

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

TEXAS REGIONAL LANDFILL
COMPANY, LP, WASTE CONNECTIONS
BAYOU, INC., and WASTE
CONNECTIONS OF LOUISIANA, INC.

Plaintiffs,

v.

CITY OF SHREVEPORT,

Defendant

Civil Action No. 5:26-cv-329

Judge _____

Magistrate Judge _____

COMPLAINT

Texas Regional Landfill Company, LP (“Texas Regional Landfill”), Waste Connections Bayou, Inc. (“Waste Connections Bayou”), and Waste Connections of Louisiana, Inc. (“Waste Connections of Louisiana”) (collectively “Plaintiffs”) bring this action against the City of Shreveport for declaratory and injunctive relief and allege as follows:

INTRODUCTION

1. Defendant City of Shreveport (“City” or “Shreveport”) enacted an unconstitutional flow control ordinance that prohibits interstate commerce in the management and disposal of municipal solid waste collected within Shreveport and instead compels disposal of all such waste at the privately run Republic Woolworth Landfill near Shreveport. The Republic Woolworth Landfill is operated by and generates profits for BFI Waste Systems of Louisiana, L.L.C., a subsidiary of Republic Services, Inc. (collectively, “Republic”), the nation’s

second largest solid waste company. Republic also dominates the collection of commercial waste within Shreveport.

2. Shreveport's flow control ordinance, as recently amended through the enactment of Ordinance No. 180 ("Flow Control Law"), violates the Dormant Commerce Clause of the U.S. Constitution by barring interstate commerce in solid waste. The Flow Control Law forces all waste collected within Shreveport to go to the Republic Woolworth Landfill, a more expensive privately operated landfill, serving local private interests, thereby discriminating against and burdening Louisiana and Texas companies and their customers. Defendant's Flow Control Law is a protectionist, discriminatory economic law of the type long prohibited by the Dormant Commerce Clause.

3. For over two hundred years the Dormant Commerce Clause has protected national markets for goods and services from state and local government interference. The Flow Control Law plainly violates this bedrock law and is unconstitutional.

PARTIES

4. Plaintiff Texas Regional Landfill Company, LP is a Texas limited partnership with a mailing address at 5515 FM 2867 E, Henderson, Texas 75654.

5. Plaintiff Waste Connections Bayou, Inc. is a Delaware corporation with a mailing address at 4360 Greenwood Road, Shreveport, Louisiana 71109.

6. Plaintiff Waste Connections of Louisiana, Inc. is a Delaware corporation with a mailing address at 3501 Shed Road, Bossier City, Louisiana 71111.

7. Defendant Shreveport is a Louisiana municipality organized pursuant to Louisiana law with offices at 505 Travis Street, Shreveport, Louisiana 71101.

JURISDICTION AND VENUE

8. This Court has subject-matter jurisdiction under 28 U.S.C. § 1331 because this case arises under the Constitution and laws of the United States. This Court also has jurisdiction over the claims asserted in this matter pursuant to 28 U.S.C. § 1343 and 42 U.S.C. § 1983 (damages) and § 1988 (attorney fees and costs) and 28 U.S.C. §§ 2201 and 2202 (declaratory judgment).

9. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) and (c) because a substantial part of the events giving rise to these claims occurred in this judicial district, and because Defendant resides in this district.

FACTUAL ALLEGATIONS

The Flow Control Law and the Republic Woolworth Landfill

10. Defendant Shreveport regulates the collection and disposition of municipal solid waste generated within the City through Chapter 74 of the Shreveport Code of Ordinances, including the Flow Control Law codified in Section 74-52.1.

11. Since 1993, an earlier version of Shreveport's Flow Control Law similarly mandated that solid waste collected from businesses, hospitals, schools, and other institutions in the City be disposed of at the Republic Woolworth Landfill. The 1993 version of the Flow Control Law, however, recognized constitutional constraints on regulating interstate commerce by expressly exempting from the mandate waste exported out-of-state for disposal ("Out-of-State Disposal Exemption").

12. Unless the Out-of-State Disposal Exemption applied, the 1993 Flow Control Law required that solid waste collected within the City be delivered for disposal at a single designated facility, the Republic Woolworth Landfill.

13. The Republic Woolworth Landfill is owned by the City and is located southwest of the City in Keithville, Louisiana.

14. The Republic Woolworth Landfill is operated by a Republic Services, Inc. subsidiary, BFI Waste Systems of Louisiana, LLC (as defined above, “Republic”), a private entity under contract with the City.

15. The City has maintained some version of flow control for decades and, for over thirty years, the prior Flow Control Law included Section 74-52.1(e), which exempted from the flow control requirements “any solid waste and rubbish disposed of outside of the State of Louisiana” (as defined above, the “Out-of-State Disposal Exemption”).

16. That changed in 2021, when, upon information and belief, the City at the behest of or in close coordination with Republic and other private interests described below, started to look at ways to compel Plaintiff Waste Connections Bayou and other haulers to deliver Shreveport-collected waste to the Republic Woolworth Landfill instead of to other disposal facilities, including a less expensive out-of-state and better operated landfill in Texas.

17. Then, on January 9, 2024, the City enacted an ordinance, Ordinance No. 180, attempting to amend the Shreveport Code of Ordinances Section 74-52.1 to eliminate the Out-of-State Disposal Exemption with the intended and practical effect of forcing any waste generated in the City that otherwise would be exported out-of-state to be delivered to the Republic Woolworth Landfill.

18. However, the City failed to publish Ordinance No. 180 in the official City journal—the Shreveport Times—as required by law, rendering the law ineffective.

19. Twenty-one months later, on October 19, 2025, the City attempted to cure this failure by finally publishing its amended Ordinance No. 180 in the Shreveport Times, ostensibly finalizing the new Flow Control Law’s unconstitutional language.

Plaintiffs’ Operations and the Interstate Commerce in Waste

20. Plaintiffs are engaged in the collection, transfer, transportation, and disposal of municipal solid waste, including through disposal and transportation services that move in interstate commerce.

21. Plaintiff Waste Connections Bayou collects municipal solid waste from commercial and institutional customers that chose Waste Connections Bayou to provide reliable, cost-effective waste collection and management services at their local businesses within the City.

22. Plaintiff Waste Connections of Louisiana owns and operates a permitted non-processing transfer station in Bossier City, Louisiana (the “Bossier City Transfer Station”), that receives waste collected within the City for consolidation into larger vehicles for transportation.

23. A third-party hauler, under contract to Waste Connections of Louisiana, collects consolidated waste at the Bossier City Transfer Station onto transport trailers and hauls the waste across state lines to Texas for disposal at the East Texas Regional Landfill.

24. Plaintiff Texas Regional Landfill owns and operates the East Texas Regional Landfill.

25. Since 2018, Plaintiff Waste Connections Bayou has collected waste in the City and delivered that waste to the Bossier City Transfer Station.

26. After consolidation at the Bossier City Transfer Station, waste generated in the City is transported out of Louisiana for disposal at the East Texas Regional Landfill in Henderson, Texas.

27. The Republic Woolworth Landfill charges a \$44.03 per ton tipping fee for waste disposal that accrues to the advantage and profit of Republic, and on information and belief, other private interests.

28. Plaintiff Texas Regional Landfill's lower disposal fee at the East Texas Regional Landfill allows Waste Connections Bayou to charge less to its commercial and institutional customers in Shreveport, compared to the fee it would need to charge if forced to bring the waste to the Republic Woolworth Landfill.

29. Plaintiffs' out-of-state disposal commerce relies on interstate transportation services and access to more economical and dependable disposal capacity located outside Louisiana, which reduces prices for Shreveport customers and allows them more choice in the local waste disposal services market.

30. Thus, Plaintiffs have relied on the Out-of-State Disposal Exemption to export City-generated waste to the East Texas Regional Landfill. This option both benefits local businesses and institutions and helps avoid further monopolization of waste services within the City of Shreveport.

Operation of the Republic Woolworth Landfill by and for Private Interests

31. For-profit private business permeates virtually all aspects of the Republic Woolworth Landfill. Most importantly, a private company—Republic—operates and maintains the facility and processes the solid waste delivered there pursuant to a Sanitary Landfill Services and Recycling Contract (“Services Agreement”).

32. The Services Agreement between Republic and Defendant has been in place since 2003 and has a 25-year term.

33. Upon information and belief, the City's role at the Republic Woolworth Landfill is limited to a few administrative functions, while Republic performs all substantive landfill operations.

34. Upon information and belief, Republic has full operation and control over the Republic Woolworth Landfill, employing and directing over a dozen managers, operators, mechanics, laborers, and other workers.

35. Upon information and belief, Republic receives approximately fifty percent (50%) of the Republic Woolworth Landfill's tip fees, creating a financial interest in enforcement of the Flow Control Law to Republic's advantage.

36. Under the Services Agreement, while price adjustments are tied to recognized price indexes and annual increases are capped at five percent, Republic is allowed to seek increases above this cap with supporting evidence tied to operational expenses, including costs associated with changes in law.

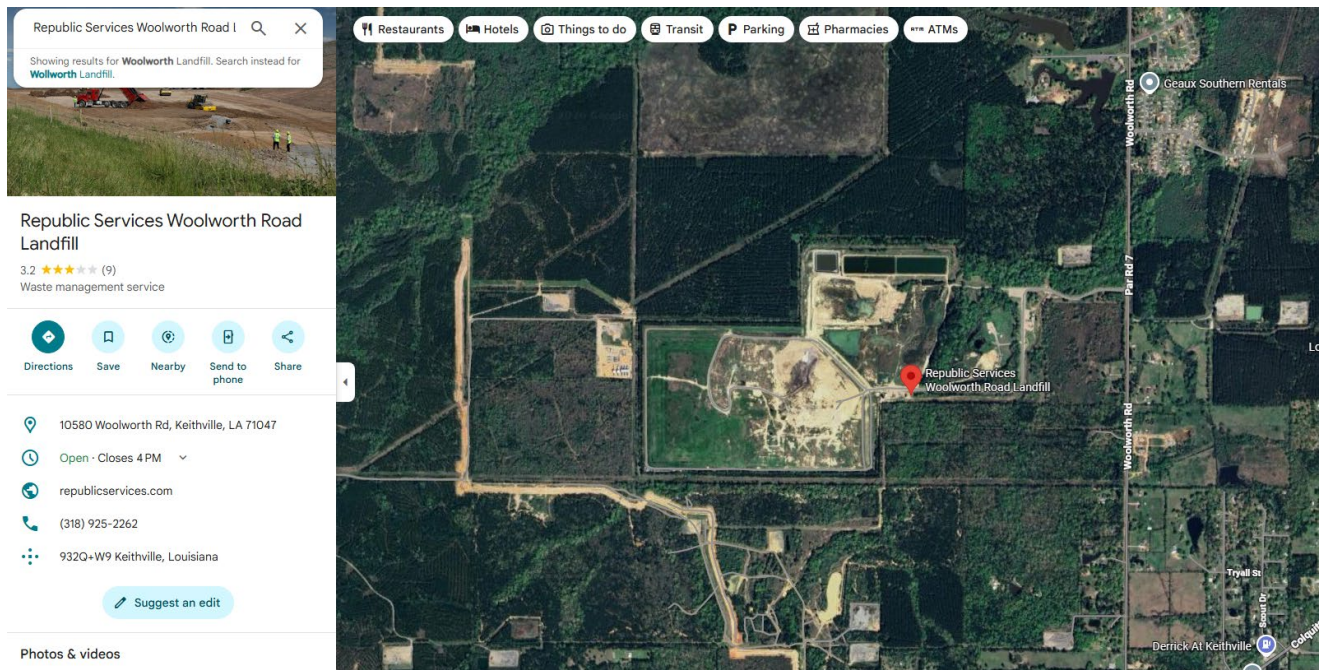
37. On information and belief, Republic may benefit from a volume-based discounted tipping fee for its waste disposal at the Republic Woolworth Landfill, under which disposal of at least 2,000 tons per month triggers a contractual per ton discount, while smaller competing haulers may have lacked sufficient volume to obtain or benefit from comparable discounts.

38. Upon information and belief, at least one additional private company has a direct financial stake in the Republic Woolworth Landfill's operations and the Flow Control Law. River Cities Disposal Company, Inc. ("River Cities"), a Louisiana corporation, executed a landfill marketing agreement with Defendant Shreveport that grants River Cities ten percent

(10%) of Republic’s share of the tip fee revenues generated at the Republic Woolworth Landfill. Upon information and belief, the President of River Cities, Scott Pernici, has advocated for the City to enforce the Flow Control Law against Plaintiff Waste Connections Bayou and other haulers operating in the City and to subsequently remove the Out-of-State Disposal Exemption, and is a driving force behind the City’s efforts to force haulers to bring their waste to the Republic Woolworth Landfill.

39. Upon information and belief, Republic is also the largest private hauler operating within the City, placing it in a unique position to leverage its market dominance—leverage that is enhanced by the current Flow Control Law.

40. Upon information and belief, Republic Woolworth Landfill is widely viewed among waste haulers operating in the area as a Republic facility and the landfill is labeled as a Republic facility on Google Maps.



41. The Republic Woolworth Landfill is also labeled as a Republic facility on Yelp.

Republic Services Woolworth Road Landfill

★ ★ ★ ★ ★ 5.0 (1 review)

Claimed • Recycling Center, Dumpster Rental

Open 7:00 AM - 4:00 PM See hours

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Do you recommend this business? Yes No Maybe

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10580 Woolworth Rd Keithville, LA 71047

Suggest an edit

42. The sign outside the landfill itself confirms it is a Republic facility.



43. Private interests dominate Shreveport's waste management system, particularly in relation to commerce in solid waste collection, management, and disposal at the Republic Woolworth Landfill.

44. The elimination of the Out-of-State Disposal Exemption increases the volume of waste required to be delivered to the Republic Woolworth Landfill, thereby increasing revenues tied to the disposal of additional tonnage at the Republic Woolworth Landfill. This arrangement uniquely benefits Republic and River Cities, which receives 10% of Republic's share of the tip fee revenues, and is detrimental to Plaintiffs, other companies and customers within the City of Shreveport.

45. Further, the Republic Woolworth Landfill has experienced persistent operational failures that create serious safety and compliance concerns. In 2023, a fire at the landfill required a substantial emergency response: 20 firefighters spent five hours to bring the incident under control, using approximately 40,000 gallons of water. That event was not an anomaly. In 2025, the landfill experienced another significant fire, burning several acres and requiring hours of firefighting efforts before it could be contained.

46. Upon information and belief, the impacts of these incidents extend beyond the landfill boundary and into the surrounding community. Smoke from the fires reportedly contributed to hazy conditions across the area. The smoke and haze also caused public concern and disruption, prompting sheriff's offices in surrounding parishes to field numerous calls about smoke and reduced visibility associated with the landfill fire.

47. Waste haulers have also repeatedly experienced long wait times at the Republic Woolworth Landfill under normal operating conditions, further reflecting the operational constraints at the facility.

48. Unless the Flow Control Law is enjoined, additional, large volumes of waste will be forced to go to the Republic Woolworth Landfill, exacerbating its operational problems, eroding competition within the local waste services market, and burdening Shreveport customers with higher collection prices and no choice in solid waste management services.

49. Defendant Shreveport has taken actions under the Flow Control Law to prohibit export of waste for out-of-state disposal and to compel delivery of such waste to the Republic Woolworth Landfill.

50. As explained above, on January 9, 2024, the City enacted Ordinance No. 180, attempting to eliminate the Out-of-State Disposal Exemption with the intended and practical effect of forcing any waste generated in the City that otherwise would be exported out-of-state to be delivered to the Republic Woolworth Landfill.

51. The City failed to publish Ordinance No. 180 in the Shreveport Times, rendering the law ineffective at that time.

52. Undeterred, on October 19, 2025, the City sought to cure this failure by publishing Ordinance No 180 in the Shreveport Times, ostensibly finalizing removal of the Out-of-State Disposal Exemption from the Flow Control Law.

53. Given these actions, Defendant Shreveport is now on the verge of taking action to compel Plaintiff Waste Connections Bayou to bring its waste to the Republic Woolworth Landfill, to the detriment of all Plaintiffs.

54. Upon information and belief, the City's multi-year efforts to capture waste destined for out-of-state disposal have been undertaken at the instigation of, with influence from and, at times, direction from Scott Pernici, the President of River Cities that receives ten percent (10%) of Republic's share of the tip fee revenues at the Republic Woolworth Landfill.

55. The City therefore remains intent on imposing this illegal and unconstitutional mandate to the benefit of certain private in-state entities and to damage the Plaintiffs, and other private entities, engaged in interstate commerce.

56. At the January 9, 2024 City Council meeting, there was comment on the Flow Control Law wherein Councilman Grayson Boucher characterized the fact that “there were certain companies taking things to Texas” as a “fight”, and he thanked the mayor for his leadership in connection with removing the Out-of-State Disposal Exemption.

57. Defendant’s actions create a concrete and imminent threat that Shreveport will seek to compel compliance and prevent Plaintiffs from continuing to use interstate export and out-of-state disposal for waste collected in the City.

The Flow Control Law Discriminates Against and Damages Interstate Commerce

58. The Flow Control Law hoards solid waste—an article in commerce—for the benefit of certain private parties, and damages and discriminates against other private parties and the interstate market for the management and disposal of solid waste.

59. The Flow Control Law compels Plaintiff Waste Connections Bayou to alter the destination and manner of disposal for waste it collects in Shreveport, including rerouting loads, revising day-to-day collection and disposal logistics, increasing its service costs for local Shreveport businesses, and operating under the threat of future litigation if it continues to use out-of-state disposal to benefit its Shreveport customers.

60. Plaintiff Waste Connections of Louisiana operates the Bossier City Transfer Station to temporarily consolidate Shreveport waste for lawful interstate shipment and eventual disposal, and the Flow Control Law deprives that facility of its intended use, resulting in

stranded capacity and equipment, disrupted operations, and interference with contractual performance for outbound transport and disposal.

61. Plaintiff Texas Regional Landfill's East Texas Regional Landfill receives Waste Connections Bayou's Shreveport-generated waste in interstate commerce, and the Flow Control Law forces diversion of that waste away from out-of-state disposal, reducing inbound tonnage and impairing the landfill's interstate commercial operations and capacity utilization.

62. If forced to comply with the Flow Control Law, Plaintiffs (i) would not be able to ship the waste they collect within the City out-of-state to the East Texas Regional Landfill, and, as a result, will be forced to pay a "tipping" fee at the Republic Woolworth Landfill, and (ii) Plaintiffs' cost to dispose of waste at the Republic Woolworth Landfill, including the tipping fee and the transportation cost, would be higher than their current cost.

63. If forced to comply with the Flow Control Law, Plaintiff Waste Connections Bayou will face increased costs to provide waste services and may be forced to increase fees charged to its customers in Shreveport.

64. If Plaintiff Waste Connections Bayou is compelled to bring the waste it collects in Shreveport to the Republic Woolworth Landfill, all the other Plaintiffs will lose substantial amounts of business and related revenues related to their interstate commerce.

65. The Flow Control Law's design to hoard waste for Republic Woolworth Landfill to the detriment of less expensive out-of-state options is driven by, and chiefly benefits, private commercial interests rather than a public government function.

66. By compelling disposal at a privately operated facility and profiting private entities, the Flow Control Law confers a government-created competitive advantage for designated private Louisiana interests against unfavored private entities in interstate commerce.

67. Independent of its discrimination, the Flow Control Law unduly burdens interstate commerce by restricting the interstate transportation, processing, and disposal of solid waste and disrupting established interstate waste markets.

68. The Flow Control Law confers no legitimate local benefits sufficient to justify its burdens on interstate commerce. The City has asserted that the amendment to the Flow Control Law is intended to improve operational functionality and support the financing of municipal waste services as part of its responsibility to protect public health, safety, and welfare.

69. But even assuming the amendment to the Flow Control Law yields some marginal local benefit beyond the private interests served by the amendment, that benefit is outweighed by the severe burden that the Flow Control Law places on interstate commerce, to the detriment of Shreveport customers that prefer Plaintiffs' waste management and disposal services and that benefit from haulers being able to utilize more efficient and cost-effective disposal options.

70. The Out-of-State Disposal Exemption in the prior version of the Flow Control Law was not incidental. It evidenced the City's recognition that, while local waste management is a legitimate municipal function, compelling in-state disposal at the exclusion of interstate alternatives would be unconstitutional. For decades, the City operated its flow control regime with that necessary exemption; it was not until private influence involved itself that the City felt compelled to remove the Out-of-State Disposal Exception.

71. The City's removal of the Out-of-State Disposal Exemption was intended to unconstitutionally expand the reach of its flow control system and foreclose participation in interstate waste markets. In doing so, the City converted a historically limited police power regulation into an export ban that favors specific private interests and imposes substantial burdens on interstate commerce. In fact, the councilmembers voted unanimously to make it

illegal for private sanitation companies to take waste collected in Shreveport to out-of-state landfills. Councilman Grayson Boucher made the City's intent clear, admitting "we can't stop DeSoto Parish traffic, but we can stop [the waste] from going to Texas. And I think that's what we did today. So, I'm happy about that."

72. Discovery will further disclose the degree to which private interests have influenced the City's actions and the degree to which those private interests have benefited as a result.

FIRST CAUSE OF ACTION

Unconstitutional Discrimination Against Interstate Commerce

73. Plaintiffs incorporate by reference the allegations set forth above in Paragraphs 1 through 72 of this Complaint as if fully set forth herein.

74. The Commerce Clause of the United States Constitution provides that "Congress shall have the power ... to regulate Commerce ... among the several States" U.S. Const. Art I, § 8, cl. 3.

75. The centuries-old corollary of the Commerce Clause, the Dormant Commerce Clause, forbids states and local governments from adopting protectionist laws or regulations, or from taking any actions that are designed to, or that have the effect of, discriminating against out-of-state commerce to the benefit of in-state interests.

76. Violations of the Dormant Commerce Clause are redressable through actions brought under 42 U.S.C. § 1983.

77. Municipal solid wastes are articles in commerce subject to the sole power of Congress to regulate commerce among the several states under the Commerce Clause.

78. The Flow Control Law prevents the transportation of solid waste for disposal outside the State of Louisiana.

79. The Flow Control Law discriminates against interstate commerce in purpose and practical effect because it functions to hoard a valuable market in solid waste, impermissibly benefits private interests, and forecloses access to the interstate transportation and disposal markets, excluding out-of-state disposal options and out-of-state market participants.

80. The Flow Control Law discriminates against interstate commerce by conferring economic benefits on favored local interests (including private interests) tied to mandatory delivery to the designated facility, to the detriment of out-of-state disposal and transportation market participants.

81. Unless the Flow Control Law is declared unconstitutional and enjoined, Plaintiffs and their customers are in imminent danger of suffering, have suffered, and will continue to suffer great and irreparable injury.

82. The enactment and the threat of the City's imminent enforcement of the Flow Control Law deprives Plaintiffs of their rights under the Commerce Clause of the United States Constitution, in violation of 42 U.S.C. § 1983, and Plaintiffs are entitled to a declaratory judgment thereof and preliminary and permanent injunctive relief prohibiting the City of Shreveport from enforcing the Flow Control Law.

SECOND CAUSE OF ACTION

Unconstitutional Burdens Imposed Upon Interstate Commerce

83. Plaintiffs incorporate by reference the allegations set forth above in Paragraphs 1 through 72 of this Complaint as if fully set forth herein.

84. The Commerce Clause of the United States Constitution provides that: “Congress shall have the power ... to regulate Commerce ... among the several States” U.S. Const. Art I, § 8, cl. 3.

85. The Dormant Commerce Clause forbids States and local governments from adopting protectionist laws or regulations, or taking any actions that are designed to, or that have the effect of, benefiting in-state interests by discriminating against out-of-state commerce.

86. Violations of the Dormant Commerce Clause are fully redressable through actions brought under 42 U.S.C. § 1983.

87. The Flow Control Law uses the force of law to regulate the delivery, processing, and disposal of solid waste generated in the City of Shreveport.

88. The Flow Control Law unconstitutionally interferes with and unduly burdens interstate commerce by design and by effect.

89. The Flow Control Law has a discriminatory purpose: By mandating that waste collected within the City must be disposed at the Republic Woolworth Landfill, the law has the practical effect of favoring in-state business interests over out-of-state business interests.

90. Any local benefit of the Flow Control Law is outweighed by the severe burden that the law places on interstate commerce.

91. The Flow Control Law unconstitutionally interferes with and unduly burdens interstate commerce in all of the ways described in this Complaint.

92. Defendant has caused and continues to cause Plaintiffs and their customers to suffer damages and irreparable harm to their civil and constitutional rights for which there is no adequate remedy at law. Declaratory injunctive relief is justified under the circumstances.

93. Plaintiffs Waste Connections Bayou, Waste Connections of Louisiana, and Texas Regional Landfill Company and their customers, have incurred and continue to incur financial damages caused by the enactment and enforcement of the Flow Control Law, as amended by Ordinance No. 180.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully requests that this Court:

- a. Pursuant to 28 U.S.C. § 2201, enter a declaratory judgment in Plaintiffs' favor declaring Section 74-52.1, as amended by Ordinance No. 180, to be unlawful, invalid, null, void, arbitrary, unreasonable, and in violation of the Plaintiffs' rights under the United States Constitution;
- b. Preliminarily and permanently enjoin Defendant, and anyone acting under the authority of or on behalf of Defendant, from enforcing or implementing Section 74-52.1, as amended by Ordinance No. 180;
- c. Award to Plaintiffs damages under 42 U.S.C. § 1983, and costs and attorney's fees under 42 U.S.C. § 1988, for violations of the United States Constitution;
and
- d. Grant such other and further relief as the Court deems just and proper.

Dated: February 4, 2026

Respectfully submitted,



Christopher R. Handy (#38768)
Claire H. Carter (#41692)
BRADLEY MURCHISON KELLY & SHEA LLC
1100 Poydras Street, Suite 2700
New Orleans, LA 70163
Telephone: 504-596-6300
chandy@bradleyfirm.com
ccarter@bradleyfirm.com

Leland G. Horton (#26928)
BRADLEY MURCHISON KELLY & SHEA LLC
401 Edwards Street, Suite 1000
Shreveport, LA 71101
Telephone: (318) 227-1131
lhorton@bradleyfirm.com

James Slaughter (*pro hac vice* to be submitted)
Michael Murphy (*pro hac vice* to be submitted)
BEVERIDGE & DIAMOND, P.C.
1900 N Street, NW, Suite 100
Washington, DC 20036
Telephone: (202) 789-6040
jslaughter@bdlaw.com
mmurphy@bdlaw.com

*Attorneys for Waste Connections Bayou, Inc., Waste
Connections Louisiana, Inc., and Texas Regional
Landfill Company, LP*