Office of the General Counsel

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February 18, 2015

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

RE: Your letter of January 30, 2015
Rheem Manufacturing Company

Dear Ms. Batarseh,

We are in receipt of your letter of January 30, 2015 regarding the Settlement of the Summary of Violations and the suggested improvements/enhancements to the Thermostat Collection Program.

As we have mentioned in our previous correspondence as well as on our call with the DTSC, Rheem has met it collection requirements. In fact, Rheem has exceeded its collection requirements with 159 thermostats collected in 2014 bringing its total collection to date to 539 or approximately 53.3%.

Even though it is Rheem's position that it is not individually in violation of the regulation, we would be open to participating in a dialogue with the DTSC with the objective of reaching an acceptable solution for all parties. However, Rheem does request that as part of the subset of manufacturers selected to negotiate with the DTSC, there be representation by di minimis manufacturers such as Rheem.

Please note that by agreeing to negotiation with the DTSC, Rheem is not waiving its right to obtaining an individual goal and plan from the DTSC, nor is it agreeing to sign a Consent Order.

Sincerely,

Suzanne Alcocer
Assistant General Counsel