



Department of Justice

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JUSTICE DEPARTMENT SETTLES CIVIL CONTEMPT CLAIM AGAINST ALLIED WASTE INDUSTRIES INC.

Settlement Ensures Waste Disposal Rights in the Boston Area Continues

WASHINGTON, D.C. – The Department of Justice reached a settlement today with Allied Waste Industries Inc. (Allied) that resolves the government's concerns regarding Allied's alleged violation of an existing consent decree in connection with Allied's acquisition of Browning-Ferris Industries Inc. (BFI).

The Department filed an enforcement order in U.S. District Court for the District of Columbia to ensure that Allied complies with its obligations under a 2000 consent decree that resolved the Department's concerns with the Allied/BFI transaction. The order further requires Allied to implement a compliance program to ensure that Allied fully conforms with the requirements of the decree. The order is subject to court approval.

Along with the enforcement order, the Department of Justice petitioned the Court to find Allied in civil contempt for violating the 2000 decree. Among other things, the decree requires Allied to grant ash and bypass waste disposal rights at the former BFI landfill in Fall River, Massachusetts to the SEMASS incinerator owned by American Ref-Fuel Company. According to the Department's petition, Allied violated this provision of the decree by prematurely terminating SEMASS's disposal rights at Fall River. The enforcement order agreed to by Allied and the Department confirms that Allied will accept ash and bypass waste from SEMASS at the Fall River landfill, as required by the 2000 decree.

“Antitrust consent decrees are designed to protect consumers, and violations will be pursued vigorously. The Department of Justice is committed to monitoring its decrees and acting quickly to remedy violations and to preserve competition,” said R. Hewitt Pate, Assistant Attorney General in charge of the Department’s Antitrust Division. “This enforcement action will help preserve competition in the waste disposal industry in the Boston area and underscores the Department’s expectations that parties honor the terms of court-ordered judgments.”

Allied Waste Industries Inc. is the second largest non-hazardous solid waste management company in the United States, with annual revenues of \$5.5 billion.

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