



**Matthew Rodriguez**  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control

Barbara A. Lee, Director  
1001 "I" Street  
P.O. Box 806  
Sacramento, California 95812-0806



**Edmund G. Brown Jr.**  
Governor

December 8, 2016

Certified Mail No.: 7014 3490 0000 2023 2285

Mr. Dick Hanna, Risk Management Consultant  
Representing Bard Manufacturing Company, Inc.  
1935 Palouse Drive  
London, Ohio 43140

### **SUMMARY OF VIOLATIONS (SOV) REPORT FOR VIOLATION OF OUT-OF-SERVICE MERCURY-ADDED THERMOSTAT COLLECTION – BARD MANUFACTURING COMPANY, INC**

The Department of Toxic Substances Control (DTSC) has completed its review of the *Thermostat Recycling Corporation's Annual Report on Mercury-added Thermostat Collection and Recycling in California Calendar Year 2015* (Report) submitted on March 30, 2016.

DTSC has determined that Bard Manufacturing Company, Inc. has violated subdivision (a) of section 66274.5, title 22 of California Code of Regulations, in that it failed to meet the established collection rate performance requirement that required Bard Manufacturing Company to collect 113,850 mercury-added thermostats for calendar year (CY) 2015 and instead, collected only 19,223 mercury-added thermostats during that period. DTSC has also evaluated the proposed program enhancements identified in the Report and determined that the proposed enhancements will not yield sufficient additional collection of out-of-service mercury-added thermostats to meet the collection rate performance requirements for CY 2016.

If you dispute the 2015 SOV of DTSC's assessment of the collection program identified in the Report, please provide a written explanation within 30 days of the date of this letter. The issuance of this letter does not preclude DTSC from taking administrative, civil, or criminal action as a result of the violation noted.

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If you have any questions, please contact me at (916) 255-6562 or by email at [Sangat.Kals@dtsc.ca.gov](mailto:Sangat.Kals@dtsc.ca.gov).

Sincerely,



Dr. Sangat Kals, Chief  
Sacramento Enforcement Unit  
Statewide ER & Sacramento Enforcement Branch  
Enforcement and Emergency Response Division  
Hazardous Waste Management Program  
Department of Toxic Substances Control

Enclosure

cc: Mr. Keith Kihara, Chief  
Enforcement and Emergency Response Division  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
1001 I Street, 11<sup>th</sup> Floor, MS 11A  
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Sacramento, California 95812

Mr. Rick Brausch, Chief  
Policy and Program Support Division  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
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Sacramento, California 95812

Ms. Denise Tsuji, Chief  
Statewide ER & Sacramento Enforcement Branch  
Enforcement and Emergency Response Division  
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Sacramento, California 95826

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**A Summary of Violation letter was also sent to the following companies:**

Burnham Holdings  
Carrier Corporation  
Chromalox, Inc.  
Crane Co.  
Climate Master, Inc.  
Daikin Applied Americas Inc.  
Empire Comfort Systems  
GE Energy Connections  
Goodman Global, Inc.  
Honeywell International  
Hunter Fan Company  
Invensys, Inc.  
ITT Corporation  
Johnson Controls, Inc.  
Lear Siegler Diversified Holdings Corp.  
Lennox Residential  
Lux Products Corporation  
The Marley-Wylain Company  
Nortek Global HVAC, LLC  
PSG Controls, Inc.  
Rheem Manufacturing Company  
Sears Holdings  
Thermostat Recycling Corporation  
Thomas and Betts Corporation  
TPI Corporation  
Trane (Ingersoll Rand)  
Uponor, Inc.  
Vaillant Corporation  
W.W. Grainger, Inc.  
White-Rodgers Div Emerson Electric