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February 19, 2015

Pauline Batarseh, Chief  
Policy Implementation Support Branch Hazardous Waste Management Program Department of Toxic  
Substances Control  
1001 "I" Street, 11<sup>th</sup> floor  
P.O. Box 806  
Sacramento, CA 95812-0806

Re: W.W. Grainger, Inc.'s Response to DTSC's January 30, 2015 Settlement of the Summary of Violations

Dear Ms. Batarseh:

W.W. Grainger, Inc. ("Grainger") concurs that a negotiated resolution of the SOV issued on July 3, 2014 is likely to be the most efficient and expedient approach to reaching a mutually agreeable resolution. Subject to certain caveats set forth below relating to the negotiation process, Grainger is generally amenable to the approach proposed by the Department of Toxic Substances Control ("DTSC") to resolve the Summary of Violations ("SOV"). We would welcome the opportunity to discuss the proposed changes to the thermostat collection program listed on page three of DTSC's letter dated January 30, 2015 dated letter, including the need for a new study to rectify the deficiencies contained in the 2009 Skumatz Economic Research Associates, Inc. report.

The Thermostat Recycling Corporation (TRC), which operates the recycling program in California, has thirty (30) members. Grainger is agreeable, in theory, to the DTSC's recommendation to negotiate with a "subset of manufacturers" to resolve the SOVs. However, it is certain to take longer than the time frame proposed by the DTSC in its January 30, 2015 letter to resolve this matter. First, TRC will need to poll its members to determine if they are willing to be represented by a "subset of manufactures" in negotiations with the DTSC. If there is agreement to the negotiating group, TRC will then need to identify which of its members, if any, that may want to negotiate directly with the DTSC in the settlement negotiations. Once these internal TRC issues have been resolved, TRC will be positioned to contact DTSC and provide the names of those who will make up the negotiating team. Once the negotiating team has initially met with the DTSC, then it will be possible to suggest a range of possible dates for the initial settlement meeting.

If you have any questions in this regard please contact me at 847-535-1054 or via email at [lynn.watkins@grainger.com](mailto:lynn.watkins@grainger.com).

Regards,

Lynn Watkins-Asiyanbi  
Assistant General Counsel  
W.W. Grainger, Inc.