



Office of the General Counsel

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RECEIVED AUG - 7 2014

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August 6, 2014

**VIA FED-EX STANDARD OVERNIGHT**

Ms. Pauline Batarseh, Chief  
Policy Implementation Branch  
Department of Toxic Substances Control  
1001 I Street  
Sacramento, CA 95812-0806

RE: Summary of Violation letter July 3, 2014  
Rheem Manufacturing Company

Dear Ms. Batarseh,

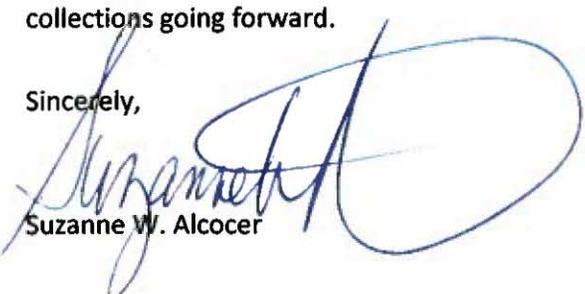
We are in receipt of your letter of July 3, 2014 and dispute both the DTSC's finding of a violation of the collection rate performance requirement for year 2013 as well as the assessment of the proposed 2014 program enhancements.

To date, Rheem has collected 380 thermostats out of a total of 1013 thermostats sold in California – a total collection rate of almost 38%. This number excludes thermostats collected by Home Depot, Lowes, independent recycling centers, self-disposal and other disposal sites. Clearly, if the number included these additional collections, Rheem would be well over its required collection rate performance for 2013.

While it is Rheem's intention to collect as many mercury containing thermostats in California as possible, it is our position that for the di minimis number of thermostats sold by Rheem in California, its results have been excellent.

Therefore, we ask for an individual meeting with the DTSC to discuss our position and a resolution for collections going forward.

Sincerely,

  
Suzanne W. Alcocer

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