

**BEFORE THE
U.S. DEPARTMENT OF ENERGY
Washington, D.C. 20585**

In the Matter of:)
)
Lutron Electronics Co., Inc.) Case Number: 2012-SE-3796
(Class A external power supplies))
)

Issued: June 5, 2013

NOTICE OF NONCOMPLIANCE DETERMINATION

Class A external power supplies are covered products subject to federal energy conservation standards as described in 42 U.S.C. § 6295(u) and 10 C.F.R. §§ 430.2, 430.32(w). Manufacturers and private labelers are prohibited from distributing covered products or equipment that do not comply with the applicable conservation standards. 10 C.F.R. § 429.102(a)(6); 42 U.S.C. § 6302(a)(5). Specifically, Class A external power supplies of at least 1 watt, manufactured on or after July 1, 2008 and distributed in commerce in the United States must have minimum efficiencies as in the table below. 42 U.S.C. § 6295(u); 10 C.F.R. § 430.32(w).

Nameplate output	Required efficiency (decimal equivalent of a percentage)
Active Mode	
From 1 watt to not more than 51 watts	The sum of 0.09 times the Natural Logarithm of the Nameplate Output and 0.5.
Greater than 51 watts	0.85.
No-Load Mode	
Nameplate output	Maximum consumption
Not more than 250 watts	0.5 watts.

On May 17, 2012, Lutron Electronics Co., Inc. (“Lutron”) notified the U.S. Department of Energy (“DOE”) that it had power supply models that did not comply with the active mode standards and asked DOE whether the models were covered products. On September 25, 2012, Lutron sent DOE information about these models. On February 26, 2013, DOE sent Lutron a letter explaining that Lutron’s power supply models are covered external power supplies.

Based on the information that Lutron voluntarily provided, Lutron has manufactured¹ and distributed in commerce the following external power supply models, each of which was

¹ “Manufacture” means to manufacture, produce, assemble or import. 42 U.S.C. § 6291(10).

manufactured on or after July 1, 2008, has a nameplate output greater than 51 watts, and has an active mode efficiency less than 0.85 (“the High-Wattage Basic Models”):

High-Wattage Basic Model Numbers		
SV-100SF-JBOX	SV-100SF-PI	PPS1-120-15DC-3A

Lutron also manufactured and distributed in commerce the following external power supply models, each of which was manufactured on or after July 1, 2008, has a nameplate output from 1 watt to not more than 51 watts, and has an active mode efficiency less than the sum of 0.5 and 0.09 times the natural logarithm of the nameplate output (“the Low-Wattage Basic Models”):

Low-Wattage Basic Model Numbers		
SV-50SF-PI	T120-9AC-3-BL	T120-9AC-3-WH
T120-9DC-3-BL	T120-9DC-3-WH	T120-15DC-9-BL
T120-18AC-3-BL	GRX-12VDC	

FINDINGS

Accordingly, DOE finds that the High-Wattage Basic Models and Low-Wattage Basic Models (collectively, “the Lutron Basic Models”) do not comply with the applicable federal energy conservation standards.

MANDATORY ACTIONS BY LUTRON

Lutron informed DOE that it has stopped distribution in commerce in the United States of these models. In light of the above findings, Lutron must take the following steps in accordance with 10 C.F.R. § 429.114(a):

- (1) Provide immediate written notification of this noncompliance determination to all persons in the United States to whom Lutron has distributed units of any of the Lutron Basic Models; and
- (2) Provide to DOE within 15 calendar days of the date of this Notice a copy of the written notification required by paragraph (2) and a list of the parties Lutron notified.

Lutron has provided to DOE information regarding the distribution in commerce in the United States of the Lutron Basic Models and currently is not required to provide any additional records, reports and other documentation pertaining to the acquisition, ordering, storage, shipment, or sale of the Lutron Basic Models.

OPTIONAL ACTIONS BY LUTRON

In addition to the mandatory steps listed above that Lutron must complete, Lutron may elect to modify any of the Lutron Basic Models to make them comply with the applicable standard. A modified basic model shall then be treated as a new basic model and must be certified in accordance with the provisions of 10 C.F.R. Part 429. In addition to satisfying all requirements

of 10 C.F.R. Part 429, any models within the basic model must be assigned new model numbers. Lutron must also maintain, and provide upon request to DOE, records that demonstrate that modifications have been made to all units of the new basic model(s) prior to distribution in commerce in the United States.

Prior to distribution in commerce in the United States, Lutron must also provide to DOE test data demonstrating that the modified basic model complies with the applicable standard. All units must be tested in accordance with DOE regulations, and Lutron must bear the costs of all such testing.

If, after this testing, DOE determines that the modified basic model complies with the applicable standard, DOE will issue a notice of allowance to permit Lutron to resume the distribution of the modified basic model in the United States. Until DOE determines that the modified basic model complies with the applicable standard, Lutron is prohibited from selling or otherwise distributing in commerce any units in the United States.

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

Should Lutron fail to take the required step described above, this letter serves as notice that DOE may seek civil penalties as authorized under 10 C.F.R. § 429.114(c). The distribution of any units of a noncompliant basic model may result in DOE seeking all appropriate legal remedies available under Federal law, including injunctive relief and civil penalties with respect to each unit of the basic model distributed in violation of Federal law.

If you have any questions, you may contact Christina Studt by phone at (202) 586-0389 or email at christina.studt@hq.doe.gov.

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Enforcement