

Waste Management, Inc., Acquisition of Advanced Disposal Services: U.S. Department of Justice Antitrust Division Proposes Consent Decree



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The United States Department of Justice (“DOJ”) issued an October 23rd news release titled:

Justice Department Requires Waste Management To Divest Assets In Order To Proceed With Advanced Disposal Services Acquisition

DOJ’s Antitrust Division had filed a civil antitrust lawsuit in the United States District Court for the District of Columbia (“Court”) to block Waste Management, Inc.’s (“WMI”) acquisition of Advanced Disposal Services (“ADS”). A proposed settlement (subject to Court approval) was simultaneously filed that would resolve what the Antitrust Division alleged would be competitive harm.

DOJ states that the acquisition of ADS is valued at \$4.6 billion. WMI would be required to divest:

- 15 landfills
- 37 transfer stations
- 29 hauling locations
- Over 200 waste collection routes
- Other assets

Such divestiture allows the transaction to be completed.

DOJ’s complaint had alleged that WMI and ADS both supply small container commercial waste collection and municipal solid waste disposal services in certain local markets. The local markets are described as having either just WMI and ADS or only a few other competitors as providers of certain essential services.

The proposed Consent Decree, along with a Competitive Impact Statement, are subject to a 60-day comment period. The news release provides access to the following:

- Asset Preservation Stipulation and Order
- Competitive Impact Statement
- Complaint
- Explanation of Consent Decree Procedures
- Proposed final Judgment

The news release can be downloaded [here](#).