Johnson  
Steve Smith, Assistant Attorney General  
AEMC

dww\wutc\aecm-klm.ltr

92 APR 27 17:48

RECEIVED

BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of Determining the Proper Carrier Classification of:	)	DOCKET NO. TG-920304
	)	
ENOCH ROWLAND, d/b/a KLEENWELL BIOHAZARD AND GENERAL ECOLOGY CONSULTANTS	)	PETITION TO INTERVENE OF AMERICAN ENVIRONMENTAL MANAGEMENT CORPORATION
	)	
	)	
	)	
	)	

---

COMES NOW American Environmental Management Corporation,  
(hereinafter "AEMC"), P.O. 478, Woodinville, Washington 98072,  
(206) 485-7100, contact person: Roger Van Valkenburgh, by and  
through its counsel of record, David W. Wiley, 1700 Bellevue Place,  
10500 N.E. 8th Street, Bellevue, Washington 98004-4332, (206) 455-  
3787, and pursuant to WAC 480-09-430(1), petitions the Commission  
to intervene in the above-entitled matter and requests intervenor  
status pursuant to applicable rule and law.

1. *Basis for Intervention and Interest of AEMC* - AEMC is a  
regulated hauler of infectious medical waste operating upon the  
public highways of this State for compensation. Pursuant to G-231,  
(attached hereto as Exhibit "A" and incorporated herein) it has,  
since approximately January of 1989, collected medical waste in  
Washington and transported the material to incineration sites owned  
and/or operated by AEMC. The only current licensed site for waste  
disposal operated by AEMC is in Rancho Cordova, California.

AEMC, in initially seeking to collect and transport medical  
waste, was advised of the applicability of RCW 81.77.040 and  
81.77.100 and has, at all times pertinent hereto, held requisite

authority to collect and transport waste in the State of Washington. Moreover, AEMC was a protestant and participant in development of the record In Re Application GA-907, in which respondent company "Kleenwell" sought operating authority from this Commission, but was denied such authority on the basis of fitness.

2. Despite denial of application GA-907, AEMC believes and therefore alleges that respondent has continued to operate in the collection and transportation of medical waste upon the public highways of this State for compensation and continues to divert revenue and customers from the existing regulated haulers, thereby financially damaging AEMC. AEMC therefore seeks intervention in this proceeding to participate in the development of the record in this proceeding and to brief the legal issues adduced thereby. As a collector and transporter that has attempted to fully comply with the intent and spirit of the laws of the State of Washington, AEMC is particularly concerned about the ongoing operations of the respondent over the past years which have been injurious to its operations and damaged its ability to remain as a viable existing authorized carrier of the waste material involved in this proceeding.

WHEREFORE, having fully described its interest in its position in this proceeding, AEMC prays as follows:

1. That it be granted the status of intervenor in this proceeding;

2. That its petition be granted with the recognition that its interest will not broaden the issues in this proceeding and

will in fact contribute to the development of a complete record;  
and,

3. That respondent, after due consideration of the facts and legal issues surrounding its operation, be found to have violated RCW 81.77.040 et seq. and be ordered by this Commission to cease and desist from such unlawful operations unless and until it receives requisite operating authority from the Washington Utilities and Transportation Commission.

DATED this 24 day of April, 1992.

Respectfully submitted,

WINDUS, THOMAS, CALMES & WILEY

By: David W. Wiley  
DAVID W. WILEY  
Of Attorney for American  
Environmental Management Corp.  
1700 Bellevue Place  
10500 N.E. 8th  
Bellevue, Washington 98004  
(206) 455-3787

#### CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document by first-class mail, postage prepaid, to the following:

Enoch Rowland d/b/a Kleenwell  
Biohazard and General  
Ecology Consultants  
17800 Des Moines Wy. So., Suite A  
Seattle, WA 98148

James T. Johnson  
Attorney at Law  
Two Union Square  
601 Union St., #3000  
Seattle, WA 98101-2324

Steven W. Smith  
Assistant Attorney General  
Heritage Plaza Bldg.  
1400 S. Evergreen Park Dr. SW  
Olympia, WA 98504

DATED at Bellevue, Washington this 24 day of April, 1992.

  
\_\_\_\_\_  
DAVID W. WILEY

dww\aemc\kln-well.pet

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

# For the Operation of Motor Propelled Vehicles

pursuant to the provisions of Chapter 81 RCW

THIS IS TO CERTIFY that authority is granted to operate as a MOTOR CARRIER in the transportation of the commodities and in the territory described herein to

AMERICAN ENVIRONMENTAL MANAGEMENT CORP.  
505 MARKET STREET  
KIRKLAND, WASHINGTON 98033

PERMIT NO.  
G-231

D-1

GARBAGE AND REFUSE COLLECTION SERVICE consisting of biohazardous, infectious, contaminated and pathological waste and other related infectious medical wastes in specialized containers from points in the State of Washington to incineration sites owned and/or operated by American Environmental Management Corporation.

M. V. G. NO. 1452

11-30-90

SERVICE DATE  
JAN 9 1991

WASHINGTON UTILITIES AND TRANSPORTATION  
COMMISSION

By \_\_\_\_\_

*Paul Crane*

EXHIBIT A

