

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

In the Matter of:

Watermark Designs, Ltd.
(Showerheads)

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Case Number: 2011-SW-2908

ORDER

Issued: May 29, 2012

By the General Counsel, U.S. Department of Energy:

1. In this Order, I adopt the attached Compromise Agreement entered into between the U.S. Department of Energy (“DOE”) and Watermark Designs, Ltd. (“Respondent”). The Compromise Agreement resolves the case initiated against Respondent pursuant to 10 C.F.R. § 429.122 by Notice of Proposed Civil Penalty, alleging that Respondent distributed in commerce in the United States the Waterfall or Deluge Spout showerhead, basic model SH-FAL90, which failed to meet the applicable standard for water usage. *See* 10 C.F.R. § 430.32(p).

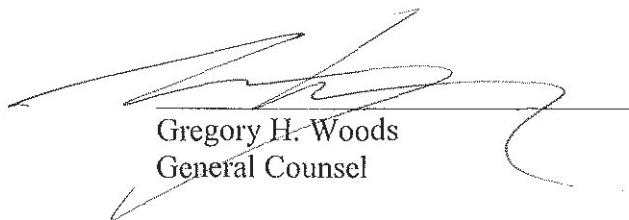
2. The DOE and Respondent have negotiated the terms of the Compromise Agreement that resolves this matter. A copy of the Compromise Agreement is attached hereto and incorporated by reference.

3. After reviewing the terms of the Compromise Agreement and evaluating the facts before me, I find that the public interest would be served by adopting the Compromise Agreement.

4. Based on the information in the case file and Respondent’s admission of violations in the Compromise Agreement, I find that Respondent committed Prohibited Acts by distributing in commerce showerheads that were not in conformity with the applicable water conservation standard. 42 U.S.C. §§ 6291(16), 6302(a)(5), 6295(j).

5. Accordingly, pursuant to 42 U.S.C. § 6303, **I HEREBY ASSESS** a civil penalty of \$4,200 **AND ORDER** that the Compromise Agreement attached to this Order is adopted, which completes the adjudication of this case.

U.S. DEPARTMENT OF ENERGY


Gregory H. Woods
General Counsel