

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of Determining the Proper	)	DOCKET NO. TG-072226
Carrier Classification of	)	
	)	
GLACIER RECYCLE, LLC;	)	DECLARATION OF LAURIE
HUNGRY BUZZARD RECOVERY, LLC;	)	DAVIES
AND T&T RECOVERY, INC.	)	
.....	)	

Laurie Davies declares:

1. I am Manager of the Department of Ecology's Solid Waste and Financial Assistance Program. My work address is 300 Desmond Drive, Lacey, Washington. My telephone number is (360) 407-6103. I am over the age of 18, am competent to testify to the matters set forth below, and I have personal knowledge of those matters.
2. The Solid Waste and Financial Assistance Program that I manage oversees the proper management and disposal of solid waste, including the handling of recyclable materials, in a manner that protects human health and the environment. Among other things, the program is responsible for the minimum functional standards for solid waste handling required by RCW 70.95.060 and the recyclable material transporter registration requirement of RCW 70.95.400.
3. At the request of Jonathan Thompson, counsel for the Washington Utilities and Transportation Commission Staff, I have reviewed the declaration of Larry Fulcher (dated 3-25-08) and his description of how Weyerhaeuser mixes construction, demolition, and other debris received from "independent haulers" with industrial wastes for placement in their Headquarters Road landfill, in order to achieve an appropriate balance of compaction and drainage of waste material in Weyerhaeuser's landfill.

4. Mr. Thompson asked me to explain how my program would determine whether the use of construction and demolition debris (C&D) described by Mr. Fulcher constitutes "recycling" such that the "structural material" would meet the definition of "recyclable material" under the minimum functional standards for solid waste handling required by RCW 70.95.060 and the recyclable material transporter registration requirement of RCW 70.95.400.

5. Our program recently provided an opinion that the use of C&D material as "alternative daily cover" is not recycling and does not transform construction and demolition waste into "recyclable material." A true and correct copy of that June 26, 2007, letter from Peter D. Christiansen to Arthur Wilkowski is attached as Exhibit A to this declaration. The Department would look to the same definitions referenced in Mr. Christiansen's letter to decide whether Weyerhaeuser's use of C&D material to provide stability and drainage to the waste matrix in the landfill is "recycling."

6. To provide some context for the letter, "alternative daily cover" is material other than earthen material that is placed on the surface of the active face of a municipal solid waste landfill at the end of each operating day to control fires, odors, blowing litter, and scavenging. *See* 40 C.F.R. Sec. 257.3-6(c)(4). As stated in the letter, the Department's position is that the use of ground/processed C&D for use as alternative daily cover is not recycling.

7. Similarly, it is difficult to see why the use of C&D material as "structural material" in the landfill, as described in Mr. Fulcher's declaration, would be thought to involve "transforming or remanufacturing waste materials into usable or marketable materials for use other than landfill disposal."

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: 4-22-08 at Lacey, Washington

Laurie G. Davies  
LAURIE DAVIES