

James R. Cauley
General Counsel
The Marley-Wylain Company
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September 10, 2014

MS. PAULINE BATARSEH, CHIEF
POLICY IMPLEMENTATION BRANCH
POLICY AND PROGRAM SUPPORT DIVISION
HAZARDOUS WASTE MANAGEMENT PROGRAM
1001 "I" STREET
PO Box 806
SACRAMENTO, CA 95812-0806

Re: Summary of Violations ("SOV") Letter and Assessment

Dear Ms. Batarseh:

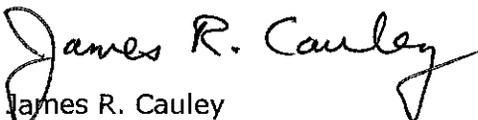
I am writing on behalf of The Marley-Wylain Company ("Company"). On September 8, I received the August 29, 2014 letter from the Department of Toxic Substances Control ("DTSC") with an enclosed copy of a Summary of Violations letter dated July 3, 2014, that was purportedly sent to the Company, along with a July 30, 2014 Conference Call Summary and August 25, 2014 Review of the Thermostat Recycling Corporation's 2013 Annual Report for California.

On July 30 the Company participated in a conference call with DTSC and other members of the Thermostat Recycling Corporation ("TRC"). DTSC assured participants that the conference call constituted no waiver of rights. During the call, DTSC agreed to provide participants with its written assessment of the TRC program enhancements and to grant an extension of time for responding. DTSC granted an extension to September 10.

Since we just received the August 25 Review and related information, the Company respectfully denies any alleged violations and reserves all rights to defend against any alleged violations and the assessment.

On the basis of the conference call on July 30, we are confident that TRC and its members will be able to work with DTSC to develop and implement reasonable enhancements for a thermostat recycling program. Please contact me if you have any questions.

Sincerely,



James R. Cauley
General Counsel