



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Miriam Barcellona Ingenito
Acting Director
1001 I Street
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

June 30, 2014

Honeywell International Automation and Control Solutions Branch
101 Columbia Road
Morristown, New Jersey 07962

SUMMARY OF VIOLATIONS

The Department of Toxic Substances Control (DTSC) has completed its review of the Thermostat Recycling Corporation's (TRC) 2013 *Annual Report for the California Thermostat Program* (Report) submitted on April 1, 2014. DTSC understands that Honeywell International Automation and Control Solutions Branch (Honeywell International) is a participating member of TRC, a collection and recycling program for out-of-service mercury-added thermostats that has been established collectively with other manufacturers pursuant to California Health and Safety Code section 25214.8.12.

DTSC, based on its review of the Report, has determined that Honeywell International, as a member of TRC, has violated subdivision (a) of section 66274.5 of California Code of Regulations (CCR), Title 22 in that it failed to meet the established collection rate performance requirement for calendar year 2013. DTSC has also evaluated the proposed program enhancements identified in the Report and has determined that the proposed enhancements will not yield sufficient additional collection of out-of-service mercury-added thermostats to meet the collection rate performance requirement for calendar year 2014.

DTSC is requesting a meeting within 45 days of receipt of this letter to discuss next steps and identify necessary modifications to your collection program. You may participate in this meeting individually, or you may identify and designate an authorized representative to represent the group of manufactures operating collectively to participate in this meeting to discuss the necessary program modifications. If you dispute this violation or DTSC's assessment of the proposed program enhancements identified in the Report, please provide a written explanation within 30 days, and ensure that you or your authorized representative is prepared to discuss the rationale for disputing DTSC's findings at the meeting to be scheduled.

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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 by e-mail at Donn.Diebert@dtsc.ca.gov.

Sincerely,

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

cc: Mark Tibbetts
Executive Director
Thermostat Recycling Corporation
1300 North 17th Street, Suite 1752
Rosslyn, Virginia 22209

Donn Diebert, P.E., Chief
Program Implementation Unit
Policy Implementation and Support Branch
Policy and Program Support Division
Hazardous Waste Management Program

Bard Manufacturing

Burnham Holdings, Inc.

Carrier Corporation

Chromalox

Climate Master, Inc.

Crane Company

White Rodgers

Empire Comfort Systems

General Electric

Goodman Global, Inc.

Honeywell Inc.

cc: Hunter Fan Company

Invensys Controls

ITT Corporation

Johnson Controls

Lear Seigler

Lennox Corporation

Lux Products

The Marley-Wylain Company

McQuay International

McQuay International

Nordyne

PSG Controls

Rheem Manufacturing Company

Sears Holding Company

Taco, Inc.

Thomas & Betts Corporation

TPI Corporation

Trane Residential Systems

Uponor, Inc.

Vailant Corporation

W.W. Grainger Inc.