1765 Duke Street | Alexandria, VA 22314 | thermostat-recycle.org

VIA EMAIL and US Mail

March 30, 2016

Ms. Pauline Batarseh Policy Implementation and Support Branch California Department of Toxic Substances Control 1001 "I" Street P.O. Box 806 Sacramento, CA 95812-0806

Subject: Thermostat Recycling Corporation's 2015 Annual Report

Dear Ms. Batarseh:

Since 1998, TRC's national program has collected more than 2.1 million thermostats, diverting more than 10 tons of mercury from the waste stream. TRC continues to do more by increasing its budget, visiting more states (up 38% compared to 2014), and modernizing its work force.

You will find attached TRC's annual collection report for calendar year 2015. TRC would like to highlight some aspects of the 2015 program in California:

- The program collected **18,260 thermostats in 2015**. This was a 10% decrease compared to the number of thermostats collected in 2014.
- In 2015 the program collected 214.84 pounds of mercury in the state of California. Since 2001, the annual pounds of mercury collected in California has increased by an average of 43% per year. During the same time period, the pounds of mercury collected in the nation increased by 17% per year.
- TRC's website traffic continued to increase in 2015. There was a 98% increase of visitors from California while TRC increased its total annual visitors by **71% compared to 2014**.
- The counties with the most bins returned in 2015 were Los Angeles (152 bins), San Diego (51 bins), and Orange (43 bins).

If the department would like to discuss any of these items in greater detail, please do not hesitate to contact me directly at 571-302-0877.

Sincerely yours.

Ryan L Kiscaden

Executive Director





an industry-funded non-profit

CALIFORNIA STATE ANNUAL REPORT

FY 2015

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In 2015, TRC recovered 214.84 pounds of mercury from the equivalent of 19,223 mercury thermostats. A total of 18,260 intact mercury thermostats and 34,652 mercury thermostat switches removed from thermostats were recovered from California collection locations in 2015. Mercury thermostats recovered from California locations averaged 1.80 switches per thermostat in 2015.

TRC recovered 16,051 thermostats from HVAC wholesale distributor collection locations, 1,096 from HHW locations, 913 from Contractor locations and 200 from retail locations (less than 1%).

By regulation, California set a performance requirement for manufacturers or groups of manufacturers to collect 113,850 thermostats in 2015.

Manufacturers Represented in the Program

TRC reviewed collections by manufacturer for 2009 through 2015 and TRC recovered thermostats with brand name(s) owned by the following manufacturers currently participating in its collection program: Bard Manufacturing Company, Burnham Holdings, United Technologies Corporation (Carrier), Chromalox, Climate Master, Empire Comfort Systems, General Electric Corporation, W.W. Grainger, Honeywell International, Hunter Fan Company, Invensys, ITT Corporation, Original Charter Corp (Lear Siegler), Lennox International, Lux Products Corporation, Marley-Wylain Company, Daikin Applied representing Goodman and McQuay, Nortek HVAC, Rheem, Sears Holdings, Ingersoll Rand (Trane), Uponor, Inc., White-Rodgers (a division of Emerson Electric Co.), and Johnson Controls.

Note, both PSG Controls and Thomas & Betts are no longer a TRC member, and TRC has no record of recovering a mercury thermostat manufactured by Burnham Holdings, Chromolox, Crane Company, Lear Seigler, Taco, The Marley-Wylain Company, TPI Corporation, Uponor from a collection located in California.

EXHIBIT 1: 2015 CALIFORNIA COLLECTIONS BY MANUFACTURER/BRAND

| Brand Holder | Thermostats | <u>Count</u> | <u>Pounds</u> |
|-------------------------------------|-------------|--------------|---------------|
| | | Switches | Mercury |
| Bard | 1 | 4 | 0.02 |
| Burnham Holdings | 0 | 0 | 0.00 |
| Carrier | 384 | 1091 | 6.76 |
| Chromolox | 0 | 0 | 0.00 |
| Climate Master, Inc. | 6 | 18 | 0.11 |
| Crane Company | 0 | 0 | 0.00 |
| Empire Comfort Systems | 4 | 4 | 0.02 |
| General Electric Corporation | 135 | 388 | 2.41 |
| Goodman Global | 8 | 18 | 0.11 |
| Grainger | 4 | 4 | 0.02 |
| Honeywell | 13849 | 25720 | 159.46 |
| Hunter Fan | 3 | 3 | 0.02 |
| Invensys | 411 | 478 | 2.96 |
| ITT Corporation | 87 | 92 | 0.57 |
| Lear Seigler | 0 | 0 | 0.00 |
| Lennox | 111 | 192 | 1.19 |
| Lux Products | 422 | 439 | 2.72 |
| McQuay International | 5 | 12 | 0.07 |
| Nordyne Corporation | 2 | 6 | 0.04 |
| Rheem | 60 | 157 | 0.97 |
| Sears Holdings | 78 | 85 | 0.53 |
| Taco | 0 | 0 | 0.00 |
| The Marley - Wylain Company | 0 | 0 | 0.00 |
| TPI Corporation | 0 | 0 | 0.00 |
| Trane | 286 | 744 | 4.61 |
| Uponor | 0 | 0 | 0.00 |
| Vaillant Corporation | 4 | 4 | 0.00 |
| | | | 18.36 |
| White Rogers | 2251 32 | 2961 137 | 0.85 |
| York/Johnson Controls Non-Memb | | 137 | 0.65 |
| | | 4 | 0.04 |
| CAM STAT | 1 | 1 | 0.01 |
| CHRYSLER | 1 | 2 | 0.01 |
| Climatrol | 1 | 1 | 0.01 |
| COMFORT ZONE | 1 | 1 | 0.01 |
| ENERGY SAVING HEAT PUMP | 1 | 4 | 0.02 |
| FEDDER | 1 | 4 | 0.02 |
| Friedrich | 1 | 3 | 0.02 |
| Gemline | 1 | 1 | 0.01 |
| JADE | 1 | 2 | 0.01 |
| Mars | 2 | 4 | 0.02 |
| Mercoid | 1 | 1 | 0.01 |
| PIONEER | 1 | 1 | 0.01 |
| Seco | 2 | 2 | 0.01 |
| Singer | 1 | 1 | 0.01 |
| sjc | 1 | 4 | 0.02 |
| wards | 3 | 3 | 0.02 |
| NOM (Manufacturer not Identifiable) | | | |
| NOM | 97 | 331 | 2.05 |
| Loose Bulbs | 0 | 1729 | 10.72 |
| TOTAL | 18,260 | 34,652 | 214.84 |

WASTE MERCURY-ADDED THERMOSTAT MANAGEMENT

Bins with waste mercury-switch thermostats are received at the fulfillment/processing center in Golden Valley, Minnesota. The facility is owned and operated by Honeywell International under contract with TRC.

Bins are received at the loading dock and sent to the TRC processing area. The bin and plastic liner are opened and the contents are identified, sorted, and tallied. The following data is recorded for each bin returned and processed: bin number, business name (location name), city, state, zip code, date returned, number of thermostats and mercury switches by manufacturer and any non-conforming material.

The bin is returned to the location that sent it in with a new prepaid address label within 72 hours of receipt. The thermostats are stored and staged in a plastic lined carton in a storage area for final processing. The containers are dated and processed in order received, first in-first out.

The containers are returned from the storage area to the TRC processing area to have the mercury bulbs removed from the plastic housing. Universal Waste Regulations require the disposal of waste within 12 months of generation. TRC's processor requires that the disposal occur within 6 months of generation and TRC follows the more stringent requirement. Small quantities of thermostats are removed from the container, which is then closed again, and placed at the bulb removal workstation on a tray that contains any potential mercury spillage. The bulbs are removed from the thermostats and placed into a 2 quart container at the work station. If a bulb breaks and the mercury spills, the work area is designed to contain the spillage and the operators are trained in the clean-up and disposal of mercury. The TRC processing area is equipped with special mercury vacuum cleaners and the work area is vacuumed at the end of the work day to assure that any spillage is cleaned up and not left to evaporate.

The 2 quart container is emptied into a special 55 gallon drum which is labeled and dated according to regulations. The drum is sealed with a band and is only opened when contents are

being added to it. Special negative pressure venting assures any fumes are drawn away and vented when the drum is opened.

The 55 gallon drum is then shipped to Veolia Environmental Services in Port Washington, Wisconsin for final processing of the mercury ampoules (switches) Veolia Environmental Services meets or exceeds all local, state, federal and EPA regulations for the management of the product. Veolia's approvals for mercury recovery/recycling include:

- EPA identification WIR000130591 (Veolia Environmental Services, Inc.)
- EPA BDAT Requirement satisfied by all recovery operations
- CERCLA (Comprehensive Environmental Response Compensation and Liability Act)
- Wisconsin Department of Natural Resources

All facilities processing thermostats shipped to TRC follow all EPA guidelines and regulations. TRC has a facility license from Hennepin County Minnesota for the operation of the TRC. Honeywell, Inc. has a Hazardous Waste Generator license from Hennepin County. All persons who handle mercury thermostats as part of the TRC operation receive training in the handling of Hazardous Waste and Universal Waste.

DIRECT MAIL

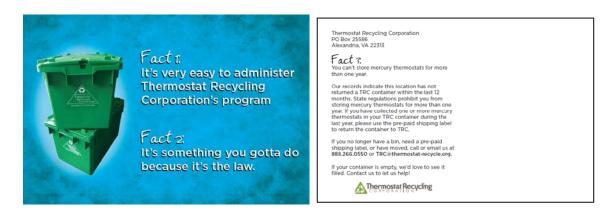
TRC utilized direct mail throughout the year to target collection locations and HVAC contractors/technicians.

TRC Collection Locations

- To encourage collection point participation and to stimulate the timely return of TRC collection containers, TRC mailed reminder postcards (Exhibit 2) to collection points that had not returned a TRC container within the last 12 months (in accordance with California's Universal Waste Regulations). TRC mailed 266 reminders in March, 192 in July, and 277 in November.
- In June and July, sales letters were sent to wholesale locations without TRC bins in the state of California (Appendix 1). Before the letters were sent, TRC sent a separate letter to the CEOs of these companies informing them of the impending letter to their branches and of their legal requirements regarding mercury thermostat disposal (Appendix 2). The letter was sent to the following distributors to remind these branches of their lawful obligation to provide a mercury thermostat recycling option to customers and offered free bins to help them meet this obligation:
 - o 27 WinWholesale branches (6/6). TRC received no response.
 - o 28 Hajoca branches (6/30). TRC received no response.
 - o 5 Keller Supply branches (6/30). All California branches were signed up as a result of this letter.
 - 11 Pace Supply branches (6/30). The CEO responded that Pace Supply discontinued all non-plumbing related merchandise five years ago including thermostats, thereby eliminating the mercury thermostat collection mandate for their stores.
 - o 6 Smardan Supply branches (6/30). All California branches were signed up as a result of this letter.

- o 9 AC Pro branches (7/9). Five of these branches have been signed up in California since this letter was sent.
- On 7/17 TRC mailed a letter to 28 Heating, Air-conditioning & Refrigeration Distributors
 International (HARDI) member CEOs with headquarters in California. The letter
 encouraged them to conduct an original equipment manufacturer (OEM) Mercury
 thermostat cleanout at their branches, and included a sample memo for HARDI CEOs to
 distribute to their collection locations. (Appendix 3)
- On 10/28 TRC sent sales letters to 21 Winsupply wholesale locations without TRC bins in the state of California. The letter was sent to remind these branches of their lawful obligation to provide a mercury thermostat recycling option to customers and offered free bins to help them meet this obligation. TRC received one bin order response as a result of this letter. (Appendix 4)

EXHIBIT 2: REMINDER POSTCARD



HVAC Contractors/Technicians

TRC purchased all HVAC contractor lists from Hoover's, narrowing the results by SIC codes relating to the HVAC industry.

• TRC created a 4x6 loyalty postcard to create awareness of the "Recycle. Scratch. Earn" program at participating HVAC wholesaler locations throughout the state (Exhibit 3). TRC

- sourced a mailing list of HVAC contracting business contacts with two eight employees located within 5 miles of a location participating in the loyalty program. A total of 773 postcards were sent in March, 734 were sent in July, and 592 were sent in December.
- In December TRC mailed a full color letter to 616 HVAC contracting business contacts with two to nine employees. (Appendix 5)

EXHIBIT 3: LOYALTY PROGRAM POSTCARD

Front Side:



Back Side:



ADVERTISING

TRC's two primary advertising targets remain HVAC contractors/technicians and HVAC wholesale distributors. For the contractors/technicians segment, TRC focuses on residential and light commercial contractors because of their relatively high level of hands-on contact with waste mercury thermostats. The second segment of focus is HVAC wholesale distributor locations as they remain the most convenient location for the majority of California-based technicians/contractors to purchase replacement thermostats and recycle waste mercury thermostats.

Since replacing a mercury thermostat is a rare event (if ever) for a consumer, TRC derives the greatest impact/value from its marketing activities by concentrating on the channel segment that conducts the vast majority of repeat thermostat replacements.

TRC's 2015 advertising campaign continued to focus mostly on "easy and free" and "It's the law" messaging (where applicable, as only a limited number of states ban the disposal of mercury thermostats in solid waste and/or require HVAC contractors to recycle all mercury thermostats removed from service).

The purpose of TRC's advertisements were two-fold: 1) continue to build brand/program awareness and 2) increase program participation by raising awareness of specific legal obligations to recycle and the ease of recycling.

Print Advertising

TRC continued print-based advertisements in the following national/regional HVAC trade publications:

- *HVAC Insider Goldenwest*, which has 6,960 subscribers in California and is published quarterly. The advertisement was a 2-color 1/2pg and ran in all issues for the year. (Exhibit 4)
- *Indoor Comfort News* is published by the Institute of Heating Air Conditioning Industries Inc. (IHACI). IHACI is California's largest HVAC trade group and its monthly magazine has approximately 17,000 subscribers in California. TRC ran a 2-color 1/8pg ad in the February April and October December issues to highlight the HVAC technician loyalty program. The ad also included logos of all distributors participating in the program (Exhibit 5).
- *Johnstone Supply Flyer*, a printed version of their online catalogue that is mailed to more than 300,000 HVAC contractors nationwide. The flyer featured a full page TRC advertisement in their August issue to promote the TRC TV giveaway promotion (Exhibit 6). Johnstone Supply has 37 locations in California. Johnstone Supply provided this insertion at no-cost to TRC.
- *Distribution Center Magazine*, the exclusive publication of HARDI, with more than 11,000 bi-monthly subscribers. TRC ran a full-color 1/4 page advertisement in May and December promoting the Big Man on Planet competition. (Exhibit 7)

 HVACR Business Magazine, a national publication with approximately 34,000 qualified subscribers, of which approximately 3,270 are in California. TRC ran a full color 1/4 page advertisement in January, March and July. (Exhibit 8)

EXHIBIT 4: HVAC INSIDER GOLDENWEST



EXHIBIT 5: INDOOR COMFORT NEWS AD

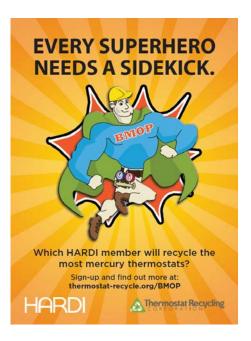


EXHIBIT 6: JOHNSTONE SUPPLY FLYER AD



EXHIBIT 7: DISTRIBUTION CENTER MAGAZINE ADS

May:



December:



EXHIBIT 8: HVACR BUSINESS MAGAZINE AD



Digital Advertising

TRC continued the use of rotating banner advertisements in 2015, with changes in scheduling and scope and the addition of new outlets.

TRC follows the national trend of analyzing advertisement success by measuring each advertisement's impression and click-through rate. An impression is a measure of the number of times an ad is displayed, and a click-through rate (CTR) is the number of times a click is made on the advertisement divided by the total impressions.

TRC's new advertising in 2015 included:

- ACHR News' AHR Wrap Up Enewsletter, sent to 12,000 opt-in subscribers. This is an annual
 email sent in January at the conclusion of the Air-Conditioning, Heating, Refrigerating
 (AHR) Exposition, the largest HVAC industry trade show. TRC ran a Medium Rectangle ad
 within the email that received a 0.72% CTR. (Exhibit 9)
- *Distribution Center's* Enewsletter, sent to 4,000 weekly opt-in subscribers. TRC ran a Medium Rectangle ad in February, March and June receiving an average CTR of 2.5%. (Exhibit 9)
- NATE Enewsletter, sent bi-monthly to 31,900 opt-in subscribers. TRC ran a text ad that received a 0.14% CTR.

EXHIBIT 9: ACHR NEWS AND DISTRIBUTION CENTER ENEWSLETTER AD



TRC also continued digital advertisements on the following HVAC industry websites below:

- HVACR Business "Ahead of the Curve" Enewsletter, a monthly newsletter that reaches approximately 9,000 opt-in readers each month. TRC ran a banner ad in July, August, November and December (Exhibit 10). The average CTR was 3.0%.
- HVACRBusiness.com, an HVAC publication website with 14,000 monthly visitors. TRC ran a banner ad in February and July that resulted in 92,848 impressions and an average CTR of 0.9%. (Exhibit 11)
- Contracting Business Magazine's dedicated Email Blast, which was sent twice with different messaging to opt-in subscribers in states with disposal bans, including California. The January mailing was sent to 5,980 subscribers and received a 25% open rate and a 0.5% CTR (Appendix 6), while the June mailing was sent to 8,970 subscribers and received a 13% open rate and a 0.5% CTR (Appendix 7).
- ACHRNews.com, a website that assists the decision-makers from all branches of the HVAC industry including contractors, manufacturers, distributors, parts and supply wholesalers, and service companies. More than 241,852 HVACR professionals visit the website every month, totaling more than 308,911 monthly website visits. TRC ran a Topic Sponsorship ad in January, February and September that resulted in an average 0.14% CTR. (Exhibit 12)
- ACHR Newsletter, a weekly email blast with more than 10,000 subscribers. TRC ran a banner ad for four issues in April and four issues in October with an average CTR of 4.7%. (Exhibit 9)
- HVAC-Talk.com, an online forum that averages more than 300,000 monthly visitors. TRC ran a rotating banner ad in February, March and July which resulted in 291,706 total impressions and an average CTR of .03%. (Exhibit 11)

EXHIBIT 10: HVACR BUSINESS "AHEAD OF THE CURVE" ENEWSLETTER AD



EXHIBIT 11: HVACRBUSINESS.COM AND HVAC-TALK.COM AD



EXHIBIT 12: ACHRNEWS.COM TOPIC SPONSORSHIP ADS



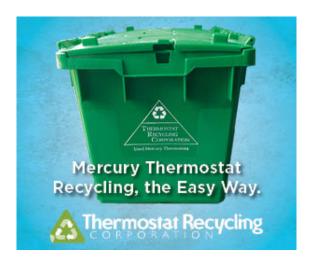


Exhibit 13 presents benchmark data from Google's Display Benchmarks tool on average digital advertising CTR's in the U.S. by year. It shows that the highest national average CTR in 2015 was 0.09%, so TRC's CTR performance exceeded the national average.



EXHIBIT 13: GOOGLE DISPLAY'S BENCHMARK TOOL

Additionally, the current average open rate for emails is 14%, and the average CTR in emails is $1.6\%^1$, which TRC generally also exceeds.

Google AdWords

Since 2011 TRC has deployed a Google AdWords campaign that geo-targets contractors/technicians and consumers (homeowners) in states with mercury thermostat disposal bans, including California (Exhibit 14). Advertisements appear on Google search results pages after an individual searches terms related to TRC's mission (e.g. thermostat replacement, contracting recycling regulations, mercury thermostat recycling, programmable thermostats, etc.).

¹ "M+R Benchmarks 2015." *M+R and NTEN's 2015 Nonprofit Benchmarks Report.* 1 May 2015: 57. Print.

TRC continued this campaign in 2015, running it the duration of the calendar year. This is TRC's preferred option to reach consumers because of the campaign's extensive and targeted reach.

The California campaign yielded 3.2 million impressions with an average CTR of 0.5%.

EXHIBIT 14: GOOGLE ADWORDS LANDING PAGE



EARNED MEDIA

In 2015 TRC continued to enjoy positive and frequent coverage within the industry trade press, appearing more than 20 times through a variety of publications. TRC issued many media releases that were published, generating additional exposure for the program.

Notably, TRC continued to receive coverage and editorial pieces in industry leading publications such as:

- Indoor Comfort News (25,000 circulation)
- The Air Conditioning and Refrigeration (ACHR) News (370,378 reach), including a front page editorial article (Exhibit 15)
- Distribution Center (11,000 circulation)

- Contracting Business (40,000 circulation)
- Wholesale distributor's on-hold phone messaging, including Johnstone Supply and Standard Supply
- Johnstone Supply's printed flyer (300,000 circulation)
- HVAC-Talk.com (408,769 monthly unique browsers)

Additionally, two of TRC's employees, Ryan Kiscaden and Christyn Zehnder, were voted onto HARDI's first 40 under 40 list. The list recognizes the HVAC industry's top performers and rising stars who are younger than 40. The list was published in the spring of 2016 in Distribution Center Magazine. There were hundreds of eligible HARDI members considered, making this a highly competitive group.

EXHIBIT 15: ACHR NEWS FRONT PAGE EDITORIAL ARTICLE



TRC WEBSITE

TRC's website data is calculated through Google Analytics, and website traffic continued to increase in 2015. TRC increased its total annual visitors by 71% compared to 2014. There was a 98% increase of visitors from California. The state ranked 1st among the country in terms of its share of visitors to TRC's website (21% of all website visitors were from California). The increase in traffic reflects the impact of paid trade channel advertising, the Google AdWords campaign, and search engine optimization efforts.

In May TRC implemented an automated welcome email for collection sites that sign-up for the program through TRC's website. In November TRC transitioned its current website into a responsive website, meaning it is fully optimized for greater visibility across all devices including mobile and tablets.

TRC's social media presence increased as well. The TRC Twitter account saw a 42% increase in number of followers in 2015, and its Facebook page enjoyed an 83% increase of page "Likes."

TRADE SHOWS, CONFERENCES AND PRESENTATIONS

TRC staff attended, exhibited and/or presented at the following regional and national shows pertaining to California:

- January 13th: Honeywell International Webinar (NEW!)
 - Ryan Kiscaden presented a TRC Webinar to Honeywell International to an audience of 15 contractors. The webinar focused on ways for contractors to profit from recycling by using other industry items to increase their profitability.
- January 22nd: HHWIE Forum Presentation (NEW!)
 TRC staff presented an overview of TRC's program to southern California HHW's.
- January 25th 28th: Air-Conditioning, Heating, Refrigerating Exposition.

 Chicago, IL

TRC staff attended and exhibited at the AHRI (Air-Conditioning, Heating, and Refrigeration

Institute) Expo in Chicago. The show brought in over 2,000 exhibitors and 60,000 HVAC/R professionals, including more than 1,890 in the West coast region.

• February 9th – 13th: Association of Energy Service Professionals (AESP) Trade Show Orlando, FL

AESP is the premier organization for professionals in the energy efficiency industry. Over 300 industry professionals attend the event including utility professionals and industry advisors/implementers. TRC staff attended this show.

• February 12th: Product Stewardship Institute Webinar (NEW!)

TRC staff presented a webinar through the Product Stewardship Institute entitled "Connecting Rural HHW Program Managers to Manufacturer-Funded Take-Back Programs" to an audience of 25 professionals.

• February 26th: AESP Brown Bag Webinar (NEW!)

TRC staff presented a Brown Bag Webinar to AESP on recycling programs for utilities and utility implementers. The webinar was added to TRC's YouTube page in April and received 33 views.

March 3rd-4th: Johnstone Supply Member Meeting

San Diego, CA

Johnstone Supply is a cooperative wholesaler distributor of HVAC parts and equipment with over 380 locations nationwide, including 37 in California. Johnstone's Annual Membership meeting is invitation only and TRC once again attended and exhibited as part of an ongoing effort with Johnstone to encourage and expand the cooperative's members' participation. The event is well attended by owners and senior staff and remains a unique opportunity to engage directly with key decision makers.

 March 15th - 18th: ACCA and the IE3: Indoor Environment & Energy Expo Dallas, TX

Co-presented by Air Conditioning Contractors of America (ACCA), this expo is the largest marketplace for the indoor environmental and energy services contracting industry. TRC staff exhibited and promoted the program to attending HVAC contractors.

• March 27th: YouTube Video Presentation (NEW!)

TRC created and uploaded a video presentation entitled "Mercury Thermostats: A Historical Overview and Review of Current Legislation" to TRC's YouTube channel. The video received 39 views in 2015.

• March 25th: ACCA Town Hall Webinar (NEW!)

A Town Hall Webinar was presented to ACCA members regarding the TRC Program.

• April 7th – 10th: Used Oil/HHW Training Event (NEW!) Universal City, CA

TRC staff exhibited at the event, sponsored by CalRecycle and California Department of Toxic Substance Controls.

• April 12th-14th: HARDI FOCUS Marketing & Sales Conference (NEW!)

Charleston, SC

TRC staff attended this conference where marketing and sales professionals learn from joint sessions that help them align their strategies and improve synergy between departments.

• May 28th: ACCA Webinar with Dynatemp (NEW!)

TRC teamed up with Dynatemp, a refrigerant manufacturer and recycler, to present a Webinar on environmental compliance to the ACCA.

• September 14th – 16th: NAHMMA National Conference

Austin, TX

TRC staff attended the conference and sponsored the silent auction. The conference facilitated peer-group interaction and exchange of ideas and information relating to hazardous materials management. TRC staff gave a presentation on techniques for marketing to target audiences, which was attended by more than 30 HHW professionals.

• October 6th: EEBA Excellence in Building Conference & Expo (NEW!)

Denver, CO

After joining the association and speaking with their Executive Director, TRC staff attended the show for the first time. The conference focused on ways for both residential/commercial HVAC contractors and home performance contractors to work together.

• October 7th: IFMA World Workplace Conference & Expo

Denver, CO

Held annually, IFMA's World Workplace meets the educational and networking needs of professionals who support the built environment. IFMA promotes World Workplace year-round to more than 23,000 members in 85 countries; plus an additional 200,000 workplace professionals. TRC staff attended for the first time.

November 3rd-5th: Institute of Heating and Air Conditioning Industries (IHACI) Trade Show

Pasadena, CA

IHACI is California's largest HVAC trade group and annually sponsors a one-day trade show at the Pasadena Convention Center. Attended by approximately 5,000 contractors and technicians, this is California's largest HVAC trade show. TRC raffled a cordless drill driver to increase booth traffic and attract participants to a survey designed to analyze contractor behavior with mercury thermostats.

• December 5th - 8th: HARDI National Conference

Orlando, FL

TRC staff again exhibited and participated in the "Booth Program," which provides for 1-on-1 sessions with senior executive staff from HARDI member companies. This event targeted representatives of approximately 80% of the wholesale market for HVACR products. TRC also presented its annual "Big Man on the Planet Award."

HVAC WHOLESALE DISTRIBUTOR OUTREACH

Ferguson Enterprises Onboarding

Ferguson Enterprises is the number one wholesaler in the country, owning more than 200 HVAC locations nationwide. Ferguson's corporate made a business decision to engage in both HVAC and blended Ferguson stores regardless of state mandatory programs. As a result of this initiative, Ferguson signed up 90 Ferguson Enterprise stores for the program, 3 of its Lyon Conklin Co. stores, and 2 of its Air Cold Supply stores. In addition, Ferguson purchased a current HVAC distributor whom uses the TRC program, Redlon and Johnson.

Ferguson sent an email in July to 15,910 subscribers announcing its partnership with TRC and highlighting the program (Exhibit 16).

Due to these efforts, collections from Ferguson owned distributors increased 37% percent in 2015.

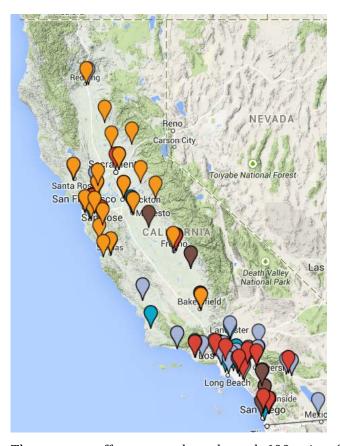
EXHIBIT 16: FERGUSON NATIONAL EMAIL



Technician Loyalty Program

In 2014 TRC developed, "Recycle. Scratch. Earn," an HVAC technician loyalty program. The program was implemented at select wholesale distributor locations and is accessible in all major markets in California and continued to run throughout 2015 (Exhibit 15).

EXHIBIT 17: HVAC TECHNICIAN LOYALTY PROGRAM PARTICIPATING LOCATION MAP



The program offers a scratch card worth 600 points for each mercury thermostat returned. Each scratch card contains a unique serial number to be entered online. Upon redeeming 8 scratch cards (4,800 points), participants are eligible to redeem the points for brand-name merchandise. Participants can also bank points for higher-value merchandise.

Six HVAC wholesale distributors were invited to participate in the program based on markets served, as well as a demonstrated ability to support the program at each branch location.

The six wholesale distributors participating have a total of 119 total branch locations in California:

- USACD 35 locations
- R.E. Michel Company 12 locations
- Lennox Parts Plus 16 locations
- Johnstone Supply San Diego Owner Group 5 locations
- Johnstone Supply Fresno Owner Group 5 locations
- United Refrigeration 25 locations
- Slakey Brothers 21 locations

The loyalty program includes a custom-made website (www.recycle-scratch-earn.com) for participants to enter/redeem points and view merchandise from the online catalogue.

TRC provided to all participating locations the materials necessary to implement the program, including the actual scratch cards (Exhibit 18), in-store program brochures (Appendix 8), and flyers (Exhibit 19).

EXHIBIT 18: LOYALTY PROGRAM SCRATCH CARD



EXHIBIT 19: LOYALTY PROGRAM FLYER



At program launch in September 2014, TRC committed to offering a quarterly employee incentive to participating branch locations for one full calendar year. Each bin a distributor branch location returns with a minimum of 40 mercury thermostats earned entry into a drawing for \$500.

Johnstone Supply National TV Giveaway Promotion

In September, Johnstone Supply launched a 40 inch TV giveaway at 383 of their stores nationwide, including 37 in California. Each mercury thermostat recycled earned entry into the giveaway. The promotion was in partnership with Honeywell; a customer could earn additional entries by purchasing any new Honeywell thermostat. During the promotion, Johnstone Supply incorporated the TV giveaway promotion into their recorded messaging for customers calling who are put on hold. The message was 45 seconds long and was in rotation with several other messages.

TRC provided Johnstone Supply full color 18x24 posters and a new cardboard header (Exhibit 20) for the TRC merchandise display to promote awareness of the program in stores. A 4x6 sized postcard (Exhibit 21) was then sent to all Johnstone locations on 10/15 as a reminder to send in their bins after the TV promotion ended.

EXHIBIT 20: JOHNSTONE SUPPLY TV GIVEAWAY POSTER AND MERCHANDISE HEADER





EXHIBIT 21: JOHNSTONE SUPPLY POSTCARD

Front Side:



Back Side:

Help Johnstone Win for the 3rd Year in a Row!

The TV giveaway promotion has ended, but Johnstone Supply is still competing to win Big Man on Planet (BMOP).

If you have bins with mercury thermostats, send them in now using the pre-paid FedEx label that came with the bin. Contact TRC at 888-266-0550 if you need a new shipping label.

Your bin(s) will return in 5-10 business days to support your continued participation in TRC's program.

AThermostat Recycling

Big Man on Planet Competition

TRC partnered with HARDI for the fourth annual Big Man on Planet (BMOP) competition. The competition was restructured to allow for four distributor winners (as opposed to three in 2014) and included a \$500-\$1,000 employee incentive to the top four branch locations within each tier. The restructuring was implemented to provide a more fair tiered system, putting distributors with a similar number of branch locations in competition with one another. In April TRC mailed an invitation to the executives of 357 HARDI member principle contacts encouraging their

participation in the program (Exhibit 22). The competition ran May 1st – October 31st and participating locations shipped a total of 432lbs of mercury during the competition.

EXHIBIT 22: BMOP INVITATION TO HARDI MEMBERS

Outside:



Inside:



Location calls

TRC staff made 87 phone calls to collection locations in California that hadn't returned a bin in more than 12 months. Calls reminded locations of the need to stay in compliance with accumulation time limits. TRC staff also offered to replace lost shipping labels, order FedEx Ground pickups for the bins, or provide free promotional materials. See Appendix 9 for a list of locations contacted.

Site Visits

A total of 66 California collection locations were visited by TRC staff in several key markets. The majority of locations visited were those that had not returned a bin within the past 12 months. Visits were conducted to ensure location staff was knowledgeable about the program, prepare the

bin and schedule a shipment if applicable, and supply any other necessary materials. See Appendix 10 for a complete list of locations visited.

Merchandise Displays for TRC Bins

Throughout the year TRC distributed branded cardboard displays to HVAC wholesale distributor collection locations to showcase the TRC container (Exhibit 23). The purpose of the displays is to enhance the visibility and accessibility of the program to contractors at HVAC wholesale locations. These displays were provided at no-cost to distributors.

In 2014 when TRC last ran data, the five largest HVAC wholesalers using the TRC merchandise display (Johnstone Supply, R.E. Michel, CC Dickson, Gustave Larson, and US Air Conditioning Distributors) collectively had seen a 25% increase in pounds of mercury recovered and a 45% increase in frequency of TRC bin returns year-to-date. Therefore, TRC plans to continue providing and encouraging the use of merchandise displays at HVAC wholesalers to help increase thermostat collections.

EXHIBIT 23: TRC MERCHANDISE DISPLAY



HVAC CONTRACTOR OUTREACH

Contractor Environmental Policy

TRC staff helped develop a draft model HVAC contractor environmental policy and shared it with the trade group, ACCA (Appendix 11). TRC's goal is to work with ACCA and other trade groups to provide this template as a service for contractor's employee handbooks.

Loyalty Program Participants

On 5/29 TRC sent an email to the 179 participants registered with the HVAC technician loyalty program (Appendix 12). The email was a reminder about the loyalty program and highlighted the prizes people had been redeeming, including an Amazon Kindle Fire. The purpose was to showcase how recycling efforts can pay off in receiving high-value prizes through the program.

PHCC of CA

In February of 2015 TRC staff had a call with the California Plumbing-Heating-Cooling Contractors Association (PHCC) to discuss collaboration opportunities. Both TRC and PHCC discussed that a membership was not the best path forward but instead agreed to review upcoming trade shows as potential for brand awareness.

HOUSEHOLD HAZARDOUS WASTE FACILITY OUTREACH

In September TRC developed a tri-fold brochure specifically for household hazardous waste (HHW) facilities in California to target their customers (Exhibit 24). It included information on how to locate HHW facilities using TRC's website and information on how to properly dispose of mercury thermostats. The brochure PDF is now available on TRC's website as a promotional toolkit download, and hard copies are available by request. TRC also provided 500 brochures to the County of Siskiyou General Services, Yreka to use at an event they were hosting.

Additionally, TRC provided the California Product Stewardship Council a PDF of the brochure to include in an email blast. This resulted in making contact with the City of Oakland Public Works Department. TRC sent them 200 HHW brochures to share with property owners of multi-family properties in Oakland. The department also included a digital version on their property manager's toolkit online.

EXHIBIT 24: HHW TRI-FOLD BROCHURE

Outside:



Inside:



UTILITY PROGRAM/IMPLEMENTOR OUTREACH

The TRC staff engaged with the industry leading company, Cadmus, to produce a report identifying current demand response projects. This report was able to show TRC which implementers had current projects of demand response that involved thermostat replacement components. TRC focused efforts on these implementers as a source for large thermostat replacement in areas such as low-income and multi-family.

TRC staff wrote model utility implementer RFP requirements to share with utility companies (Appendix 13). The focus of the model is to help utilities expand environmental compliance requirements for their implementers. This language would essentially be a term of agreement between the utility company and the hired implementer. TRC also began engagement with two non-TRC members interested in the recycling mercury issue, ecobee and NEST, by submitting to them MOU's. All parties involved hope to do more with the TRC program.

In April TRC signed up the largest solar installer in the state, SolarCity, to be part of the program. A total of 31 locations were sent TRC recycling bins.

TRC engaged utility implementers who are members of Association of Energy Service Professionals (AESP). In May TRC sent an email to AESP's subscriber list to remind them of their regulatory obligations and offer them a free TRC recycling container (Appendix 14). TRC sent a follow up email in August (Appendix 15). The email in May received a 16% open rate and the one in August received an 18% open rate. TRC did not receive any requests for the free recycling bin offer.

HVAC TECHNICIAN SURVEY

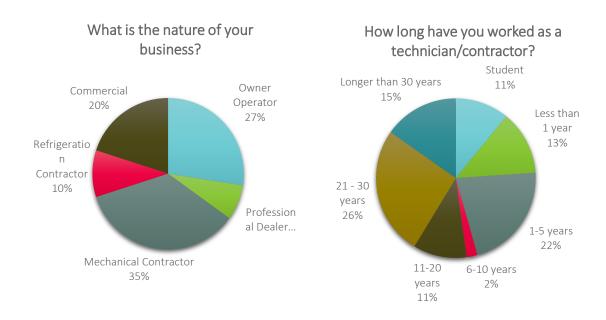
TRC hired a third-party to create a contractor behavior survey to collect first-hand accounts about recycling practices and compliance patterns of technicians as well as company level acceptance/resistance to compliance. The technician survey was conducted in-person by TRC staff and administered via touch screen devices at several HVAC trade shows nationwide, including the

IHACI show in California. The surveys were initiated by asking contractors to take a brief five minute survey regarding recycling behavior for a chance to win a Bosch Tool.

If a technician indicated interest in participating they were handed the survey in the form of a touch-screen tablet which had the survey questions already displayed for convenience. Survey participation was incentivized by entry into a prize raffle for a Bosch tool give-away. The survey had 46 respondents, and while it included contractors from several states, generally contractor behavior tends to be similar nationwide.

Demographic

The first questions asked of the technicians were to determine their demographic:

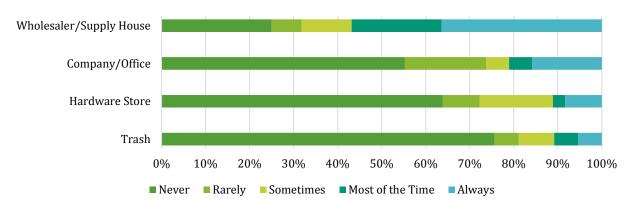


The demographic data shows that there was a widely varied mix of business sectors and experience levels. This means that the findings from the survey can be applied generally without a need for demographic qualifiers. The largest business sector was Mechanical Contractor followed by Owner Operator. These two sectors comprised 62% of the responding technicians. The experience range of the respondents was diverse, reflecting a balance of both new and experienced technicians.

Disposal

To better understand where technicians dispose of mercury thermostats the following question was posed:

Where do you dispose of the mercury containing thermostats you collect?



The above chart shows that the main location for the disposal of mercury containing thermostats is at the wholesaler. It also points out that roughly 25% of technicians do at least occasionally throw the thermostats in the trash. The data shows that when technicians do dispose of the mercury containing thermostats that they generally take them to the correct place, the wholesaler, but it also shows that there is room for improvement in keeping the thermostats out of the trash.

The survey then inquired about what internal mechanisms employers might be using to encourage technicians to recycle thermostats:

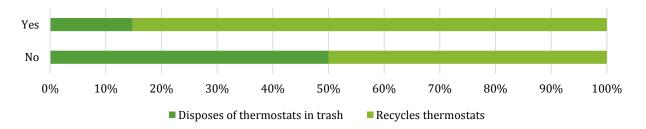
SUMMARY OF ADDITIONAL EDUCATION AND OUTREACH BY CHANNEL

Are you required by your employer to recycle mercury containing thermostats?



The fact that only 71% of employers require their technicians to recycle mercury containing thermostats might explain why 25% of technicians may occasionally dispose of them in the trash. In order to verify this a cross reference was drawn between whether employers require recycling and technicians that throw away thermostats in the trash.

Are you required by your employer to recycle mercury containing thermostats?



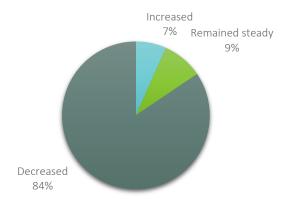
The above chart shows that 85% of technicians whose employer requires recycling of mercury containing thermostats actually recycle. By contrast, only 50% recycle without employer requirement. This strongly suggests that employer policies do have a substantive impact on recycling by employees.

SUMMARY OF ADDITIONAL EDUCATION AND OUTREACH BY CHANNEL

Mercury Containing Thermostat Prevalence

In an effort to determine how many mercury containing thermostats are still in use and whether the number in use has significantly decreased the following question was posed:

Would you say that during the time you have worked as a technician/contractor the number of mercury containing thermostats you encounter has...

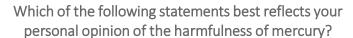


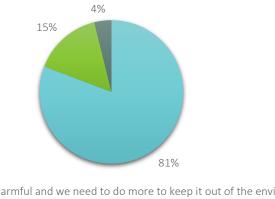
When asked how the number of mercury containing thermostats encountered during their career had changed most technicians felt that there had been a decrease. This leads to the conclusion that the number of available thermostats has also decreased.

Environmental Concern

To gauge the level of which technicians are concerned about the environment and how mercury plays in to that the following question was asked of technicians.

SUMMARY OF ADDITIONAL EDUCATION AND OUTREACH **BY CHANNEL**





- Mercury is very harmful and we need to do more to keep it out of the environment.
- I don't know. I have no opinion about the harmfulness of mercury.
- I don't think it is very harmful.

The above chart identifies that most technicians feel that mercury is very harmful and needs to be kept out of the environment. This suggests that a campaign that highlights the negative impact that mercury has on the environment and draws the connection to how technician recycling can help reduce these impacts may be an effective way to boost participation.

Conclusions

The majority of technicians surveyed realize that mercury is harmful and needs to be kept out of the environment. However, 25% of technicians still dispose of mercury containing thermostats in the trash. Through this survey it is also known that over a quarter of technician employers do not require that their technicians recycle mercury containing thermostats. This suggests that TRC should work with employers to educate technicians on the program and encourage employers to require that mercury containing thermostats are disposed of properly. Since most technicians personally believe that mercury is bad for the environment creating an awareness campaign educating technicians on the importance of recovering mercury containing thermostats will aid in increasing participation. See Appendix 16 for survey raw results.

NATIONAL PROGRAM EXPENSES

Below is a summary of TRC's national program expenses for 2015. A copy of TRC's 2014 IRS Form 990 is included in Appendix 21.

EXHIBIT 25: 2015 PROGRAM ADMINISTRATIVE EXPENSES

| Program Component | | 2014 | | 2015 | % Change |
|---|-----|-----------|-----|-----------|----------|
| TRC Staff and Administration | \$ | 593,631 | \$ | 625,205 | 5% |
| Recycling Costs | \$ | 356,043 | \$ | 347,555 | -2% |
| Incentive/Promotional Payments | \$ | 47,712 | \$ | 42,224 | -12% |
| New Collection Containers | \$ | 15,108 | \$ | 10,960 | -27% |
| Travel | \$ | 70,120 | \$ | 81,152 | 16% |
| Legal | \$ | 40,373 | \$ | 21,228 | -47% |
| Direct Expense for Marketing & Outreach | \$ | 289,347 | \$ | 277,995 | -4% |
| Total (expenses) | \$1 | L,412,333 | \$1 | L,406,319 | 0% |

Compared to last year, variances in these program components were flat. Causes for changes include:

- Recycling Costs: A decrease in whole thermostats processed as compared to 2014.
 Recycling costs are directly related to how many whole thermostats are collected at TRC's processing facility in Golden Valley, MN. The program's collections decreased by a little over 2%.
- **Incentive/Promotional Payments:** Incentive payments in Maine were flat. In Vermont they were up with more Retailers and Wholesalers participating. California incentive expenses were down slightly, and Illinois promotional payments were down significantly due to a large wholesaler choosing not to participate in an incentive program.
- **New Collection Containers:** Orders were down 27%. TRC expects a continued decrease in container orders because the program is operating in a mature collection environment and available new locations to collect are decreasing.
- **Travel:** The Director of National Accounts spent more than 60% of his time attending trade shows, site visits, and attending meetings with key corporate contacts. TRC visited 22 states, up 38% compared to 2014.

NATIONAL PROGRAM EXPENSES

Direct Expense for Marketing and Outreach: The category used for Marketing
Consulting was down considerably compared to 2014 due to the Director of Marketing and
Communications taking on more responsibility. TRC also spent less on retail displays
compared to 2014. This is as a result of declining available locations which were willing to
accept merchandising displays for their businesses. Lastly, both Advertising and Graphic
Design increased as TRC created its new 2016 marketing campaign, "Recycle every
mercury thermostat, every time".

EXHIBIT 26: 2015 PROGRAM EXPENSES WITH CALIFORNIA SPECIFIC COSTS

| Program Component | • | Total Expenses | CA |
|---|----|----------------|--------------|
| TRC Staff and Administration | \$ | 625,204.88 | \$ 44,137.29 |
| Recycling Costs | \$ | 347,555.25 | \$ 31,955.00 |
| Incentive/Promotional Payments | \$ | 42,224.42 | \$ 12,597.69 |
| New Collection Containers | \$ | 10,960.00 | \$ - |
| Travel | \$ | 81,152.16 | \$ 10,655.88 |
| Legal | \$ | 21,228.28 | \$ 1,252.77 |
| Direct Expense for Marketing & Outreach | \$ | 277,994.50 | \$ 16,618.46 |
| Total (expenses) | \$ | 1,406,319.49 | \$117,217.08 |

• TRC Staff and Administration: On July 1st 2015, TRC changed policy regarding tracking of employee's time worked. This procedural change was predicated by state specific statutory regulations for TRC, particularly requirements on TRC to report costs associated with its employee's time allocated to state specific activities. This policy change was for all TRC employees, including those who were exempt and non-exempt. The procedure was implemented starting in July to offset this requirement. Although not a perfect subset of data, the hours worked (as a percentage) were then mirrored to reflect employee's time worked for the first half of the year. The decision to mirror time worked was determined due to the inaccuracies of having each employee go back to the start of the year and identify their hours worked by state, particularly for those employees whom were exempt. TRC acknowledges that it may under-estimate the hours worked in the state for 2015.

NATIONAL PROGRAM EXPENSES

- However, all new employees after July 1st 2015 and any time entered for 2016 will accurately capture each employee's actual time worked by state.
- New Collection Containers: Fulfillment of new collection containers is done annually at
 TRC's processing facility in Golden Valley, MN. TRC does not currently allocate the costs of
 new containers to specific states, instead choosing to keep this in one cost center and
 including any costs from an order for containers in "Recycling Costs". In 2015, California
 ordered 10.89% of all new container orders.

This section of the report examines the annual performance of the thermostat collection recycling program in terms of bins, thermostats, and mercury collected as well as the year over year progression of the program.

TRC notes, that the mercury auto switch (ELVS) program collections have been trending downward or flat at best in recent years in California. According to a recent report, "they have not been placed in vehicles since model year 2003." Mercury switch thermostats have not been sold since the mid 2000's. Moreover, many were replaced with non-mercury units because electronic programmable thermostats had become available many years earlier. Thus, given the correlation of neither discontinued product being placed in the market for 10 or more years, TRC results will reflect similar indicators from the mercury auto switch program.

PROGRAM PERFORMANCE OVER TIME

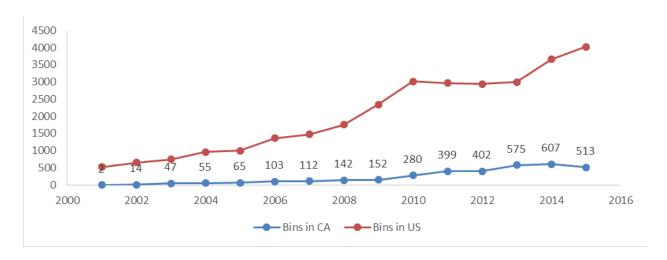
On average, the program has **collected 127.6 pounds of mercury** and **9,553 thermostats per year** since 2001. In 2015 the program **collected 214.84 pounds of mercury from 18,260 thermostats**, a decrease from the previous year of 19.5% in pounds of mercury and 9.5% in thermostats. Figure 1.1 displays the total number of bins collected, the total number of thermostats, and the total pounds of mercury collected in the state since the beginning of the program.

FIGURE 1.1: PROGRAM PERFORMANCE OVER TIME

| Year | Number Bins | Number Stats | Lbs Mercury |
|---------|-------------|--------------|-------------|
| 2001 | 2 | 182 | 4.94 |
| 2002 | 14 | 702 | 10.47 |
| 2003 | 47 | 2,395 | 38.89 |
| 2004 | 55 | 3,025 | 36.57 |
| 2005 | 65 | 3,901 | 45.86 |
| 2006 | 103 | 5,110 | 77.37 |
| 2007 | 112 | 5,750 | 83.27 |
| 2008 | 142 | 7,007 | 104.82 |
| 2009 | 152 | 7,441 | 103.60 |
| 2010 | 280 | 13,340 | 185.80 |
| 2011 | 399 | 18,697 | 254.84 |
| 2012 | 402 | 16,353 | 219.70 |
| 2013 | 575 | 20,956 | 265.52 |
| 2014 | 607 | 20,178 | 266.89 |
| 2015 | 513 | 18,260 | 214.84 |
| Average | 231.2 | 9,553.1 | 127.6 |
| Total | 3,468 | 143,297 | 1,913 |

Figure 1.2 graphically displays the number of bins collected in the state over time as well as the total number of bins collected in the US over the same time period. The figure shows that the number of bins collected annually increased from 2001 to 2014, but fell slightly from 2014 to 2015. The largest increased were seen from 2009 to 2011 and from 2012 to 2013.





In CA, the **pounds of mercury collected in 2015 decreased by 19.5% over 2014 levels**. Since 2001, the annual pounds of mercury collected in CA has increased by an average of 43%. During the same time period, the pounds of mercury collected in the nation increased by 17% per year. From 2002 through 2010 the pounds of mercury collected in the state increased annually by an average of 64.8%, from 2011 through 2015, the pounds of mercury collected increased annually by an average of only 5.0%. Figure 1.3 displays the total number of pounds of mercury collected in the state over time as well as the year over year percent increase (or decrease) in the state and the US as a whole.

FIGURE 1.3: POUNDS OF MERCURY COLLECTED IN PROGRAM AND YEAR OVER YEAR CHANGES IN STATE AND US.

| Year | Total Lbs Hg | % Change State | % Change US |
|---------|--------------|----------------|-------------|
| 2001 | 4.94 | NA | 89.4% |
| 2002 | 10.47 | 111.9% | 13.7% |
| 2003 | 38.89 | 271.4% | 11.0% |
| 2004 | 36.57 | -6.0% | 17.0% |
| 2005 | 45.86 | 25.4% | 11.1% |
| 2006 | 77.37 | 68.7% | 32.1% |
| 2007 | 83.27 | 7.6% | 2.0% |
| 2008 | 104.82 | 25.9% | 16.3% |
| 2009 | 103.60 | -1.2% | 16.3% |
| 2010 | 185.80 | 79.3% | 26.1% |
| 2011 | 254.84 | 37.2% | 3.6% |
| 2012 | 219.70 | -13.8% | -5.3% |
| 2013 | 265.52 | 20.9% | -4.8% |
| 2014 | 266.89 | 0.5% | 12.9% |
| 2015 | 214.84 | -19.5% | -1.4% |
| Average | 127.56 | 43% | 16% |

The state of CA collected 18,260 thermostats in 2015. This was a **9.5% decrease from the number of thermostats collected in 2014** but a **257% increase in the last decade**. The number of thermostats collected annually in CA has increased by an **average of 55% every year since 2001**. During the same time period, the number of thermostats collected in the US has increased by an annual average rate of 11%. Figure 1.4 displays the total number of thermostats collected in the state and the nation and figure 1.5 shares the underlying data as well as the calculated year over year percent change.

FIGURE 1.4: NUMBER OF THERMOSTATS COLLECTED OVER TIME STATE AND NATIONAL

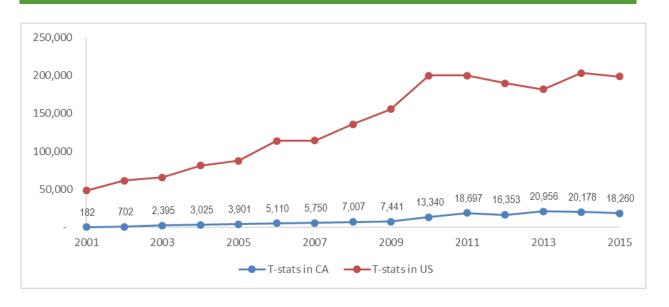


FIGURE 1.5: THERMOSTATS COLLECTED IN CA AND US OVER TIME AND YEAR OVER YEAR PERCENT CHANGE

| Year | T-stats in CA | T-stats in US | % Change State | % Change US |
|---------|---------------|---------------|----------------|-------------|
| 2001 | 182 | 48,350 | NA | NA |
| 2002 | 702 | 61,422 | 286% | 27% |
| 2003 | 2,395 | 65,778 | 241% | 7% |
| 2004 | 3,025 | 81,115 | 26% | 23% |
| 2005 | 3,901 | 87,754 | 29% | 8% |
| 2006 | 5,110 | 113,658 | 31% | 30% |
| 2007 | 5,750 | 114,158 | 13% | 0% |
| 2008 | 7,007 | 135,646 | 22% | 19% |
| 2009 | 7,441 | 155,731 | 6% | 15% |
| 2010 | 13,340 | 200,064 | 79% | 28% |
| 2011 | 18,697 | 199,918 | 40% | 0% |
| 2012 | 16,353 | 189,619 | -13% | -5% |
| 2013 | 20,956 | 181,600 | 28% | -4% |
| 2014 | 20,178 | 203,346 | -4% | 12% |
| 2015 | 18,260 | 198,603 | -10% | -2% |
| Average | 9,553.1 | 135,784.1 | 55% | 11% |

Figure 1.6 displays the monthly distribution of bins and thermostats collected in the state over 2015. The months with the greatest number of bins returned were **December** (60 bins), **August** (54 bins) and **January** (51 bins). The months with the greatest number of thermostats returned were **December** (1,872 thermostats), **January** (1,843 thermostats), and **August** (1,800 thermostats). Conversely, the months with the fewest number of thermostats returned in 2015 were February, June and March.





The highest number of thermostats per bin returned was in **February** (42.8) and **May** (41.5). Figure 1.7 shows the average number of thermostats per returned bin per month for the year.

FIGURE 1.7: AVERAGE THERMOSTATS PER BIN RETURNED PER MONTH

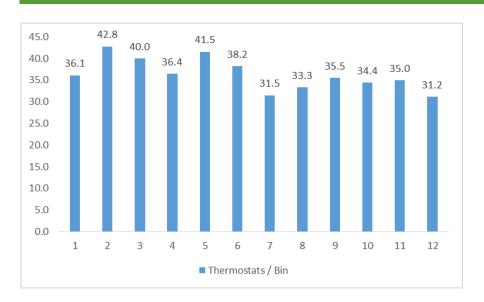


Figure 1.8 displays the average number of thermostats returned per bin in the state and in the US since the beginning of the state program. Nationally, the number of thermostats per bin has been decreasing annually since 2000. In CA the number of thermostats per bin in 2015 (35.6 thermostats / bin avg.) was the lowest on record with the exception of 2014, when the average was 33.2 thermostats per bin. The 2015 average was below the 15 year average of 49.8 thermostats per bin.

FIGURE 1.8: AVERAGE NUMBER OF THERMOSTATS PER BIN OVER TIME IN STATE AND NATIONAL

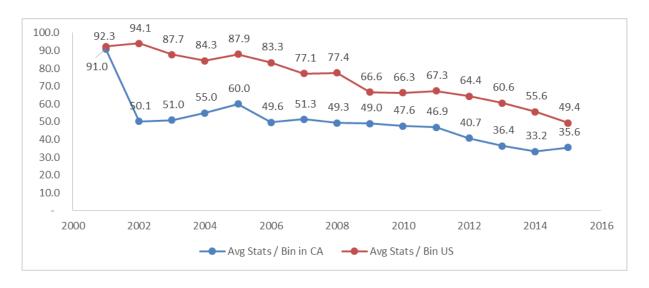
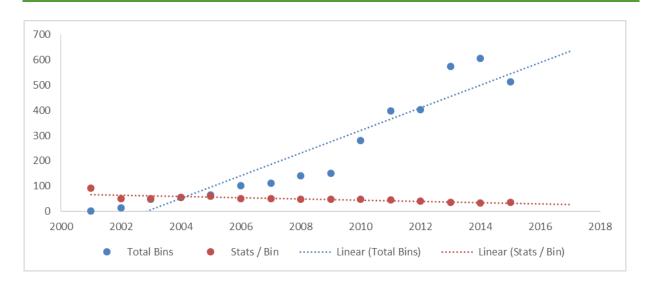


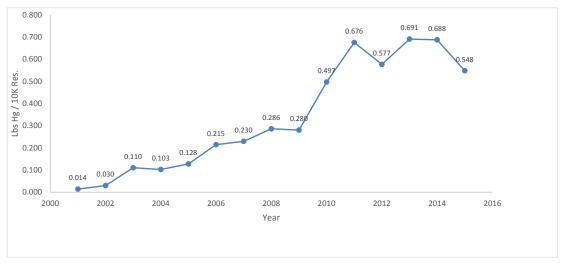
Figure 1.9 plots the total bins returned over time along with the average number of thermostats per bin over the same period to see whether or not there is a relationship between the two. A linear regression found a negative correlation (r=-.72, slope=-.046) between the two variables. This suggests that as more bins are returned, the number of thermostats per bin declines.

FIGURE 1.9: TOTAL BINS AND AVERAGE NUMBER OF THERMOSTATS PER BIN OVER TIME



The **total pounds of mercury collected per 10,000 residents was 0.55 in 2015**. This is lowest figure for pounds of mercury per 10,000 residents since 2010. The record high for the state of CA of 0.69 pounds of mercury collected per 10,000 residents was set in 2013. While the 2015 figure is a 20% decrease below the 0.69 pounds per 10,000 residents collected in 2014, it is two and a half times greater the 0.22 pounds per 10,000 residents collected a decade ago. There was a major increase in pounds per resident collected from 2009 to 2011, and since 2011 the pounds collected per 10,000 residents has remained above .50. Figure 1.10 displays the total pounds of mercury collected per 10,000 state residents over time.

FIGURE 1.10: POUNDS OF MERCURY COLLECTED ANNUALLY PER 10,000 RESIDENTS



CHANNEL PARTNER ANALYSIS

This section of the report examines the partner locations in more detail. The majority of thermostats collected in state were through **wholesalers (89%)** with the remaining thermostats collected by **household hazardous waste facilities (6%)**, **contractors (5%)** and **retailers (0.01%)**. Figure 2.1 shows the distribution of thermostats collected by location type in 2015.

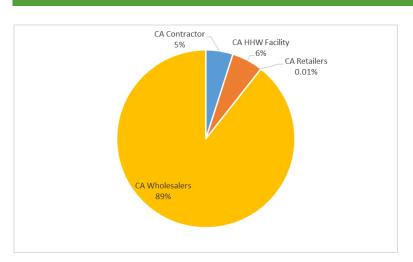


FIGURE 2.1: THERMOSTATS COLLECTED BY LOCATION TYPE IN 2015

The number of bins returned by wholesalers decreased from 571 bins in 2014 to 456 bins from wholesalers in 2015, yet wholesalers remain by far the most common returner of bins in the state. The number returned by household hazardous waste facilities increased from 22 bins in 2014 to 32 bins in 2015. At the same time, the number of bins returned by contractors increased from 12 to 24 from 2014 to 2015. Figure 2.2 displays the change in the number of bins returned by thermostat collection type over time in the state.





In 2015, **61.7% of the locations** that had a bin in the state of CA sent back at least one bin for recycling. The distribution is displayed in Figure 2.3.



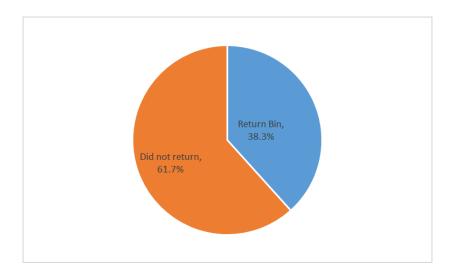
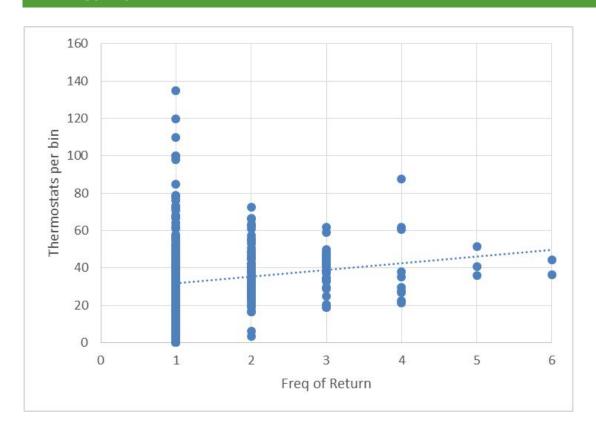


Figure 2.4 is a scatter plot comparing the frequency of bin returns per location and the number of thermostats per bin. The analysis sought to determine whether there was any correlation between the frequency of return and the number of thermostats per bin. While there was only a weak statistical correlation between the two variables, the scatter data does seem to slightly indicate that bins that were returned more frequently also tended to have more thermostats per bin in CA.

FIGURE 2.4: CORRELATION OF FREQUENCY OF BIN RETURN AND NUMBER OF THERMOSTATS PER BIN



An analysis of the top performing counties in terms of total bin returns and total thermostats returned in 2015 was conducted. The county with the most bins returned in 2015 was Los Angeles (152 bins), followed by San Diego (51 bins) and Orange (34 bins). The counties with the most thermostats returned in 2015 were also Los Angeles (5,625), San Diego (1,866 thermostats) and Orange (1,770 thermostats). Figure 2.5 displays the total bins and thermostats returned, by county, in 2015.

FIGURE 2.5: BIN RETURNS AND TOTAL THERMOSTATS RETURNED IN 2015 BY COUNTY

| County | Total Bins | Total T-stats | |
|------------------------|------------|---------------|--|
| Los Angeles County | 152 | 5,625 | |
| San Diego County | 51 | 1,866 | |
| Orange County | 43 | 1,770 | |
| San Bernardino County | 37 | 1,297 | |
| Riverside County | 35 | 1,260 | |
| Sacramento County | 31 | 860 | |
| Alameda County | 22 | 577 | |
| San Joaquin County | 17 | 551 | |
| Ventura County | 17 | 655 | |
| Santa Clara County | 16 | 603 | |
| Kern County | 13 | 286 | |
| San Mateo County | 11 | 257 | |
| Fresno County | 10 | 347 | |
| Contra Costa County | 7 | 332 | |
| Nevada County | 7 | 253 | |
| Butte County | 5 | 195 | |
| Shasta County | 4 | 84 | |
| Solano County | 4 | 125 | |
| Stanislaus County | 4 | 276 | |
| San Francisco County | 3 | 157 | |
| San Luis Obispo County | 3 | 132 | |
| Sonoma County | 3 | 118 | |
| Marin County | 2 | 118 | |
| Monterey County | 2 | 73 | |
| Santa Barbara County | 2 | 75 | |
| Yolo County | 2 | 50 | |
| El Dorado County | 1 | 6 | |
| Imperial County | 1 | 22 | |
| Lassen County | 1 | 1 | |
| Mendocino County | 1 | 135 | |
| Merced County | 1 | 17 | |
| Napa County | 1 | 14 | |
| Placer County | 1 | 14 | |
| Santa Cruz County | 1 | 73 | |
| Sutter County | 1 | 16 | |
| Tulare County | 1 | 20 | |

U.S. Air Conditioning Distributors (103 bins) returned the highest number of bins in the state in 2015, followed by **Johnstone Supply Co. (83 bins)** and **Refrigeration Supplies Distributor**

(33 bins). In addition to the top performers included in the figure, 48 additional program partners returned three or fewer bins each. Figure 2.6 displays the top performing partners in terms of total bins returned in 2015.

FIGURE 2.6. TOP PERFORMING CHANNEL PARTNERS IN STATE

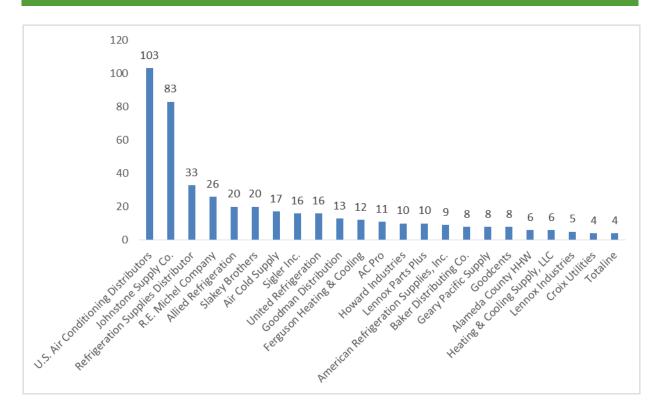


Figure 2.7 looks at the top performers in a more detail. The figure includes the top performers for the year by each of the following categories: total bins returned, total thermostats, and average number of thermostats per bin.

FIGURE 2.7. TOP PERFORMING PARTNERS BY TOTAL BINS, TOTAL THERMOSTATS, AND THERMOSTATS PER BIN

| | No. of Bins | No. of Thermostats | Thermostats / Bin |
|---------------------------------------|-------------|--------------------|-------------------|
| U.S. Air Conditioning Distributors | 103 | 4,747 | 46.1 |
| Johnstone Supply Co. | 83 | 3,495 | 42.1 |
| Refrigeration Supplies Distributor | 33 | 1,128 | 34.2 |
| R.E. Michel Company | 26 | 781 | 30.0 |
| Allied Refrigeration | 20 | 785 | 39.3 |
| Slakey Brothers | 20 | 505 | 25.3 |
| Air Cold Supply | 17 | 614 | 36.1 |
| Sigler Inc. | 16 | 374 | 23.4 |
| United Refrigeration | 16 | 432 | 27.0 |
| Goodman Distribution | 13 | 249 | 19.2 |
| Ferguson Heating & Cooling | 12 | 373 | 31.1 |
| AC Pro | 11 | 381 | 34.6 |
| Howard Industries | 10 | 213 | 21.3 |
| Lennox Parts Plus | 10 | 305 | 30.5 |
| American Refrigeration Supplies, Inc. | 9 | 275 | 30.6 |
| Baker Distributing Co. | 8 | 313 | 39.1 |
| Geary Pacific Supply | 8 | 343 | 42.9 |
| Goodcents | 8 | 379 | 47.4 |
| Alameda County HHW | 6 | 179 | 29.8 |
| Heating & Cooling Supply, LLC | 6 | 197 | 32.8 |
| Lennox Industries | 5 | 110 | 22.0 |
| Croix Utilities | 4 | 169 | 42.3 |
| Totaline | 4 | 115 | 28.8 |

TRC conducted several activities in 2015 as a way to increase the number of bins and thermostats returned in the state. These activities included site visits and 'miss you' calls to collection locations that may not have participated in the program recently. In 2015, a total of **66 site visits** were conducted in CA and **87 'Miss You' calls** were placed. Figure 2.8 displays the relationship between

the number of site visits per month, the bin returns per month, and the number of thermostats (in 100's) returned per month. Although the figure seems to suggest there is a positive relationship between the number of visits and calls with the number of thermostats returned (in the figure the number of bins seems to go up at the same time as the number of visits), there was not a statistically significant relationship between the two variables.

FIGURE 2.8: RELATIONSHIP BETWEEN SITE VISITS AND BINS AND THERMOSTATS RETURNED PER MONTH

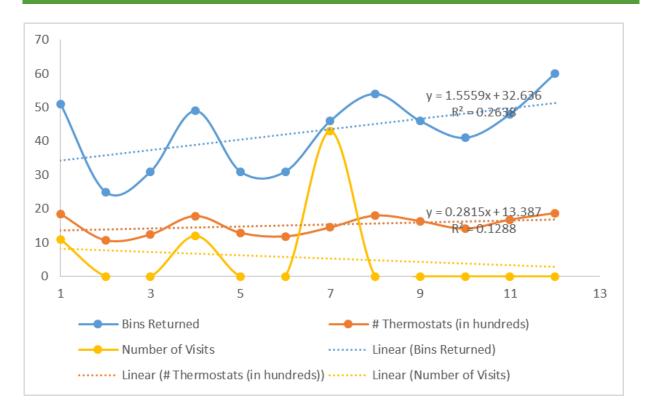
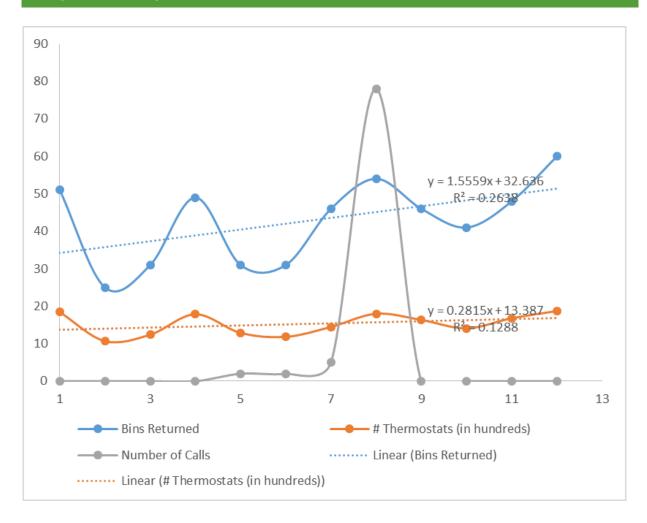


Figure 2.9 displays the relationship between the number of calls per month, the bin returns per month, and the number of thermostats (by 100's) returned per month. Once again there was not a statistically significant relationship between the two variables.

FIGURE 2.9: RELATIONSHIP BETWEEN 'MISS YOU' CALLS AND BINS AND THERMOSTATS RETURNED PER MONTH



COMPARISIONS TO NATIONAL AND OTHER STATE'S DATA

To compare how the state collection partners performed in 2015, the national averages for the number of bins returned per total locations since 2012 was calculated and compared to the state average over the same time period. The average numbers of bins includes locations that did not return any bins in a given year. It should be noted that when making comparisons each state has different regulations, housing stock mix, local policies, and incentives that may have a significant

impact on returns. Overall, the average number of bin returned per location per year was higher in CA than the US average and the annual averages are shown in figure 3.1.

FIGURE 3.1: AVERAGE NUMBER OF BINS RETURNED PER LOCATION PER YEAR

| | 2012 | 2013 | 2014 | 2015 |
|------------|------|------|------|------|
| US Total | 1.4 | 1.4 | 1.6 | 1.8 |
| CA Average | 2.7 | 3.8 | | 3.4 |

Figure 3.2 displays the top 10 performing locations in CA since 2012 and figure 3.3 displays the top 10 partners in the US over the same time period in terms of the number of bins returned. US Air Conditioning Distributors, Johnstone Supply, and Refrigeration Supplies Distributor have consistently been the top 3 performers in the state since 2012. United Refrigeration, Johnstone Supply Co., R.E. Michel Company, and Ferguson are top performers on both the state and the national lists.

FIGURE 3.2: TOP 10 PARTNER LOCATIONS IN CA 2012-2015

| Location | 2012 Bins | Location | 2014 Bins |
|--|-----------|--|-----------|
| US Air Conditioning Distributors, Inc. | 65 | US Air Conditioning Distributors, Inc. | 114 |
| Refrigeration Supplies Distributor | 62 | Johnstone Supply | 95 |
| Johnstone Supply | 37 | Refrigeration Supplies Distributor | 48 |
| Slakey Brothers | 23 | Ferguson Enterprises | 35 |
| United Refrigeration | 22 | United Refrigeration | 32 |
| Goodman Distribution Inc. | 20 | Goodman Distribution Inc. | 32 |
| Allied Refrigeration | 18 | Slakey Brothers | 29 |
| Ferguson Enterprises | 17 | Allied Refrigeration | 27 |
| Sigler Wholesale Distributors | 16 | R.E. Michel Company | 19 |
| Heating & Cooling LLC | 14 | Baker Distributing Company | 17 |
| Location | 2013 Bins | Sigler Wholesale Distributors | 16 |
| US Air Conditioning Distributors, Inc. | 99 | Location | 2015 Bins |
| Johnstone Supply | 89 | U.S. Air Conditioning Distributors | 103 |
| Refrigeration Supplies Distributor | 60 | Johnstone Supply Co. | 83 |
| Ferguson Enterprises | 33 | Refrigeration Supplies Distributor | 33 |
| United Refrigeration | 27 | Ferguson Enterprises | 29 |
| Goodman Distribution Inc. | 27 | R.E. Michel Company | 26 |
| Slakey Brothers | 23 | Allied Refrigeration | 20 |
| Sigler Wholesale Distributors | 22 | Slakey Brothers | 20 |
| Allied Refrigeration | 20 | Sigler Inc. | 16 |
| Heating & Cooling LLC | 18 | United Refrigeration | 16 |
| | | Goodman Distribution | 13 |
| | | AC Pro | 11 |
| | | Howard Industries | 10 |
| | | Lennox Parts Plus | 10 |

FIGURE 3.3: TOP PERFORMING PARTNER LOCATIONS NATIONWIDE IN BIN RETURNS 2012 TO 2015

| Location | 2012 | Location | 2014 |
|--|------|--|------|
| R.E. Michel Company | 276 | R.E. Michel Company | 461 |
| Honeywell Inc. | 195 | Johnstone Supply | 460 |
| Johnstone Supply | 176 | US Air Conditioning Distributors, Inc. | 127 |
| United Refrigeration | 107 | Ferguson Enterprises | 119 |
| Ferguson Enterprises | 94 | United Refrigeration | 114 |
| Refrigeration Supplies Distributor | 88 | Goodman Distribution Inc. | 95 |
| Comverge | 69 | Honeywell Inc. | 77 |
| US Air Conditioning Distributors, Inc. | 67 | Gustave A Larson Company | 67 |
| Goodman Distribution Inc. | 67 | Refrigeration Supplies Distributor | 60 |
| Franklin Energy Services | 47 | Lennox Industries Inc | 60 |
| Lennox Industries Inc | 45 | C.C. Dickson Company | 55 |
| Location | 2013 | Location | 2015 |
| R.E. Michel Company | 311 | Johnstone Supply | 519 |
| Johnstone Supply | 298 | R.E. Michel Company | 336 |
| United Refrigeration | 162 | Ferguson Enterprises | 184 |
| Honeywell Inc. | 118 | United Refrigeration | 176 |
| Ferguson Enterprises | 106 | US Air Conditioning Distributors, Inc. | 106 |
| US Air Conditioning Distributors, Inc. | 102 | Goodman Distribution Inc. | 70 |
| Refrigeration Supplies Distributor | 69 | Gustave A Larson Company | 62 |
| Goodman Distribution Inc. | 64 | Refrigeration Supplies Distributor | 54 |
| Baker Distributing Company | 47 | Lennox Industries Inc | 51 |
| Comverge | 41 | Baker Distributing Company | 50 |

Figure 3.4 displays the total percentage of locations per state and for the entire US with a bin that participated in the program in 2015 (participation is defined as sending back at least one bin). In 2015, 38.3% of the locations in CA returned a bin compared to a national average of 37.1%. The state with the highest percentage of locations returning a bin in 2015 was MN (54.5%).

FIGURE 3.4: PERCENTAGE OF LOCATIONS RETURNING A BIN IN 2015

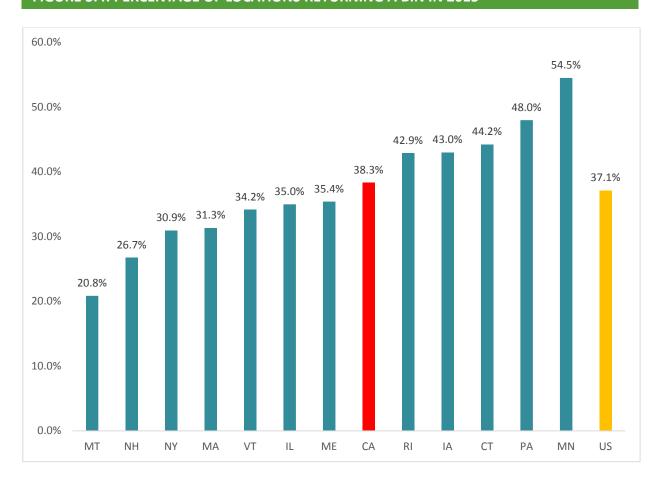


Figure 3.5 compares the state and national rates for a number of analytics in 2015. These include: the total thermostats and bins collected, the number of collection locations in each state per 10,000 residents, the number of thermostats collected by total locations and per participating location, the number of thermostats per bin returned on average in 2015, and the number of thermostats collected in each state and the US per 10,000 residents. The figure indicates that CA is performing well in terms of thermostats collected per location and thermostats per location returning a bin.

FIGURE 3.5: COMPARISONS OF STATES AND US AVERAGES AMONG SEVERAL CATEGORIES

| | | | Number | Thermostats | | | Thermostats |
|-------|-------------|-------|---------------|-------------|----------------|--------------------|-------------|
| | | | locations per | per total | | Thermostats per | per 10K |
| | Total | Total | 10K Res | locations | Thermostats | location returning | residents |
| State | Thermostats | Bins | (avg.) | (avg.) | per bin (avg.) | a bin (avg.) | (avg.) |
| CA | 18,260 | 513 | 0.19 | 25.1 | 35.6 | 65.4 | 4.7 |
| CT | 3,395 | 77 | 0.38 | 24.6 | 44.1 | 55.7 | 9.4 |
| IA | 2,795 | 63 | 0.39 | 23.1 | 44.4 | 53.8 | 9.0 |
| IL | 10,193 | 236 | 0.41 | 19.3 | 43.2 | 55.1 | 7.9 |
| MA | 7,881 | 128 | 0.41 | 28.0 | 61.6 | 89.6 | 11.6 |
| ME | 4,571 | 112 | 1.82 | 18.8 | 40.8 | 53.2 | 34.3 |
| MN | 9,864 | 127 | 0.26 | 68.0 | 77.7 | 124.9 | 17.9 |
| MT | 229 | 6 | 0.23 | 9.5 | 38.2 | 45.8 | 2.2 |
| NH | 2,652 | 61 | 1.51 | 13.1 | 43.5 | 49.1 | 19.9 |
| NY | 6,466 | 201 | 0.26 | 12.5 | 32.2 | 40.4 | 3.3 |
| PA | 14,338 | 256 | 0.29 | 38.9 | 56.0 | 81.0 | 11.2 |
| RI | 2,212 | 39 | 0.53 | 39.5 | 56.7 | 92.2 | 21.0 |
| VT | 2,000 | 83 | 3.22 | 9.9 | 24.1 | 29.0 | 31.9 |
| US | 84,856 | 1902 | 0.33 | 23.9 | 44.6 | 64.3 | 7.8 |

2016 DTSC SETTLEMENT FOR SUMMARIES OF VIOLATIONS (2013 & 2014)

Thermostat Recycling Corporation (TRC) continues to work diligently with member companies, interested stakeholders, and the State to maximize efforts to collect mercury thermostats in California. TRC's collections in California since 2008 have reduced the amount of remaining mercury thermostats still in use, which is reflected in declining collections. This is consistent with national trends. TRC collects more mercury thermostats in California than in any other state.

The manufacturers did not meet the collection goals set by the DTSC for 2013 and 2014. On February 10th 2016, twenty-five manufacturing members of the TRC entered into a consent order to improve collection methods and test programs to increase awareness and participation.

The consent order consists of three principal components: preparation, submission, and approval of an outreach plan; testing pilot projects and a program modification plan considering both the outreach and pilot projects' conclusions. An assessment will be conducted of both the effectiveness of the strategies and also their scalability/replicability.

TRC designated Steven B. Hellem as the TRC Project Manager for implementation of the consent order requirements. Consultants and experts will be engaged to support the various projects.

TRC and its members look forward to continued collaboration with the DTSC in ongoing efforts to help maximize collection of the remaining mercury thermostats in California.

2016 ANNUAL GOALS

TRC again set annual goals for the organization for the calendar year of 2016. The 2016 goals were developed by TRC staff and incorporate each operational area of the organization, including:

1) Continue to increase efforts of collecting mercury thermostats by exploring nontraditional avenues

- 2) Steer TRC toward tactical, positive, cohesive messaging while implementing marketing strategies
- 3) Continue fulfilling all members' state specific legal requirements without losing continuity
- 4) Maximize human capital opportunities by utilizing available internal and external resources

Many of the activities which drive TRC's daily functions are captured in the spirit of these goals. Developing a list of high level external goals allows TRC to keep its focus on the ultimate mission of recycling every mercury thermostat, every time.

COLLECTION LOCATION TOUCH CAMPAIGN

In 2016 TRC will launch a comprehensive location outreach plan that strategically coordinates and schedules outbound phone calls, reminder postcards, and site visits throughout the year. Designed around the year's site visit travel schedule, phone calls have been scheduled to occur within two months of TRC staff physically visiting a state, and postcards have been scheduled to follow up these phone calls within two months. Special attention will be focused on states with mandatory collection programs, including Illinois, which will entail up to 120 phone calls to collection locations that have not returned a bin within the past year. States with non-mandatory collection programs will continue to receive up to 60 collection location phone calls in 2016.

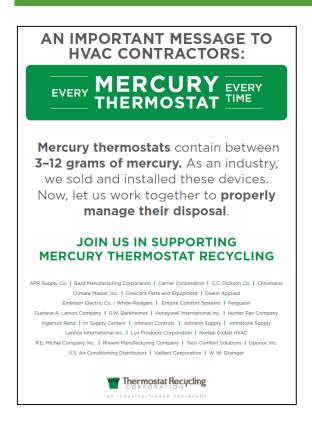
Additionally, each state's TRC collection locations which haven't returned a bin within the last year will continue to receive reminder "Miss you" postcards every four months of the year. By strategically coordinating the time of outreach between these three mediums (site visits, phone calls, postcards) TRC hopes to maximize the impact of each initiated contact effort.

BRANDING CAMPAIGN

In January TRC placed a full page color ad in *ACHR News*, one of the industry's leading HVAC publication with a weekly circulation of more than 33,000 (Exhibit 27). The ad appeared during the week of the AHR Expo, which is one of the more popular issues of the magazine. The ad tied TRC's members and affiliates together around the positive call to action of recycling every mercury

thermostat, every time. TRC resized this ad to place a half-page size in the February issue of *HVACR Business Magazine* as well.

EXHIBIT 27: ACHR NEWS FULL PAGE AD



Additionally in January, TRC launched a new branding campaign, "Recycle every mercury thermostat, every time" (Exhibit 28). The campaign messaging is based off frequent feedback TRC staff receives when contractors say "What's the big deal about mercury? I used to play with it in school as a kid." This new messaging compares mercury thermostats to kids playing with HVAC tools. HVAC tools are safe when used properly, just like mercury thermostats are safe when recycled and disposed of properly.

EXHIBIT 28: NEW BRANDING CAMPAIGN



TRC updated its trade show booth display with the new artwork and messaging, and the campaign will continue throughout the year in print and digital advertising placements with several different versions featuring different kids with tools.

PAID ADVERTISING

Additionally, TRC is currently working to update its Google AdWords campaign to include display ads, which include images versus only text, to enhance the visibility of the ads. TRC also plans to implement Facebook, and potentially YouTube, advertising in the spring and fall during the HVAC

industry's shoulder (busier) seasons. Ads will have similar messaging to the Google AdWords campaign and be targeted to states with disposal bans.

Some additional planned advertising and promotion (subject to change) include:

- 1/2pg spot-color ad in *HVAC Insider Goldenwest* for four months
- 1/8pg two-color ad in *Indoor Comfort News* for six months
- 1/4pg full-color ad in *Distribution Center Magazine* for three months
- Skyscraper banner ad on ACHRNews.com for two months
- Website Topic Sponsorship on ACHRNews.com for three months
- Top leaderboard ad in *ACHR News* enewsletter for two months
- ACHR News digital edition video spotlight
- *ACHR News* digital edition sponsorship
- Feature leaderboard ad in NATE's bi-monthly enewsletter for two months
- Medium rectangle banner ad in *Distribution Center's* weekly enewsletter for two months
- Banner ad in AHRI's weekly newsletter for 13 weeks
- HVACR Business Magazine's web package for two months, including a video and three different sized ads on their website
- Continue to exhibit at regional and key national industry events.
- TRC plans on continuing efforts to engage larger contractors and HVAC wholesale distributors.

APPENDIX 1: LETTER TO WHOLESALE LOCATIONS WITHOUT TRC BINS



1765 Duke Street | Alexandria, VA 22314 | thermostat-recycle.org

6/30/2015

Hajoca - San Diego ATTN: Branch Manager 7813 Ostrow St San Diego, CA 92111

Subject: Compliance with California Mercury Thermostat Recycling Law

Dear Branch Manager,

I am writing you because HVAC Wholesale Distributors in the state of California are required to act as a collection point for waste mercury thermostats. Otherwise they are prohibited from selling any thermostat. Thermostat Recycling Corporation (TRC) has no record of your branch location participating in its program and as such it seems likely your business is not in compliance with California law.

TRC is a non-profit organization funded by thermostat manufacturers. It operates the mandatory collection program in California and provides HVAC wholesalers an easy means of complying with the law. Participating wholesale locations are provided with a plastic recycling bin to collect and transport mercury thermostats. This bin contains a liner, instructions, and a pre-paid shipping label to be used to return the bin to TRC.

All that is required from wholesale distributors is to collect waste mercury thermostats from their customers and ship the recycling bin to TRC at least once per year. They also must promote the availability of the program using the provided marketing collateral. Upon receiving the bin, TRC empties it and returns it refilled with the materials repeating the process. There are no recurring fees to participate in the program.

Complete the attached form to order a container. If you reply within 15 days, TRC will waive the customary \$25.00 participation fee. For more information, TRC can be found at www.thermostats-recycle.org or please call me direct at 571-302-0877.

Looking forward to speaking,

Ryan L. Kiscaden
Director of National Accounts
Thermostat Recycling Corporation

ENCLOSED: CA Assembly Bill No. 2347 HVACR Wholesale Participation Form

Cc: Richard Klau, President of Hajoca Corporation

APPENDIX 2: LETTER TO CEO'S



1765 Duke Street | Alexandria, VA 22314 | thermostat-recycle.org

July 1, 2015



Subject: Compliance with California Mercury Thermostat Recycling Law

Dear Mr. Klau:

I am writing you to highlight a recent correspondence Thermostat Recycling Corporation (TRC) sent Hajoca Corporation's branch locations in California. HVAC Wholesale Distributors in the state of California are required to act as a collection point for waste mercury thermostats. Otherwise they are prohibited from selling any thermostat. TRC has no record of your branch location participating in its program and as such it seems likely your business is not in compliance with California law.

TRC is a non-profit organization funded by thermostat manufacturers. It operates the mandatory collection program in California and provides HVAC wholesalers an easy means of complying with the law. Participating wholesale locations are provided with a plastic recycling bin to collect and transport mercury thermostats. This bin contains a liner, instructions, and a pre-paid shipping label to be used to return the bin to TRC.

All that is required from wholesale distributors is to collect waste mercury thermostats from their customers and ship the recycling bin to TRC at least once per year. They also must promote the availability of the program using the provided marketing collateral. Upon receiving the bin, TRC empties it and returns it refilled with the materials to repeat the process. There are no recurring fees to participate in the program.

The attached participation form is an example order form TRC has sent Hajoca branches. For more information, TRC can be found at www.thermostats-recycle.org or please call me direct at 571-447-4312.

Sincerely,

Mark Tibbetts Executive Director

ENCLOSED: TRC Letter to CA Hajoca Branches CA Assembly Bill No. 2347 HVACR Wholesale Participation Form

APPENDIX 3: OEM LETTER CLEANOUT



1765 Duke Street | Alexandria, VA 22314 | thermostat-recycle.org

July 17th, 2015



Subject: Free disposal of obsolete/New Old Stock (NOS) or waste mercury thermostats

Dear Mr. Trimbach:

Many thermostats manufactured prior to 2008 contained mercury and the sale of these devices have been banned by many states. Most distributors have written-off stranded inventory of mercury thermostats, but it has come to TRC's attention that many of these units have yet to be disposed of and may remain at either branch or central distribution locations.

Moreover, TRC routinely finds boxes or old TRC containers with waste mercury thermostats at branch locations. Federal regulations prohibit the accumulation of waste mercury thermostats for more than one year. Any waste mercury thermostats that have been at your facilities for more than one year should be shipped to TRC immediately.

Thermostat Recycling Corporation will assist you with the proper disposal of all mercury thermostats at your facilities. It costs over \$3 per pound for the proper disposal of these devices through a hazardous waste handler. Why incur these costs, when TRC will provide <u>FREE collection bins and pay all transportation/disposal costs to facilitate the proper disposal of these devices.</u>

Please review your inventory for any NOS mercury thermostats or waste mercury thermostats returned by customers at all of your facilities. Attached is a template of an internal memo to help facilitate this process. Please contact Ryan Kiscaden, TRC'S Director of National Accounts, at 571-302-0877 if you have any questions or need further assistance.

Sincere Regards,

Mark Tibbetts Executive Director

P.S. Don't forget any mercury thermostat returned from your branches counts towards the Big Man on Planet Competition.

Enclosed: Sample Memo

TRC Procedure

HVAC/R Wholesaler Participation Form

APPENDIX 4: WINSUPPLY LETTER



1765 Duke Street | Alexandria, VA 22314 | thermostat-recycle.or

July 6, 2015

Bakersfield Winnelson Co. ATTN: Branch Manager 320 Sumner Street Bakersfield, CA 93305

Subject: Compliance with California Mercury Thermostat Recycling Law

Dear Branch Manager:

I am writing you because HVAC Wholesale Distributors in the state of California are required to act as a collection point for waste mercury thermostats. Otherwise they are prohibited from selling any thermostat. Thermostat Recycling Corporation (TRC) has no record of your branch location participating in its program and as such it seems likely your business is not in compliance with California law.

TRC is a non-profit organization funded by thermostat manufacturers. It operates the mandatory collection program in California and provides HVAC wholesalers an easy means of complying with the law. Participating wholesale locations are provided with a plastic recycling bin to collect and transport mercury thermostats. This bin contains a liner, instructions, and a pre-paid shipping label to be used to return the bin to TRC.

All that is required from wholesale distributors is to collect waste mercury thermostats from their customers and ship the recycling bin to TRC at least once per year. They also must promote the availability of the program using the provided marketing collateral. Upon receiving the bin, TRC empties it and returns it refilled with the materials to repeat the process. There are no recurring fees to participate in the program.

Complete the attached form to order a container. If you reply within 15 days, TRC will waive the customary \$25.00 participation fee. For more information, TRC can be found at www.thermostats-recycle.org or please call me direct at 571-302-0877.

Looking forward to speaking,

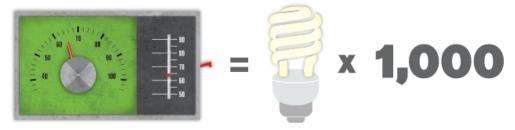
Ryan L. Kiscaden Director of National Accounts

ENCLOSED: CA Assembly Bill No. 2347 HVACR Wholesale Participation Form

Cc: Richard Schwartz, CEO of WinWholesale Inc.

APPENDIX 5: DECEMBER LETTER TO CONTRACTORS

Pid you know?



One mercury thermostat contains approximately **1,000** times more mercury than a CFL bulb.

TRC runs a program where you can recycle mercury thermostats **for free** at HVAC wholesaler locations.



TRC's program offers a free and simple way to properly dispose of mercury thermostats. Next time you visit a participating HVAC wholesaler location, bring all mercury thermostats you've accumulated to recycle.



Visit www.thermostat-recycle.org/search to see a full list of participating collection sites near you, or call TRC at 888-266-0550 with any questions.

APPENDIX 6: CONTRACTING BUSINESS JAN EBLAST





an industry-funded non-profit

Free Mercury Thermostat Recycling

Stay in Compliance with State Laws

Your state prohibits the disposal of all mercury thermostats in solid waste*. Many states go further by requiring all HVAC contractors to recycle every mercury thermostat removed from service — prohibiting them to leave them at the customer's premise. Violations can result in fines up to \$25,000 per day.

Thermostat Recycling Corporation (TRC) offers a program to help HVAC contractors comply with the law. As a non-profit, TRC provides mercury thermostat recycling containers to your local HVAC wholesalers to collect them at no cost to you.



If you are an HVAC wholesale distributor or contracting business with seven or more technicians, you may participate directly in TRC's program by ordering a collection container. Sign up by 2/13 and enter Promo Code CBEMAIL to receive a free recycling container that holds approximately 100 mercury thermostats and contains all necessary materials to return the container to TRC at no cost to you.

Visit www.thermostat-recycle.org to learn more about how easy it is to take advantage of the program.

*Disposal bans apply in the following states: CA, CT, FL, IA, IL, ME, MA, MN, NY, NH, OR, PA, RI, and VT.

Sign Up

APPENDIX 7: CONTRACTING BUSINESS JUN EBLAST





Thermostat-Recycle.org
TRC@Thermostat-Recycle.org
1-888-266-0550

Free Mercury Thermostat Recycling

Stay in Compliance with State Laws

Your state prohibits the disposal of all mercury thermostats in solid waste*. Many states go further by requiring all HVAC contractors to recycle every mercury thermostat removed from service - prohibiting them to leave them at the customer's premise. Violations can result in fines up to \$25,000 per day.

Each mercury thermostat contains at least 1,000 times more mercury than a CFL bulb. Would you throw 1,000 CFLs in the trash? Make sure to recycle every mercury thermostat, every time.



Thermostat Recycling Corporation (TRC) offers a program to help HVAC contractors comply with the law. The non-profit provides mercury thermostat recycling containers to your local HVAC wholesalers to collect them at no cost to you.

If you are an HVAC wholesale distributor or contracting business with seven or more technicians, you may participate directly in TRC's program by ordering a collection container. Sign up by 6/30 and enter Promo Code CBEMAIL to receive a free recycling container that holds approximately 100 mercury thermostats and contains all necessary materials for recurring shipments to TRC at no cost to you.

Visit www.thermostat-recycle.org to learn more about how easy it is to take advantage of the program.

*Disposal bans apply in the following states: CA, CT, FL, IA, IL, ME, MA, MN, NY, NH, OR, PA, RI, and VT.

Sign Up

APPENDIX 8: HVAC TECHNICIAN LOYALTY PROGRAM **BROCHURE**

What is the Recycle, Scratch, Earn Program?

A loyalty program that offers registered participants the opportunity to earn points for qualifying activities Participants may redeem points for a wide variety of consumer goods and services, such as merchandise, entertainment or travel from the online catalog of rewards. From the latest in Apple products to concert tickets to airfare and hotel accommodations, this program offers outstanding quality nd robust selection option

How does the Recycle, Scratch, Earn rewards program work?

Return one+ waste mercury thermostats to a participating HVAC wholesale collection location to receive a scratch card award for each mercury thermostat returned. Each scratch card will be worth 600 points. Participants can redeem points upon accumulating a minimum of 4,800 points. Points may be redeemed for items in the online catalog at www.recycle-scratch-earn.com

What are the Recycle, Scratch, Earn operating dates?

Thermostat Recycling Corporation reserves the right to terminate this program at any time. Award points may be redeemed 90 days after the termination of the program.



HVAC Technician Loyalty Program

* RECYCLE A MERCURY * THERMOSTAT & EARN POINTS TO REDEEM FOR BRAND-NAME MERCHANDISE!

www.recycle-scratch-earn.com







Lovalty Program FAQs

Who is eligible for the Recycle, Scratch, Earn program?

The program is only available to legal residents of California who are 18+ years of age. Only one account is allowed per participant and participants cannot share accounts

Why is my personal information requested when I enroll in the program?

To enroll you must provide personal information that will only be used in relation to awarding you points and fulfilling your redeemed points for merchandise. It is your responsibility to maintain the accuracy of your contact information through the "My Account" page of the website.

How do I redeem my Recycle, Scratch, Earn Points?

Visit www.recycle-scratch-earn.com to register an account and login. After you've logged in, click the "Shopping" tab in the top menu to browse or search the online catalog, or click "My Account" to update your profile, view available points, etc.

When you have selected the item you wish to redeem points for, you may checkout right away or add more items to your online award shopping cart. Finally, update or confirm the

Do I have to calculate shipping and tax?

The shipping and tax for each item is included in the points and is based upon your personal delivery location information you provide. You will be able to add items to your Wish List to know exactly what it will take to achieve your go

How long will it take for my rewards to arrive after redeeming points?

Order delivery time varies; most products are delivered within 7-10 business days. While some items may arrive in as little as 3-5 business days, this is not typical and will depend upon the vendor of the product and their shipping methods.

Important! Do NOT use P.O. Boxes for product delivery. Many carriers will not deliver to a P.O. Box and will likely result in product return and delay of

How do I track the shipping status of my merchandise?

Log in to your personal account and click "My Account" to view details on your order status.

What if I need to return a defective product?

Contact Award Headquarters via the "Contact Us" form on the rewards website for return instructions.

Can I have my rewards shipped to an address that is not in my

Yes, just update the shipping address when completing your order to have awards delivered to a new address.

Who do I contact if there is a problem with my reward merchandise?

Contact Award Headquarters via the "Contact Us" form on the rewards website.

I never received my reward product - what should I do?

If the product is flagged "Shipped" on your "My Account" page, contact Award Headquarters via the "Contact Us" form on the rewards website for shipping research.

Where do I obtain warranty

Information? Warranty registration forms are typically included in the product packaging.

Can I cancel an order after it has been placed?

No, all redemptions are final. Please contact Award Headquarters via the "Contact Us" form on the rewards website for information on returning a defective item

Rewards Website:

www.recycle-scratch-earn.com

APPENDIX 9: COLLECTION LOCATION PHONE CALLS

| Date | Collection Location | City |
|-----------|---|---------------------|
| 5/8/2015 | Goodman Distribution, IncStockton | Stockton |
| 5/12/2015 | Geary Pacific Supply-Redding | Redding |
| 6/8/2015 | Mountain Air | Pine Grove |
| 6/10/2015 | Dial One Service Experts | Rocklin |
| 7/27/2015 | Corix Utilities | San Diego |
| 7/28/2015 | Wholesale Outlet | Stockton |
| 7/28/2015 | Controlco - Headquarters | Oakland |
| 7/28/2015 | Johnson Controls-Roseville | Roseville |
| 7/28/2015 | Heating & Cooling LLC | Bakersfield |
| 8/4/2015 | County of Sacramento | North Highlands |
| 8/11/2015 | Johnson Controls-Whittier | Whittier |
| 8/11/2015 | J W Wood Co., Inc/All Air Supply | Chico |
| 8/11/2015 | Trane | Riverside |
| 8/11/2015 | Trane-Long Beach | Long Beach |
| 8/11/2015 | Slakey Brothers-Elk Grove | Elk Grove |
| 8/11/2015 | Sigler-Sacramento | Sacramento |
| 8/11/2015 | Geary Pacific Supply-Redding | Redding |
| 8/11/2015 | RSD-Lake Forest | Lake Forest |
| 8/11/2015 | Johnstone Supply #329 | Visalia |
| 8/12/2015 | Slakey Brothers/Redwood City | Redwood City |
| 8/12/2015 | Mcclelland Air Conditioning | Chico |
| 8/12/2015 | Southern California Air Con Appl | El Cajon |
| 8/12/2015 | Controlco-San Francisco | San Francisco |
| 8/12/2015 | American Refrigeration Supplies, IncSan Diego | San Diego |
| 8/12/2015 | Alameda County Household Hazardous Waste Program | Oakland |
| 8/12/2015 | American Refrigeration Supplies, IncOakland | Oakland |
| 8/12/2015 | Sigler Wholesale Distributors-San Diego | San Diego |
| 8/12/2015 | Johnstone Supply - Lancaster | Lancaster |
| 8/12/2015 | RSD | Redding |
| 8/12/2015 | RSD-Modesto | Modesto |
| 8/13/2015 | Air Cold Supply, a Ferguson Enterprise-Lancaster | Lancaster |
| 8/13/2015 | Air Cold Supply-San Jose | San Jose |
| 8/13/2015 | American Refrigeration Supplies, IncSouth San Francisco | South San Francisco |
| 8/13/2015 | Wholesale Outlet, Inc | Sacramento |
| 8/13/2015 | Slakey Brothers-Salinas | Salinas |
| 8/13/2015 | Johnstone Supply-Merced | Merced |
| 8/13/2015 | RSD-South San Francisco | South San Francisco |
| 8/13/2015 | Slakey Brothers-Redding | Redding |
| 8/21/2015 | Sigler-San Marcus | San Marcus |
| 8/21/2015 | Allied Refrigeration IncSan Jose | San Jose |

APPENDIX 9: COLLECTION LOCATION PHONE CALLS

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| 8/26/2015 Lennox Parts Plus San Leandro 8/27/2015 Northaire Supply Co Inc 8/27/2015 United Refrigeration-National City National City 8/27/2015 Slakey Brothers Hayward 8/27/2015 Lennox Industries IncEastvale Eastvale 8/27/2015 Trane Parts Center-Rocklin Rocklin 8/27/2015 Baker Distributing CoOakland Oakland 8/27/2015 Pacific Hvac Depot San Leandro 8/27/2015 Orchard Supply Hardware-Pismo Beach Pismo Beach 8/27/2015 RSD-Salinas Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino San Bernardino 8/27/2015 Johnson Controls Cypress 8/27/2015 Trane-Fresno Fresno 8/27/2015 Sigler Wholesale Distributors-Concord Concord 8/27/2015 Johnson Controls Bakersfield | 8/25/2015 | Pittsburg Ace Hardware | Pittsburg |
| 8/27/2015 Northaire Supply Co Inc 8/27/2015 United Refrigeration-National City National City 8/27/2015 Slakey Brothers Hayward 8/27/2015 Lennox Industries IncEastvale Eastvale 8/27/2015 Trane Parts Center-Rocklin Rocklin 8/27/2015 Baker Distributing CoOakland Oakland 8/27/2015 Pacific Hvac Depot San Leandro 8/27/2015 Orchard Supply Hardware-Pismo Beach Pismo Beach 8/27/2015 RSD-Salinas Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino 8/27/2015 Johnson Controls Cypress 8/27/2015 Trane-Fresno Fresno 8/27/2015 Sigler Wholesale Distributors-Concord Concord 8/27/2015 Johnstone Supply Co-El Cajon Blakersfield | 8/26/2015 | Coast Appliance Parts | Bakersfield |
| 8/27/2015 United Refrigeration-National City 8/27/2015 Slakey Brothers 8/27/2015 Lennox Industries IncEastvale 8/27/2015 Trane Parts Center-Rocklin 8/27/2015 Baker Distributing CoOakland 8/27/2015 Pacific Hvac Depot 8/27/2015 Orchard Supply Hardware-Pismo Beach 8/27/2015 RSD-Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino 8/27/2015 Johnson Controls 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Johnson Controls 8/27/2015 Johnson Controls 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Johnson Controls 8/27/2015 Johnson Controls 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Johnson Controls | 8/26/2015 | Lennox Parts Plus | San Leandro |
| 8/27/2015 Slakey Brothers Hayward 8/27/2015 Lennox Industries IncEastvale Eastvale 8/27/2015 Trane Parts Center-Rocklin Rocklin 8/27/2015 Baker Distributing CoOakland Oakland 8/27/2015 Pacific Hvac Depot San Leandro 8/27/2015 Orchard Supply Hardware-Pismo Beach Pismo Beach 8/27/2015 RSD-Salinas Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino San Bernardino 8/27/2015 Johnson Controls Cypress 8/27/2015 Aaa Air & Heating Fresno 8/27/2015 Trane-Fresno Fresno 8/27/2015 Sigler Wholesale Distributors-Concord Concord 8/27/2015 Johnstone Supply Co-El Cajon El Cajon 8/27/2015 Johnson Controls Bakersfield | 8/27/2015 | Northaire Supply Co Inc | San Jose |
| 8/27/2015 Lennox Industries IncEastvale 8/27/2015 Trane Parts Center-Rocklin 8/27/2015 Baker Distributing CoOakland 8/27/2015 Pacific Hvac Depot 8/27/2015 Orchard Supply Hardware-Pismo Beach 8/27/2015 RSD-Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino 8/27/2015 Johnson Controls 8/27/2015 Aaa Air & Heating 8/27/2015 Trane-Fresno 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Johnson Controls 8/27/2015 Johnstone Supply Co-El Cajon 8/27/2015 Johnson Controls 8/27/2015 Johnson Controls 8/27/2015 Johnson Controls 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Johnson Controls Bakersfield | 8/27/2015 | United Refrigeration-National City | National City |
| 8/27/2015Trane Parts Center-RocklinRocklin8/27/2015Baker Distributing CoOaklandOakland8/27/2015Pacific Hvac DepotSan Leandro8/27/2015Orchard Supply Hardware-Pismo BeachPismo Beach8/27/2015RSD-SalinasSalinas8/27/2015American Refrigeration Supplies, IncSan BernardinoSan Bernardino8/27/2015Johnson ControlsCypress8/27/2015Aaa Air & HeatingFresno8/27/2015Trane-FresnoFresno8/27/2015Sigler Wholesale Distributors-ConcordConcord8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | Slakey Brothers | Hayward |
| 8/27/2015 Baker Distributing CoOakland 8/27/2015 Pacific Hvac Depot 8/27/2015 Orchard Supply Hardware-Pismo Beach 8/27/2015 RSD-Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino 8/27/2015 Johnson Controls 8/27/2015 Aaa Air & Heating 8/27/2015 Trane-Fresno 8/27/2015 Sigler Wholesale Distributors-Concord 8/27/2015 Johnstone Supply Co-El Cajon 8/27/2015 Johnson Controls | 8/27/2015 | Lennox Industries IncEastvale | Eastvale |
| 8/27/2015 Pacific Hvac Depot San Leandro 8/27/2015 Orchard Supply Hardware-Pismo Beach 8/27/2015 RSD-Salinas Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino San Bernardino 8/27/2015 Johnson Controls Cypress 8/27/2015 Aaa Air & Heating Fresno 8/27/2015 Trane-Fresno Fresno 8/27/2015 Sigler Wholesale Distributors-Concord Concord 8/27/2015 Johnstone Supply Co-El Cajon El Cajon 8/27/2015 Johnson Controls Bakersfield | 8/27/2015 | Trane Parts Center-Rocklin | Rocklin |
| 8/27/2015 Orchard Supply Hardware-Pismo Beach 8/27/2015 RSD-Salinas Salinas 8/27/2015 American Refrigeration Supplies, IncSan Bernardino San Bernardino 8/27/2015 Johnson Controls Cypress 8/27/2015 Aaa Air & Heating Fresno 8/27/2015 Trane-Fresno Fresno 8/27/2015 Sigler Wholesale Distributors-Concord Concord 8/27/2015 Johnstone Supply Co-El Cajon El Cajon 8/27/2015 Johnson Controls Bakersfield | 8/27/2015 | Baker Distributing CoOakland | Oakland |
| 8/27/2015RSD-SalinasSalinas8/27/2015American Refrigeration Supplies, IncSan BernardinoSan Bernardino8/27/2015Johnson ControlsCypress8/27/2015Aaa Air & HeatingFresno8/27/2015Trane-FresnoFresno8/27/2015Sigler Wholesale Distributors-ConcordConcord8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | Pacific Hvac Depot | San Leandro |
| 8/27/2015American Refrigeration Supplies, IncSan BernardinoSan Bernardino8/27/2015Johnson ControlsCypress8/27/2015Aaa Air & HeatingFresno8/27/2015Trane-FresnoFresno8/27/2015Sigler Wholesale Distributors-ConcordConcord8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | Orchard Supply Hardware-Pismo Beach | Pismo Beach |
| 8/27/2015Johnson ControlsCypress8/27/2015Aaa Air & HeatingFresno8/27/2015Trane-FresnoFresno8/27/2015Sigler Wholesale Distributors-ConcordConcord8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | | Salinas |
| 8/27/2015Aaa Air & HeatingFresno8/27/2015Trane-FresnoFresno8/27/2015Sigler Wholesale Distributors-ConcordConcord8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | American Refrigeration Supplies, IncSan Bernardino | San Bernardino |
| 8/27/2015Trane-FresnoFresno8/27/2015Sigler Wholesale Distributors-ConcordConcord8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | Johnson Controls | Cypress |
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| 8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | Trane-Fresno | Fresno |
| 8/27/2015Johnstone Supply Co-El CajonEl Cajon8/27/2015Johnson ControlsBakersfield | 8/27/2015 | Sigler Wholesale Distributors-Concord | Concord |
| | 8/27/2015 | | El Cajon |
| 8/27/2015 Cfm Equipment Distributors, Inc. Fresno | 8/27/2015 | Johnson Controls | Bakersfield |
| | | | |
| 8/27/2015 R. E. Michel Company - Long Beach Long Beach | 8/27/2015 | | |

APPENDIX 9: COLLECTION LOCATION PHONE CALLS

| 8/27/2015 | Genie Air Conditioning & Heating Inc. | Van Nuys |
|-----------|---------------------------------------|----------|
| 8/27/2015 | AC Pro | El Cajon |
| 8/28/2015 | Coast Appliance Parts-Van Nuys | Van Nuys |
| 8/28/2015 | A-1 Guaranteed | Vallejo |

APPENDIX 10: COLLECTION LOCATION VISITS

| Date of visit | Collection Location | City | Zip Code | County |
|---------------|--|------------------|-------------|--------------------------|
| 1/20/2015 | R. E. Michel Company - Long Beach | Long Beach | 90805 | Los Angeles County |
| 1/20/2015 | Us Air Conditioning Distributors-Signal Hill | Signal Hill | 90755 | Los Angeles County |
| 1/21/2015 | Air Cold Supply-Upland | Upland | 91786 | San Bernardino County |
| 1/21/2015 | Baker Distributing Company-Upland | Upland | 91786 | San Bernardino County |
| 1/21/2015 | Johnstone Supply-Upland | Upland | 91786 | San Bernardino County |
| 1/21/2015 | Lennox Industries IncChino | Chino | 91710 | Los Angeles County |
| 1/21/2015 | R.E Michel Inc, Company | Ontario | 91764 | San Bernardino County |
| 1/21/2015 | Totaline Of California-Ontario | Ontario | 91761 | San Bernardino County |
| 1/21/2015 | US Air Conditioning Distributors | Lake Forest | 92630 | San Bernardino County |
| 1/22/2015 | USACD - Ontario | Ontario | 91764 | San Bernardino County |
| 1/29/2015 | Totaline Of California-Ontario | Ontario | 91761 | San Bernardino County |
| 4/6/2015 | Allied Refrigeration-Culver City | Culver City | 90232 | Los Angeles County |
| 4/6/2015 | Howard Industries | Culver City | 90232 | Los Angeles County |
| 4/6/2015 | US AIr Conditioning Distributors | Culver City | 90232 | Pueblo County |
| 4/7/2015 | American Refrigeration Supplies, IncGlendale | Glendale | 91201 | Los Angeles County |
| 4/7/2015 | Baker Distributing Company-Pacoima | Pacoima | 91331 | Ventura County |
| 4/7/2015 | Dancool Hvac Supplying | N Hollywood | 91605 | Los Angeles County |
| 4/7/2015 | Goodman Distribution, IncSan Fernando | San Fernando | 91340 | Los Angeles County |
| 4/7/2015 | Johnstone Supply-Sun Valley | Sun Valley | 91352 | Los Angeles County |
| 4/7/2015 | U.S. Air Conditioning Distributors | Burbank | 91506 | Ventura County |
| 4/9/2015 | Ferguson Heating and Cooling | Newbury Park | 91320 | Ventura County |
| 4/9/2015 | Johnstone Supply - Thousand Oaks | Thousand Oaks | 91358 | Los Angeles County |
| 4/9/2015 | Us Airconditioning Distributors | Newbury Park | 91320 | Los Angeles County |
| 7/6/2015 | Goodcents | Manteca | 95336 | San Joaquin County |
| 7/6/2015 | Slakey Brothers - Modesto | Modesto | 95358 | Stanislaus County |
| 7/6/2015 | U.S. Air Conditioning Distributors- Modesto | Modesto | 95351 | San Joaquin County |
| 7/6/2015 | United Refrigeration-Modesto | Modesto | 95351 | Stanislaus County |

APPENDIX 10: COLLECTION LOCATION VISITS

| 7/7/2015 | Goodman Distribution, IncStockton | Stockton | 95205 | Sacramento County |
|----------|---|--------------------|-------|--------------------|
| 7/7/2015 | Johnson Controls-Folsom | Folsom | 95630 | Stanislaus County |
| 7/7/2015 | Johnstone Supply | Stockton | 95205 | San Joaquin County |
| 7/7/2015 | Lennox Parts Plus-Stockton | Stockton | 95205 | San Joaquin County |
| 7/7/2015 | RSD-Stockton | Stockton | 95205 | San Joaquin County |
| 7/7/2015 | Slakey Brothers-Elk Grove | Elk Grove | 95758 | Sacramento County |
| 7/7/2015 | Slakey Brothers-Stockton | Stockton | 95208 | San Joaquin County |
| 7/7/2015 | Solar City - Rancho Cordova | Rancho Cordova | 95742 | Sacramento County |
| 7/7/2015 | Thrifty Supply-Sacramento | Sacramento | 95826 | Sacramento County |
| 7/7/2015 | Us Air Conditioning Distributors- Stockton | Stockton | 95205 | San Joaquin County |
| 7/8/2015 | Air Cold Supply-Chico | Chico | 95928 | Butte County |
| 7/8/2015 | Baker Distributing Company-Chico | Chico | 95928 | Butte County |
| 7/8/2015 | Johnstone Supply-Redding | Redding | 96002 | Sutter County |
| 7/8/2015 | RSD | Redding | 96002 | Shasta County |
| 7/8/2015 | Slakey Brothers-Chico | Chico | 95927 | Sacramento County |
| 7/8/2015 | Slakey Brothers-Redding | Redding | 96002 | Shasta County |
| 7/8/2015 | Slakey Brothers-Yuba City | Yuba City | 95992 | Butte County |
| 7/8/2015 | US Air Conditioning Distributors | Redding | 96003 | Shasta County |
| 7/9/2015 | Ferguson Heating & Cooling- Sacramento | Sacramento | 95834 | Sacramento County |
| 7/9/2015 | Geary Pacific Supply-North Highlands | North Highlands | 95660 | Sacramento County |
| 7/9/2015 | Lennox Industries Inc Sacramento | Sacremento | 95814 | Sacramento County |
| 7/9/2015 | Slakey Brothers-North Highlands | North Highlands | 95660 | Sacramento County |
| 7/9/2015 | Trane Supply - North Highlands | North Highlands | 95660 | Sacramento County |
| 7/9/2015 | United Refrigeration # P1 | North Highlands | 95660 | Sacramento County |

APPENDIX 10: COLLECTION LOCATION VISITS

| 7/9/2015 | Us Air Conditioning Distributors-North Highlands | North Highlands | 95660 | Placer County |
|-----------|--|--------------------|-------|-------------------|
| 7/29/2015 | Air Cold Supply, Inc., a Ferguson Enterprise-Sacramento | Sacramento | 95838 | Sacramento County |
| 7/29/2015 | American Refrigeration Supplies - Sacramento | Sacramento | 94203 | Orange County |
| 7/29/2015 | Cfm Equipment Distributors, Inc Sacramento | Sacramento | 95838 | Sacramento County |
| 7/29/2015 | City Of Sacramento Phhwcf | Sacramento | 95826 | Sacramento County |
| 7/29/2015 | County of Sacramento | North Highlands | 95650 | Sacramento County |
| 7/29/2015 | Gianelli's Parts and Appliances | Rancho Cordova | 95670 | Sacramento County |
| 7/29/2015 | Goodman Distribution, IncSacramento | Sacramento | 95811 | Sacramento County |
| 7/29/2015 | Goodman Distribution, IncSacramento 2 | Sacramento | 95827 | Sacramento County |
| 7/29/2015 | RSD - Sacramento | Sacramento | 95827 | Sacramento County |
| 7/29/2015 | RSD-Sacramento | Sacramento | 95815 | Sacramento County |
| 7/29/2015 | Sigler-Sacramento | Sacramento | 95826 | Sacramento County |
| 7/29/2015 | Siglers-Sacramento | Sacramento | 95826 | Sacramento County |
| 7/29/2015 | Standard Supply Usa | Sacramento | 95811 | Sacramento County |
| 7/29/2015 | Wholesale Outlet, Inc | Sacramento | 95838 | Sacramento County |

HVAC Contractor Employee Compliance Policy - MERCURY THERMOSTAT DISPOSAL

<mark>Company Name</mark> Mercury Thermostat Disposal Overview

It is XXX's policy to be an environmentally conscious company while complying with all state and federal regulations. As such, XXX will make every effort to educate both our customers and employees on the regulations pursuant to Section XXX of the NAME OF BILL and description of the bill. This education will include the risks and dangers associated with mercury pollution into the environment along with any regulatory, legal and/or business obligations or responsibilities related to the recycling of mercury thermostats.

XXX will comply with all regulations and industry requirements concerning the safe disposal of mercury thermostats. Further, it is the responsibility of the company and each employee who, as a matter of course, deals with mercury thermostats and/or customers, to be aware of this policy and the associated legal requirements.

It is the responsibility of each XXX employee to be aware of the information regarding disposal of mercury thermostats to the extent necessary to perform his or her duties in an environmentally sensitive nature and to explain to our customers what we are doing to prevent the improper disposal of mercury thermostats.

Background on Mercury Thermostats

Health/Safety Concerns: Mercury is a neurotoxin which has both negative impacts on human and ecological populations. The toxicity is fatal if inhaled, consumed, or exposed into the blood stream. It may also damage fertility or an unborn child. Mercury can also cause damage to organs through prolonged or repeated exposures.

Mercury Thermostat Sources: Mercury thermostats were first manufactured and sold starting in 1956 and began a final cease in production around 2006, As mercury thermostats are replaced, the available inventory to recycle diminishes until eventually all in-service thermostats are upgraded to a mercury free control device. While estimates vary, there were millions of mercury thermostats sold in the United States.

These units still remain in service in the following types of facilities;

- · Residential single family homes either in attached, detached, or semi-attached
- · Residential multifamily homes such as apartments or low income housing
- · Light commercial buildings such as hotels, restaurants, banks, and retail
- · Educational buildings such as schools, colleges, and museums
- · Military building such as barracks

When a mercury thermostat is discovered during the direct installation of replacement thermostats, XXX Proper Disposal Policy will be followed. If it is deemed that the Proper

HVAC Contractor Employee Compliance Policy - MERCURY THERMOSTAT DISPOSAL

Disposal Policy is insufficient, XXX will contact the Thermostat Recycling Corporation (TRC) on guidance on how to properly dispose of mercury thermostats¹.

Regulatory History

U.S. Federal Rules and Regulations

The Resource Conservation and Recovery Act (RCRA)² was enacted in 1976 to protect human health and the environment from the potential hazards of waste disposal, to conserve energy and natural resources, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner.

The Universal Waste Rule within RCRA is designed to reduce the amount of hazardous waste items in municipal solid waste stream, encourage recycling and proper disposal of certain common hazardous wastes, and reduce the regulatory burden on businesses that generate these wastes. Universal wastes includes mercury thermostats that contain as much as 3 grams of liquid mercury and are located in almost any building, including commercial, industrial, agricultural, community, and household buildings.

State Rules and Regulations

Many states regulate the installation, disposal and sale of mercury bearing equipment such as mercury thermostats, with varying requirements and methods of compliance for contractors and distributors. In many states enforcement authority is granted through the state's EPA.

When XXX has a job where the customer's address is located in any of the following states; CA, CT, FL, IL, IA, LA, ME, MD, MA, MI, MN, MT, NH, NY, OH, OR, PA, RI, VT, and WA XXX's employees will follow the Proper Disposal Procedure. See Appendix 2 for chart.

¹ For a one-time fee of \$25.00 participating locations are provided with a reusable plastic recycling container, a 5mil plastic liner, and wire zip ties to seal the liner and the bin for transport. Each container also comes with a pre-paid Federal Express label to return the container to TRC. The container will hold up to 150 waste mercury thermostats. A participating location simply needs to accumulate waste mercury thermostats for up to one year, prepare the container for shipment, and arrange pick-up with carrier. TRC is an automatic return program, and the same container will be returned to the location within 10 business days, restarting the process. The TRC program operates under Universal Waste Regulations and there is no requirement to manifest to maintain records of shipments. TRC only accepts whole mercury thermostats. No other item, particularly mercury containing items, can be stored or shipped in the TRC container. TRC reserves the right to terminate participation if a collection location ships items other than whole mercury thermostats.

² http://www2.epa.gov/rcra

HVAC Contractor Employee Compliance Policy - MERCURY THERMOSTAT DISPOSAL

XXX Proper Disposal Procedure

To be compliant with this proper disposal of mercury thermostats procedure, XXX will take the following actions to ensure effective monitoring and assessment of compliance:

- XXX will assign an employee to oversee compliance including but not limited to: owners, service managers, service technicians, and any and all employees whom generate mercury thermostat waste. This employee will be assigned the responsibility of record keeping (if necessary) and ensuring compliance by all XXX's employees.
- Commit (1) hour of employee training on what a mercury thermostat is and how to dispose of them properly following federal, state, and local regulations. Visit www.thermostat-recycle.org with questions.
- Require each new employee who generates mercury thermostat waste to order a mercury spill kit as a condition of employment or XXX will provide each new employee a mercury spill kit upon employment, and replace it when necessary.
- Create a working environment in which employees can report violations of the Proper Disposal Procedure.
- Consider direct participation with TRC when the Proper Disposal Procedure is insufficient. XXX may consider ordering a mercury thermostat recycling container for each shop, work van/truck, or employee as necessary³.

As per this policy, the employee will do the following; See Appendix 3 for flow chart.

- 1. Sign the Employee Compliance Policy herein.
- 2. Remove the mercury thermostat during work order
- 3. Place the mercury thermostat in a 5 gallon bucket with a lid
- 4. Locate the closest collection point to job site
- 5. Drop off mercury thermostat at collection point as soon as convenient
- 6. Repeat as necessary

3 http://www.thermostat-recycle.org/signup/

HVAC Contractor Employee Compliance Policy - MERCURY THERMOSTAT DISPOSAL

Appendix 1 - Employee Proper Disposal Compliance Policy Form

XXX Section XXX of the XXX of XXX
Employee Proper Disposal Compliance Policy

It is the policy of XXX to strictly adhere to XXX of the XXX of XXX.

Employee compliance, as required by law, is required.

Therefore, as the undersigned, I agree to fully comply with this policy which includes properly disposing of all mercury thermostats I generate and to use the prescribed method of disposal set forth by Company Name. I also agree to NEVER intentionally dispose of mercury thermostats and to not leave the device(s) behind with the customer.

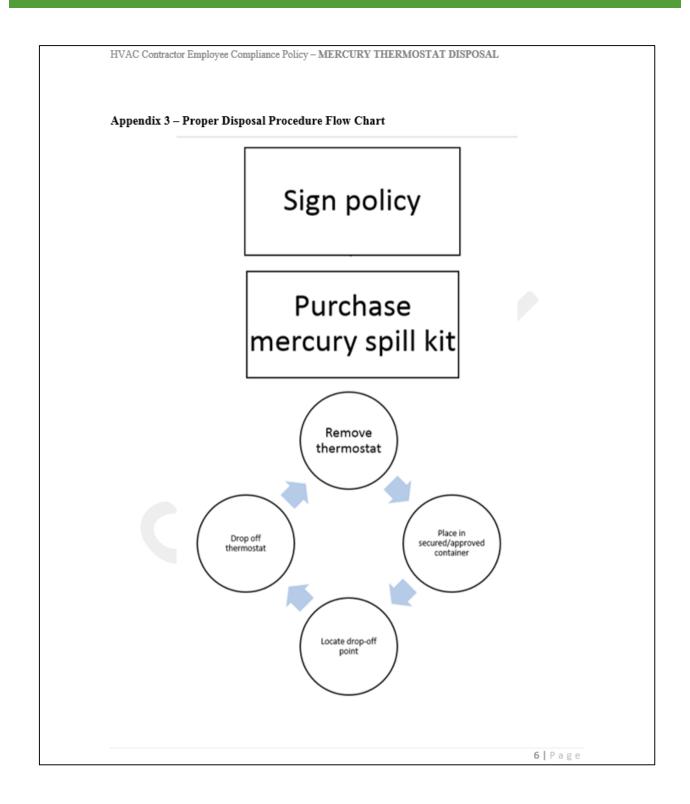
Should I fail to comply with the foregoing statements, I understand that I am in non-compliance with the law and accept full personal liability in connection with any action or actions that may occur.

| Signed this | , 20 | |
|-------------|------|----------------|
| Ву: _ | | _ (Print Name) |
| | | _(Sign Name) |

HVAC Contractor Employee Compliance Policy - MERCURY THERMOSTAT DISPOSAL

Appendix 2 - Table with state specific legislation

| State | Sales Ban | Installation Ban | Disposal Ban | Mandatory Wholesale Distributor Collection | Mandatory Contractor Recycling |
|---------------|-----------|---------------------|-----------------|---|--------------------------------------|
| California | x | х | x | x | x |
| Connecticut | x | | х | x | X |
| Florida | x | х | х | | |
| Illinois | x | х | х | x | x |
| lowa | x | х | х | x | X |
| Louisiana | | | х | | |
| Maine | x | | х | x | X |
| Maryland | x | | | | |
| Massachusetts | x | | X | X | х |
| Michigan | х | | | | |
| Minnesota | x | | х | | X |
| Montana | x | х | | x | |
| New | | | | | |
| Hampshire | х | х | X | X | х |
| New York | x | | x | x | x |
| Ohio | x | | | | |
| Oregon | x | х | х | | X |
| Pennsylvania | X | | X | x | х |
| Rhode Island | х | | x | x | x |
| Vermont | X | | X | x | х |
| Washington | x | | | | |



APPENDIX 12: LOYALTY PROGRAM EMAIL



Thermostat-Recycle.org

an industry-funded non-profit

Thermostat-Recycle.org
TRC@Thermostat-Recycle.org
1-888-266-0550

Your Rewards Await

Eight mercury thermostats earn \$25 in merchandise



Earn premium merchandise for recycling mercury thermostats!

Earn rewards for recycling through the Thermostat Recycling Corporation's (TRC) "Recycle. Scratch. Earn." program. Recycle eight mercury thermostats and earn \$25 in merchandise. Or bank your points for higher-value items.

Many participants in the program have already earned merchandise, like:

- · Amazon Kindle Fire
- · Zmodo DVR Security System
- Logitech Gaming Keyboard
- · Fandango Movie Tickets
- Nike Victory Apparel

For more information and a full list of participating HVAC wholesalers visit: www.recycle-scratchearn.com

Learn More

APPENDIX 13: SAMPLE UTILITY IMPLEMENTER RFP REQUIREMENTS

Standard RFP Language for Management of Waste Mercury Thermostats Generated through direct installation (DI) of thermostats or HVAC Equipment

Background

Mercury thermostats were widely used to control heating and cooling systems starting in the 1950s. Mercury thermostats dominated the market until the early 1990s when electronic thermostats began to gain wider acceptance in the market. All major manufacturers ceased production of mercury switch thermostats by 2009. While the number remaining in use is unknown, they are still found on some heating and cooling systems installed prior to 2006.

Mercury thermostats are still prevalent in the following types of facilities;

- Residential single family homes either attached, detached, or semi-attached
- Residential multifamily homes such as apartments or low income housing structures
- Light commercial buildings such as hotels, restaurants, banks, and retail outlets
- Educational buildings such as schools, colleges, and libraries
- Barracks and other military installations

Statutory Authorities

<u>Title 21 Section</u> 27-2105 of New York Environmental Conservation Law (ECL) prohibits knowing disposal of mercury thermostats in solid waste <u>and waste mercury thermostats can be managed</u> as "Universal Wastes" under the Federal Resource Recovery and Conservation Act (40 CFR Part 273)"

Title 29, Section 27-2909 of ECL also requires the following:

§ 3. 1. Any person or contractor who replaces a mercury-containing thermostat from a building shall deliver the mercury-containing thermostat to an appropriate collection site.

APPENDIX 13: SAMPLE UTILITY IMPLEMENTER RFP REQUIREMENTS

And:

- 3. Any department, authority, instrumentality, or municipal corporation of the state administering a program that involves the removal or replacement of mercury containing thermostats as a result of any statutory requirement, shall inform contractors of their statutory obligations to deliver the mercury-containing thermostats to a collection site and prohibiting the disposal of such thermostats in a solid-waste facility.
- 4. Any contractor, organization or subcontractor of such organization, who contracts with or receives funding or financing provided in whole or in part by or through any department, agency, instrumentality, or political subdivision of the state for the installation, service, or removal of heating, ventilation, or air-conditioning components resulting in the removal or handling of out-of-service mercury thermostats, shall ensure the collection, transportation and proper management of out-of-service mercury thermostats in accordance with the provisions of title 29 of article 27 of the environmental conservation law.

RFP Language

The vendor, all subcontractors, and affiliated parties in the trade channel including but not limited to trade allies, preferred installation vendors or rebate processors must comply with all applicable federal, state, local regulations in relation to the proper management and disposal of waste mercury thermostats generated in the performance of the requested scope of work. The vendor will describe efforts to inform program subcontractors and affiliated parties in the trade channel including but not limited to trade allies, preferred installation vendors or rebate processors on New York law relative to the removal and disposal of mercury thermostats. The vendor should also describe any planned steps to support and/or facilitate the collection of mercury thermostats generated through this program by direct participation in the TRC program. The vendor will describe procedures all technicians (direct installers) will follow to identify mercury thermostats and ensure proper management of all mercury thermostats removed from service. The vendor will also describe the procedures to monitor and document (report) compliance with the

APPENDIX 13: SAMPLE UTILITY IMPLEMENTER RFP REQUIREMENTS

above requirement and for meeting post project reporting requirements below. The successful vendor may be required to provide more information to verify its compliance with above requirement which will include at a minimum;

- A post project report of the following information;
 - o Total number of thermostats installed
 - o The number of mercury thermostats removed from service
 - The number of mercury thermostats recycled and the location(s) where the thermostats were recycled.

APPENDIX 14: MAY EMAIL TO AESP SUBSCRIBERS



APPENDIX 15: AUGUST EMAIL TO AESP SUBSCRIBERS

Curtailment Provider Regulatory Obligations

The disposal of mercury thermostats is regulated under federal and state law. Compliance begins with understanding your legal obligations nationally and in certain states. Any mercury thermostat removed from a commercial building must be recycled. Recycling requirements for mercury thermostats removed from residential buildings varies by state.

Don't contribute to mercury pollution. Integrate recycling into all of your projects that replace mercury thermostats.

Non-compliance in certain states can lead to fines up to \$25,000 per incident. Besides, these devices contain at least 1,000 times more mercury than a CFL bulb and they shouldn't be put in the trash.

11

Free Mercury Thermostat Recycling

The good news is that Thermostat Recycling Corporation (TRC) will offer free recycling containers and ongoing disposal to curtailment providers. This program does not increase your costs and is completely free.

To start free recycling, contact Ryan Kiscaden by 8/31 via email or at 571-302-0877.



11

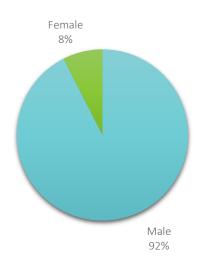
Join Others in the Industry Using TRC's Program

Here's a sample of implementers that have taken advantage of TRC's program:

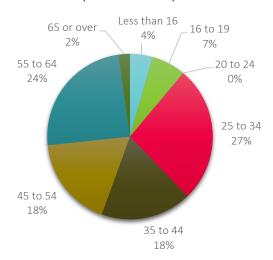
- Honeywell Utility Solutions (Wichita, KS; Deer Park, IL; Brooklyn Heights, OH)
- · Franklin Energy (Chicago, IL; Grand Rapids, MI; Green Bay, WI)
- · CleaResult (Downers Grove, IL; Negaunee, MI; Okemos, MI)
- Comverge (Cincinnati, OH; Beltsville, MD; Mays Landing, NJ)

DEMOGRAPHIC

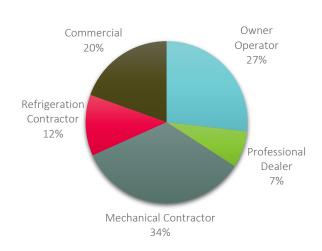




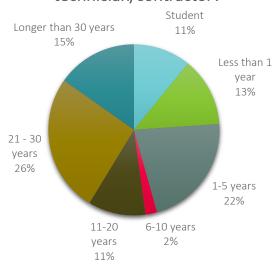
What is your current age? (U.S. Census)



What is the nature of your business?

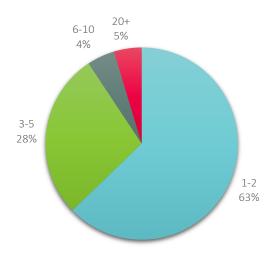


How long have you worked as a technician/contractor?

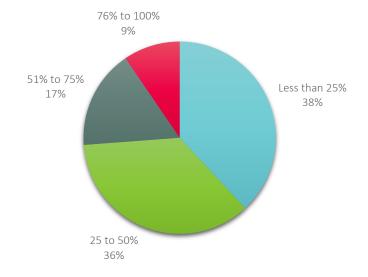


THERMOSTAT REPLACEMENT

How many thermostats do you remove/replace in an average week as part of your job?

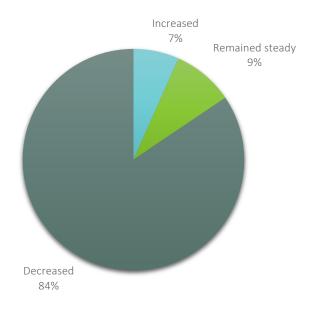


What percentage of the thermostats you replaced in 2014 would you estimate contained mercury?



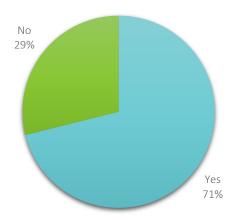
MERCURY CONTAINING THERMOSTAT PREVALENCE

Would you say that during the time you have worked as a technician/contractor the number of mercury containing thermostats you see has...



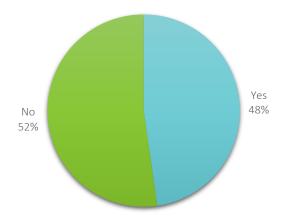
EMPLOYER POLICIES

Are you required by your employer to recycle mercury containing thermostats?



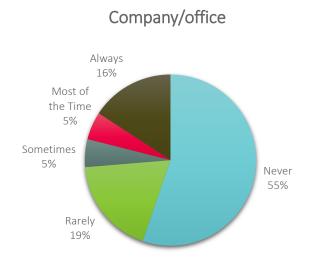
INCENTIVES

To your knowledge, are there any incentives provided by utilities (eg. energy companies) to encourage recycling of thermostats?

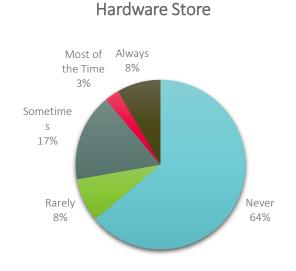


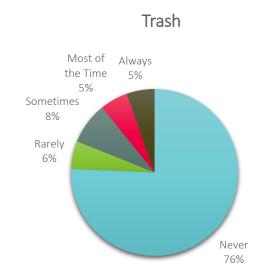
DISPOSAL

Where do you dispose of the mercury containing thermostats you collect?



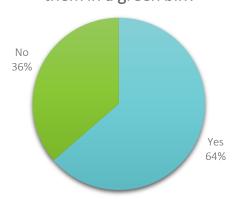






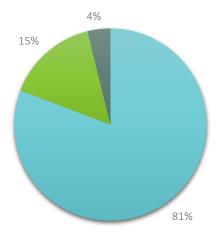
GREEN BIN UTILIZATION

If you recycle thermostats, do you recycle them in a green bin?



MERCURY HARMFULNESS

Which of the following statements best reflects your personal opinion of the harmfulness of mercury?



- Mercury is very harmful and we need to do more to keep it out of the environment.
- I don't know. I have no opinion about the harmfulness of mercury.
- I don't think it is very harmful.