



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

June 9, 2015

Certified Mail No.: **7013 2250 0000 9636 7292**

Mr. Dan O'Donnell
Honeywell Inc.
101 Columbia Road
Morristown, New Jersey 07962

SUMMARY OF VIOLATIONS (SOV) – Honeywell Inc.

The Department of Toxic Substances Control (DTSC) has completed its review of the Thermostat Recycling Corporation's 2014 Annual Report for the California Thermostat Program (Report) submitted on April 1, 2015.

DTSC has determined that Honeywell 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 Honeywell Inc. to collect 95,400 mercury-added thermostats for calendar year (CY) 2014 and instead, collected only 22,453 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 2015. A copy of DTSC's evaluation titled Department of Toxic Substances Control Review of Thermostat Recycling Corporation's 2014 Annual Report for California is enclosed.

DTSC is currently negotiating with a subgroup of manufacturers to resolve the 2013 SOV. Any agreed upon resolution may be incorporated into a Consent Order that will serve to resolve the 2013 SOV. Depending upon the timing of the resolution of the 2013 SOV, the same Consent Order may also be used to resolve this SOV.

If you dispute the CY 2014 violation or DTSC's assessment of the proposed program enhancements identified in the Report, please provide a written explanation within 30 days. The issuance of this letter does not preclude DTSC from taking administrative, civil, or criminal action as a result of the violation noted.

If you have any questions, please contact Mr. Donn Diebert of my staff at (916) 322 -2505 or via Donn.Diebert@dtsc.ca.gov.

Sincerely,

Pauline Batarseh, Chief
Policy Implementation and Support Branch
Hazardous Waste Management Program

Enclosure

cc: See next page.



Mr. Dick Hanna
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cc: Elise Rothschild, REHS
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A Summary of Violation letter was also sent to the following companies:

Bard Manufacturing

Burnham Holdings, Inc.

United Technologies Corporation (Carrier)

Chromalox

Crane Company

Climate Masters Inc.

Daikin Applied [McQuay International]

Empire Comfort System

General Electric

Goodman Global, Inc.

Hunter Fan Company

Invensys Controls

ITT Corporation

Johnson Controls

Original Charter Corporation (Lear Siegler)

Lennox Corporation

Lux Products

The Marley-Wylain Company

Nortek Global HVAC's (Nordyne)

PSG Controls

Rheem Manufacturing Company

Sears Holdings Company

Thomas & Betts Corporation

TPI Corporation

Ingersoll Rand (Trane)

Uponor, Inc.

Vaillant Corporation

W.W. Grainger, Inc.

White-Rodgers (Emerson Electric Company)