



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

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**DTSC Sends Thermostat Manufacturers a
Summary of Violations Letter**

SACRAMENTO - On July 3, the Department of Toxic Substances Control (DTSC) sent 31 thermostat manufacturers a Summary of Violations letter, notifying them of their failure to meet the collection rate performance requirements in DTSC's Mercury Thermostat Collection regulations.

The performance requirements were adopted by DTSC pursuant to the Mercury Thermostat Collection Act of 2008. The Act required DTSC to set collection mandates for mercury-containing thermostats that are taken out of service. Manufacturers that historically distributed those thermostats are required to meet those collection mandates. In the last six months of 2013, the collection mandate was 32,500 mercury-containing thermostats. On April 1, 2014, Thermostat Recycling Corporation (TRC), a thermostat collection entity set up by the manufacturers to comply with the Act, reported to DTSC that only 13,658 thermostats were collected in California over the last 6 months of 2013.

DTSC's letter to the manufacturers also informed the manufacturers that DTSC had determined that TRC's proposed program enhancements for 2014 are not expected to improve the collection rate performance enough to reach the 2014 goal of collecting 95,400 mercury-containing thermostats. The Letter requests each manufacturer meet with DTSC within 45 days to discuss DTSC's findings and to identify additional modifications to their collection program.

"We are quite concerned with the low number of thermostats recovered," said Rick Brausch, Chief, Policy and Program Support Division, DTSC. "We look forward to meeting with the manufacturers to discuss the modifications we believe are needed to improve the collection rate and ensure the required number of thermostats is collected in the future. Mercury thermostats that are being taken out of service and not collected by the program increase the very real possibility that the mercury contained in them is being released into the environment."

Mercury is a potent neurotoxin that, when released into the environment, can significantly harm human health and the environment. Though no longer sold in California, up to 10 million mercury-added thermostats are estimated to still be in use in

California homes and businesses.

DTSC is also evaluating other enforcement responses to the manufacturers' lack of performance, including taking administrative, civil, or criminal action against each manufacturer as a result of this violation.

In May of 2013, DTSC released the final regulations for the collection and recycling of used thermostats containing mercury. The regulations set recycling requirements that increase annually until 2017, when the requirement is a 75 percent collection and recycling rate, or more than 147,000 mercury thermostats.

A 2006 state law banned the sale of new mercury-added thermostats in California. State law also prohibits their disposal in solid-waste landfills, and the 2008 law, the Mercury Thermostat Collection Act, requires former manufacturers of such thermostats to operate a collection and recycling program for those that are being taken out of service and becoming waste.

TRC is a non-profit corporation operated by the thermostat manufacturing industry for the purpose of collecting and properly disposing mercury-containing thermostats. TRC represents the 31 manufacturers that historically distributed mercury-containing thermostats in the United States.

To view a copy of the letter, visit DTSC's [website](#).

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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

The Mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.