



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

April 7, 2017

Mr. Steve Hellem
Program Manager
Thermostat Recycling Corporation
500 Office Center Drive, Suite 400
Fort Washington, Pennsylvania

DISAPPROVAL OF GROUP B OUTREACH AND PILOT PROJECT PLAN

Dear Mr. Hellem:

The Department of Toxic Substances Control (DTSC) has completed its review of the plan submitted on February 7, 2017 by the Thermostat Recycling Corporation (TRC) titled "Group B Outreach & Pilot Project Plan For the Collection of Mercury-Containing Thermostats in California" (Group B Plan). The Group B Plan was prepared by TRC. DTSC has determined that the Group B Plan does not meet the requirements of the October 7, 2016 letter titled "Approval of Outreach Plan and Pilot Programs Plan With Modifications." DTSC is disapproving the submitted plan for the reasons discussed below.

On October 7, 2016 DTSC approved with modifications the "Outreach Plan for the Collection of Mercury Added Thermostats in California" (Outreach Plan). In DTSC's letter, TRC was approved to phase its outreach efforts, and to segregate the potential program participants into three separate phases. The activities for the first phase would be focused on Group A, and were to commence when the plan was approved. The plans for the other two phases would focus on the other two groups (Groups B and C) and were required to be submitted at a later time. The Group B participants are identified as follows:

- Utility Companies
- Local Building Departments
- School Districts
- Universities and Colleges

TRC's February 7, 2017 Group B plan describes outreach efforts for only one audience member of Group B, Utility Companies. The Group B Plan does not present required

activities (either outreach or pilot projects) for the remaining three program participant categories. For this reason, DTSC is disapproving the Group B Plan.

Two other points that DTSC would like to raise with respect to the Group B Plan:

- 1) In the approved August 8, 2016 Outreach Plan, TRC committed to conduct scoping activities for Group B participants as part of its Phase 1 activities: "Phase 1 outreach will also include a scoping exercise of Group B's current sustainability efforts and data bases..." Based on the information presented in TRC's Group B Plan, it does not appear that the required scoping activities were conducted.
- 2) On page 2 of the Group B Plan, in the second paragraph under the Background section, TRC has included the following statement: "The second two groups, Groups B and C, include audiences deemed by both DTSC and TRC to be less likely to yield success in collecting mercury-containing thermostats." DTSC does not agree with TRC's characterization. In its approval of TRC's August 8, 2016 Outreach Plan, DTSC was willing to allow TRC to phase its outreach and pilot efforts due to TRC's limited knowledge of the potential program participants in Groups B and C, not due to any assessment of their potential for success or possible thermostat collections.

Please submit a revised Group B Plan for DTSC's review on or before June 6, 2017. If you have any questions about this letter please contact Ms. Renée Avila at (916) 322-4819 or by email at Renee.Avila@dtsc.ca.gov.

Sincerely,



Mr. Rick Brausch, Chief
Policy and Program Support Division
Hazardous Waste Management Program

cc: See next page

Mr. Steve Hellem

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cc: Mr. Ryan Kiscaden
Executive Director
Thermostat Recycling Corporation
500 Office Center Drive, Suite 400
Fort Washington, Pennsylvania 19034

Mr. Tom Murray
Program Manager
Thermostat Recycling Corporation
500 Office Center Drive, Suite 400
Fort Washington, Pennsylvania 19034

Ms. Renée Avila, Project Manager
Program Implementation Unit
Policy and Program Support Division
Hazardous Waste Management Program
Department of Toxic Substances Control
1001 I Street, 11th Floor
P.O. Box 806
Sacramento, California 95812-0806