



# Department of Justice

FOR IMMEDIATE RELEASE  
THURSDAY, NOVEMBER 15, 2012  
[WWW.JUSTICE.GOV](http://WWW.JUSTICE.GOV)

AT  
(202) 514-2007  
TTY (866) 544-5309

## **JUSTICE DEPARTMENT REQUIRES DIVESTITURES IN STAR ATLANTIC'S ACQUISITION OF VEOLIA**

### *Settlement Preserves Competition in Northern New Jersey, Central Georgia and the Macon, Ga., Metropolitan Area*

WASHINGTON — The Department of Justice announced today that it has reached a settlement that will require Star Atlantic Waste Holdings L.P. and Veolia ES Solid Waste Inc. to divest commercial waste collection or disposal assets in northern New Jersey, central Georgia, and the Macon, Ga., metropolitan area in order to proceed with Star Atlantic's proposed \$1.9 billion acquisition of Veolia. The department said that the transaction, as originally proposed, would have resulted in higher prices for the collection of municipal solid waste from commercial businesses or the disposal of waste in these areas.

The Department of Justice's Antitrust Division filed a civil antitrust lawsuit today in U.S. District Court in Washington, D.C., to block the proposed transaction. At the same time, the department filed a proposed settlement that, if approved by the court, will resolve the lawsuit and the competitive concerns.

"Without the divestitures required by the department, consumers in northern New Jersey, central Georgia and the Macon metropolitan area would have been harmed by a reduction in competition for commercial solid waste collection or disposal," said Joseph Wayland, Acting Assistant Attorney General in charge of the Department of Justice's Antitrust Division. "This remedy ensures that the benefits of competition—namely, lower prices and better service—will be preserved in these areas."

According to the complaint, the transaction, as originally proposed, would have substantially lessened competition in commercial waste collection or disposal services in the geographic areas of northern New Jersey, central Georgia and Macon. In each of these areas, Star Atlantic and Veolia are two of only a few significant firms providing commercial waste collection or municipal solid waste disposal services. The acquisition would have eliminated a major competitor in each of these areas and resulted in higher prices and poorer service for consumers.

Under the terms of the proposed settlement, Star Atlantic and Veolia will divest three specified transfer stations in northern New Jersey; a landfill and two transfer stations in central

Georgia; and three commercial waste collection routes in the Macon metropolitan area. Each asset to be divested is currently owned by Veolia. To maximize the potential operational effectiveness of each purchaser of the divestiture assets, Star Atlantic and Veolia must divest to a single buyer the three transfer stations in northern New Jersey. Likewise, they must divest to a single purchaser the designated Georgia transfer stations and landfill and the specified commercial waste routes in the Macon metropolitan area.

Star Atlantic is a privately owned Delaware limited partnership with its headquarters in New York City. Star Atlantic provides small container commercial waste collection and/or municipal solid waste disposal services in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina and Tennessee through its subsidiary, Advanced Disposal Services Inc., and in Massachusetts, Vermont, New York, New Jersey, Pennsylvania, Maryland and West Virginia through its subsidiary, Interstate Waste Services Inc. Star Atlantic is one of the nation's largest municipal solid waste hauling and disposal companies by revenue, and had estimated total revenues of \$563 million in 2011.

Veolia Environnement S.A. is a French corporation headquartered in Paris. Its wholly owned U.S. subsidiary, Veolia ES Solid Waste Inc., provides small container commercial waste collection and/or municipal solid waste disposal services in Florida, Georgia, Alabama, Kentucky, Missouri, Illinois, Minnesota, Wisconsin, Michigan, Indiana, Pennsylvania and New Jersey. Veolia ES Solid Waste Inc. is also one of the nation's largest solid waste hauling and disposal companies by revenue, and had estimated total revenues of \$818 million in 2011.

As required by the Tunney Act, the proposed settlement, along with a competitive impact statement, will be published in the Federal Register. Any person may submit written comments concerning the proposed settlement during a 60-day comment period to Maribeth Petrizzi, Chief, Litigation II Section, Antitrust Division, U.S. Department of Justice, 450 Fifth Street, N.W., Suite 8700, Washington, D.C. 20530. At the conclusion of the 60-day comment period, the court may enter the final judgment upon a finding that it serves the public interest.

###