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February 13, 2015

Via Certified Mail & Email: Pauline.Batarseh@dtsc.ca.gov

Ms. Pauline Batarseh
Chief
Policy Implementation and Support Branch
Policy and Program Support Division
Hazardous Waste Management Program
California Department of Toxic Substances Control
1001 I Street
P.O. Box 806
Sacramento, California 95812-0806

Re: Empire Comfort Systems, Inc./Summary of Violations

Dear Ms. Batarseh:

Our firm represents Empire Comfort Systems, Inc. ("Empire") regarding the Summary of Violations issued by the California Department of Toxic Substances Control dated July 3, 2014. In response to your correspondence of January 30, 2015 addressed to Empire, which was received by our client on February 4, 2015, Empire is in agreement with DTSC's proposed approach to settlement of the Summary of Violations through the negotiation of collection program changes with a subset of manufacturers involved in the thermostat recycling program.

Please feel free to contact me at any time regarding this matter.

Very truly yours,

MATHIS, MARIFIAN & RICHTER, LTD.

By: Patrick B. Mathis
pmathis@mmrltd.com

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cc: Ken Belding
Mark Tibbetts
Don Diebert