Yakima Herald-Republic

Hauling questions are latest concern about DTG operation at Rocky Top in Yakima

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DTG Recycle landfill is pictured Friday, June 16, 2023, in Yakima, Wash. DTG Recycle has a material recovery facility and a limited-purpose landfill on the site. The Yakima Health District denied their permit renewal for the limited-purpose landfill and it expired at the end of June.

[Evan Abell / Yakima Herald-Republic](https://www.yakimaherald.com/users/profile/Evan%20Abell)

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When DTG Recycle lost its permit to operate a private limited-purpose landfill at Rocky Top west of Yakima at the end of June, local health officials said the company's separate recycling facility at the site was in good standing.

But DTG Recycle has been at the center of controversy since it purchased the Anderson Landfill on Rocky Top in October 2019.

First, the Snohomish County-based company drew the [ire of neighbors](https://www.yakimaherald.com/news/local/proposed-expansion-to-rocky-top-landfill-draws-ire-of-neighbors-prompts-environmental-probes/article_099acc6a-3015-11ed-8aaa-e7642a0649cb.html) when it began landfill expansion work. Neighbors’ repeated complaints about nighttime work, rock blasting and odor led to regulators probing the operation.

Late last fall, Ecology designated the landfill a [toxic cleanup site](https://www.yakimaherald.com/news/local/ecology-says-landfill-on-rocky-top-west-of-yakima-is-contaminated-and-needs-cleaned-up/article_61aa7234-50d1-11ed-b443-57da1b129013.html) after finding that it was emitting unsafe amounts of benzene and naphthalene into the atmosphere.

In February, DTG [shut down access](https://www.yakimaherald.com/news/local/public-access-still-in-doubt-for-rocky-top-trails/article_2c27dd6c-df25-11ed-828b-0309b5a0eb1d.html) to popular mountain biking trails on its Rocky Top property when it altered expansion plans following neighborhood concerns.

An underground fire in a disposal cell that was closed in March 2022 is being monitored, along with air emissions and groundwater. Officials recently reviewed an [evacuation plan](https://www.yakimaherald.com/news/local/yakima-health-district-presents-rocky-top-residents-with-evacuation-plan-in-case-of-a-chemical/article_a978c25c-1785-11ee-a3ae-f7ae88088204.html) in case of a chemical leak with neighbors. There is no immediate threat to public health right now, regulators said.

At the end of June, the Yakima Health District [refused to renew](https://www.yakimaherald.com/news/local/yakima-health-district-denies-permits-for-two-private-landfills/article_d4272f96-15f7-11ee-bc76-03d3108ce95d.html) the landfill’s operating permit. Health district officials said DTG had not acquired a permit from the Yakima Clean Air Agency or a sand and gravel permit from the state Department of Ecology. The health district has said its aim is to work with the company to get it into compliance.

And this spring, Yakima's waste disposal division said DTG is required to pay a hauling tax on recycling bins it places at construction sites within city limits. So far, DTG has not paid the tax.

Company officials have repeatedly declined interviews with a Yakima Herald-Republic reporter, but they did provide a statement about DTG's operations.

“We take immense pride in our progress and the material saved from ending up in landfills. At DTG Recycle, we enforce the highest standards for material recovery criteria, ensuring that we continue to maximize the impact of our Material Recovery Facilities,” former Chief Innovation Officer John Martin said in the statement.

Martin requested that DTG be given a chance to respond to any allegations about its operations. When a reporter attempted to reach Martin by email, an automatic reply said he was no longer with DTG.

DTG's attorney, David Perez of Seattle, said he forwarded the reporter's questions to company officials, who did not respond by deadline.

**Blue bins**

On March 21, the city of Yakima sent DTG [a non-compliance letter](https://www.yakimaherald.com/yakimas-letter-to-dtg-on-blue-bins/pdf_e1e56226-25b3-11ee-8e55-c31fa10d2c29.html), informing the company of city policy regarding a tax assessment on garbage, refuse or debris hauled in the city.

Trace Bradburn, the city’s manager of solid waste and recycling, said there’s more than just recyclable material generated at construction sites and that DTG also should have a separate bin for unrecyclable waste at each construction site.

In a response letter April 15, DTG said it only hauls recyclable material from construction sites for recycling and that the city’s code doesn’t include recyclable materials.

The [response letter](https://www.yakimaherald.com/dtg-response-on-blue-bins/pdf_7f2e2b6c-25b4-11ee-ab5f-1370f395b761.html) said the city’s code specifically identifies garbage, refuse and debris, but not recyclable materials.

“We are a common carrier hauling recyclables for material recovery and recycling, not a trash hauler,” DTG said in the response letter.

Bradburn said often non-recyclable waste is generated at construction sites in addition to recyclable material. He said typically a separate bin is placed at construction sites for collecting unrecyclable waste, such as plastic wrap from material packaging, some roofing material and food waste from workers.

There are only blue recycling bins at the construction sites where DTG is a hauler, he said.

“They say everything they haul is recyclable. How is that?” Bradburn asked. “There’s got to be some trash.”

The city is now discussing whether to update its code to reflect all solid waste including recyclable materials, Bradburn said.

The front of DTG Recycle is pictured from Summitview Avenue Thursday, July 13, 2023, in Yakima, Wash.

[Evan Abell / Yakima Herald-Republic](https://www.yakimaherald.com/users/profile/Evan%20Abell)

**MRF**

DTG’s Rocky Top material recovery facility (MRF) — its recycling facility — is near the landfill’s disposal area, the health district said.

There, locally generated material is separated into recyclable and non-recyclable material. Materials from DTG’s other MRFs, largely located on the state’s west side, also are often sorted at the Rocky Top MRF.

DTG's MRF is authorized under a separate permit with slightly different rules than its landfill. The landfill is allowed to accept waste from areas outside Yakima County and sort recyclable material from it.

There are no flow control laws in Yakima County that restrict private landfills from disposing out-of-county waste, said Shawn Magee, director of environmental health at the health district.

The company's Rocky Top MRF also is allowed to accept recyclable material from the company's other MRFs outside Yakima County but only for sorting. Any unrecyclable waste sorted from those loads cannot be disposed of at the Rocky Top landfill, Magee said.

“It’s to prevent the opportunity for a company to violate another county’s flow control rules,” he said. “We didn’t want to leave the door open for a, quote-unquote, sham recycling operation.”

In 2021, DTG reported that it collected 748.1 tons of material at its Rocky Top MRF, with all of it generated in Yakima County. Of that, 682.7 tons were recycled and 65.4 tons were disposed of at DTG’s landfill, which was allowed under its permit.

In 2022, the company said 20,647.3 tons of material was brought to the Rocky Top MRF, with 7,680 tons coming from Yakima County. Of the total tonnage, 9,956.5 tons were recycled while 5,441.2 tons — equal to nearly 71% of what came from Yakima County — were disposed of at DTG’s Rocky Top landfill, according to [annual reports](https://www.yakimaherald.com/landfill-reports-2019-2022/pdf_5b76b346-25bf-11ee-a58e-930f262f3235.html) the company submits to the health district and Ecology.

The [annual reports](https://www.yakimaherald.com/mrf-reports-2021-2022/pdf_a09439d2-25bd-11ee-bd60-771dbdfac3aa.html) didn't say what was done with the remaining 5,249.6 tons or identify how much unrecyclable waste came from MRFs outside Yakima County.

DTG’s Rocky Top landfill is a limited purpose landfill, meaning it’s permitted to accept construction and demolition waste as well as other waste. It is not permitted to accept municipal waste, which is typical household garbage.

DTG purchased the landfill, adjacent gravel mine and petroleum-contaminated soils site from Ron Anderson for $9.2 million. Anderson, the former owner, should not be confused with former Yakima County Commissioner Ron Anderson.

Disposal amounts dramatically increased at the landfill after DTG took ownership, according to annual reports.

In 2019, the year DTG purchased the operation, the landfill accepted 148,899 cubic yards of waste. In 2020, the amount increased to 170,200 cubic yards. But the following year, 2021, it more than doubled to 477,599 cubic yards. And in 2022, the landfill accepted 695,717 cubic yards of waste, [annual reports showed](https://www.yakimaherald.com/landfill-reports-2019-2022/pdf_5b76b346-25bf-11ee-a58e-930f262f3235.html).

According to the reports, most of the waste disposed at the DTG Rocky Top landfill the past two years came from outside Yakima County, which is allowable under the landfill permit.

**Questions**

Initially, the state Department of Ecology didn’t support permitting DTG’s Rocky Top MRF.

James Rivard, Ecology’s central regional solid waste manager, wanted to know why DTG would want to bring material from its other MRFs on the state’s west side to Rocky Top to sort and then ship back to the west side, where it would be closer to markets for recyclable material.

“This is potentially a waste of time, labor, resources, and financially doesn’t make any sense, especially given that the market value for recyclable materials is marginal, poor, and nonexistent,” Rivard said in a Dec. 31, 2020, letter to the health district.

The health district is the permitting authority over such operations, but Ecology offers technical assistance and other support.

Rivard raised several [questions in the letter](https://www.yakimaherald.com/ecologys-letter-on-mrf/pdf_65ffb206-25b3-11ee-b14c-1713c13ffe48.html), such as why DTG would need an MRF in

Yakima County when its landfill permit allowed for recycling. He also questioned how unrecyclable waste from other MRFs would be handled.

Pointing to the permit, Rivard said unrecyclable waste from MRFs from outside Yakima County could not be disposed of at DTG's Rocky Top landfill and Yakima County’s publicly owned landfills do not accept out-of-county waste.

The company would be required to ship any unrecyclable waste back to where it was generated, Rivard said.

Rivard's letter cited several potential issues, including “ratepayers, consumers, municipalities, taxpayers and certified solid waste haulers potentially being deceived, charged more and or deprived of revenue.”

“Boiled down, the results point to a potential for sham recycling activities, which I hope no one wants or has the intention of doing,” he said in the letter.

Later, Ecology supported the MRF permit, Rivard said in an interview.

Rivard said his questions were never answered, though there are no regulations requiring a business to be financially viable to obtain an operating permit.

“I think there’s a lot of question marks,” he said. “I don’t have all the answers. A lot of it really falls on (the health district).”

Magee, director of environmental health at the health district, said DTG’s other MRFs accept large volumes of material and that the company believes it can do a better job separating recyclables here.

Magee said trucks delivering MRF material haul back unrecyclable waste to the communities where it was generated.

“It’s kind of a constant conveyor belt,” he said.

As far as economic viability, the health district doesn’t take that into consideration.

“We evaluate and permit the facility itself, what they’re bringing in, sorting and sending out,” he said.

**Tracking waste**

Magee said DTG provides annual disposal and recycling reports and the health district has access to hauling logs.

“We can review those logs any time we want,” Magee said.

DTG is required to fill out and submit annual disposal and recycling reports for the health district and Ecology.

"We can request that and review it and make sure it makes sense," Magee said.

Regulators do not oversee or track daily reporting of waste, but rely on operators for accurate reports.

"We don’t have staff that can be out there every day during their operation hours," Magee said. "We can only be out there so often."

Typically, regulators visit such operations once every three months, but they've been at DTG more often due to the underground fire, Magee said.

There have been incidents where unpermitted material has ended up in the landfill, [according to public records](https://www.yakimaherald.com/dtg-v-snohomish-county/pdf_9b5ea18c-2662-11ee-af4b-ef02759d8f8a.html).

A Snohomish County [hearing examiner found](https://www.yakimaherald.com/dtg-v-snohomish-county/pdf_9b5ea18c-2662-11ee-af4b-ef02759d8f8a.html) that DTG in March 2021 disposed of residual waste from its Woodinville facility at its Rocky Top landfill — a violation of Snohomish County’s flow control laws.

Photographs showed the material consisted of carpet padding, couch cushions and plastic bags of solid waste, according to the hearing examiner’s findings.

DTG argued that the load was recyclable material. But the load was brought to Rocky Top before DTG had acquired its MRF permit, the hearing examiner’s decision said.

Then in July 2022, Ecology officials found mattresses and tires in the Rocky Top landfill, which are not permitted, Rivard said.

Once notified, the company had workers immediately pull the unpermitted waste from the landfill, he said.

At that time, the company was just learning how to run a landfill and that waste management improved after DTG hired a landfill manager, Rivard said.

In early 2022, DTG began seeking an alternative disposal area for residual waste from its MRF operation.

In a Feb. 7, 2022, email, DTG’s Martin told Yakima County Solid Waste Manager Karma Suchan that DTG needed to bring 20 to 60 tons of non-recyclable material from its Rocky Top MRF to the county landfill daily.

Martin said DTG was seeking a contingency plan because it was running out of room in its current disposal cell and the health district wasn’t allowing it to move into a new one.

Environmental concerns prompted the health district to pause DTG’s expansion project as further studies took place in 2022, [Magee had said](https://www.yakimaherald.com/news/local/ecology-says-landfill-on-rocky-top-west-of-yakima-is-contaminated-and-needs-cleaned-up/article_61aa7234-50d1-11ed-b443-57da1b129013.html).

Suchan told DTG that Yakima County’s publicly owned landfills do not accept waste from other counties. She also said projects in Yakima County do not generate a significant amount of construction and demolition waste.

Suchan encouraged DTG to check with Caton Landfill, a private limited-purpose landfill north of Naches.

In June, the health district also refused to renew Caton's operating permit, saying the company didn't provide a complete fire safety plan and was out of compliance with the clean air agency. [Caton has appealed](https://www.yakimaherald.com/news/local/caton-landfill-appeals-operating-permit-denial-refuses-to-shut-down/article_6b96ae4a-1bc2-11ee-9255-e78311aa545e.html) the denial and was continuing to operate as of Friday.

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