

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

In the Matter of:

Grandlite International Corporation
(metal halide lamp fixtures)

Case Number: 2012-SE-5404

Issued: June 11, 2015

NOTICE OF NONCOMPLIANCE DETERMINATION

Metal halide lamp fixtures are covered products subject to energy conservation standards set forth in 42 U.S.C. § 6295(hh). *See* 42 U.S.C. § 6292(a)(19); 10 C.F.R. § 431.326. Manufacturers and private labelers are prohibited from distributing commerce any product that fails to comply with these standards. 42 U.S.C. § 6302(a)(5); 10 C.F.R. § 429.102(a)(6). Specifically, metal halide lamp fixtures manufactured on or after January 1, 2009, and distributed in commerce in the United States with magnetic probe-start ballasts must have a minimum ballast efficiency of 94%. 10 C.F.R. § 431.326(a)(2).

In subpoena responses dated January 28 and 31, 2014, Grandlite International Corporation (“Grandlite”) notified the U.S. Department of Energy (“DOE”) that Grandlite had manufactured¹ and distributed in commerce the following metal halide lamp fixtures (“the Grandlite Basic Models”), each of which was manufactured on or after January 1, 2009, and has a magnetic probe-start ballast with a ballast efficiency of less than 94%:

Basic Model Numbers		
AR531SPH40MB BK	FL213H17M	RW601SPH17MBP
AR800SPH17MBPBZ	FL213H17MB	RW601SPH25MB
AR800WTH17MB BK	FL215SFBH17MB	RW601SPH25MBP
AR800WTH17MB BZ	FL215SFSH1706B	RW604FH17MB
AR802H25MB BK	FL215SFSH17MB	RW604FH25MB
AR812H17MB	FL216SFBH17MB B	RW604FH25MBP
AR812PMH17MB	FL216SFSH17MB	RW604FH4005B
AR812SFH17MB	FL219SFH40MB BZ	RW604FH40MB
AR816FTH40MBPM	FL220H17MB BNZ	RW604FH40MBP
AR816FTH40MBSF	FL224H1706B BZ	RW604PH17MB
AR816FTH40MBTR	FL224H17M BZ	RW604PH17MBP
AR816H4005B	FL224H17MB BZ	RW604PH2505B

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

AR816H4007B	FL224SFH1706BBZ	RW604PH25MB
AR816H40M	FL224SFH17MB BZ	RW604PH25MBP
AR816H40MB	FL224SPH17MB BZ	RW604PH4005B
AR816PMH1701B	FL235H17MB BNZ	RW604PH4005BP
AR816PMH17MB	FL241H25MB BNZ	RW604PH4005P
AR816PMH25M	FL241H40MB BNZ	RW604PH4007B
AR816PMH25MB	HUB-235SFSH17MB	RW604PH40MB
AR816PMH25MBP	HUB235SFSH17MBW	RW604PH40MBP
AR816PMH4005B	IL416H40M	SM012H1706B BNZ
AR816PMH40M	IL416H40MB	SM012H17M BNZ
AR816PMH40MB	IL416L16DLH4005	SM012H17MB BNZ
AR816PMH40MBP	IL416L16DLH40MB	SM012H17MB WT
AR816SFH17MB	IL416L22DLH40MB	SM012H17MB/VERB
AR816SFH2505B	IL416R16H25MBY	SM019H25M
AR816SFH2507B	IL417H17M	SM019H25MB
AR816SFH25M	IL417H17M-P	SM019H40MB
AR816SFH25MB	IL417H25MB	SM019H40M-U
AR816SFH4005B	IL417H4005B	SM021H17MB
AR816SFH4007B	IL417H40M	SM023H17M WT
AR816SFH40M	IL417H40M/RSK15	SM023H17MB WT
AR816SFH40MB	IL417H40M/RSK25	SM106H17M
AR816TRH17MB	IL417H40MB	SM106H17MB BNZ
AR816TRH2505B	IL417H40M-U	SM106H17MBP BNZ
AR816TRH25MB	IL417L16DLH25MB	SM109H17MB BNZ
AR816TRH4005	IL417L16DLH40MB	SM116H17M BNZ
AR816TRH40M	IL417L16H17MBF	SM116H17MB BNZ
AR816TRH40MB	IL417L16H2505B	SM301AFTH17MB B
AR822TRH40MB	IL417L16H40MB-O	SM301AFTH17MBP
AR823FH40MB BZ	IL417L22DLH25MB	SM301AWTH17MB B
AR823FH40MBP BZ	IL417L22DLH40MB	SM302AFTH17MBBZ
AR823PPMH25MB	IL417L22H4005B	SM302AU/DH17MBB
AR823PPMH4005B	IL417R16H40MB	SM302AWTH17MBBZ
AR823PPMH40MB	IL417R22H25MB	SM303AWTH17MB B
AR823PPMH40MB4	IL417R22H40MB	SM311AWTH1706B
AR826PMH25MB	IL417R6H4005B-P	SM311AWTH17MB
AR826PMH40MB	INT-708H40MB BZ	SM313AWTH40MB
AR826PMH40MB10" (sic)	INT-766H17MB	SM706H1701B BNZ
AR826SFH40MB	INT-768H40MBP	SM706H1707B BNZ
AR826TRH40MB	LB416L16WH40MBF	SM706H17MB BNZ
AR828PMH25MB BK	LB416L16WTH25MB	SM706H17MBP
AR828PMH25MB BZ	LB416L16WTH40MB	SM707H17M
AR828PMH40MB BK	LB416L22WTH17MB	SM707H17MB BNZ
AR828SFH17MB BK	LB416L22WTH25MB	SM707H2505B BNZ
AR828SFH4005BBK	LB416L22WTH40MB	SM707H25M BNZ
AR828SFH40M BK	LB417H17MB	SM707H25MB BNZ

AR828SFH40MB BK	LB417H25M	SM707H25MBP
AR828SFH40MB WT	LB417H40MB	SM707H25M-U BNZ
AR828TRH17MB BK	LB417L16AH40MB	SM708H2505B BZ
AR837/T3H17MB	LB417L16WH17MB	SM708H25MB BNZ
AR837/T3H25MB	LB417L16WH25MB	SM708H4005B BNZ
AR837/T4H25MB	LB417L16WTH17MB	SM708H40M BNZ
AR837/T4H40MB	LB417L16WTH25MB	SM708H40MB BNZ
AR860H17MB BNZ	LB417L16WTH40MB	SM708H40M-U BNZ
AR860H25MB BNZ	LB417L22WTH17MB	SM727H17MB BNZ
AR860H40MB BNZ	LB417L22WTH25MB	SM727H17MBP BZ
FL206H25MBP BZ	LB417L22WTH40MB	SM727H25M
FL206SFH25MB	LB417R16H1705B	SM727H25MB
FL206SFH40M	LB417R16H25MB	SM727H40M
FL206SFH40MB	LB417R22H40MB	SM727H40MB BNZ
FL206TRH17MB	LUX-SM012H17MB	SM766H17MB BNZ
FL206TRH25MB	LUX-SM019H40MB	SM766H17MB WHT
FL206TRH4005B	RW601SFH25MB	SM768H25MB BNZ
FL206TRH40M	RW601SFH25MBP	SM768H40MB BNZ
FL206TRH40MB	RW601SPH17MB	SM768H40MBP BNZ

FINDINGS

Accordingly, DOE finds that units of these Grandlite Basic Models manufactured on or after January 1, 2009, do not comply with the applicable federal energy conservation standard, which requires that magnetic probe-start ballasts in metal halide lamp fixtures have a minimum ballast efficiency of 94%.

MANDATORY ACTIONS BY GRANDLITE

In light of the above findings, Grandlite must take the following steps in accordance with 10 C.F.R. § 429.114(a):

- (1) Immediately cease distribution in commerce in the United States of all units of the Grandlite Basic Models manufactured on or after January 1, 2009;
- (2) Provide immediate written notification of this noncompliance determination to all persons in the United States to whom Grandlite has distributed units of any of the Grandlite Basic Models manufactured on or after January 1, 2009; and
- (3) Provide to DOE within 15² calendar days of the date of this Notice a copy of the written notification required by paragraph (2) and a list of the parties Grandlite notified.

² Due to the large number of noncompliant basic models, if Grandlite believes that it will require additional time to fulfill this requirement, Grandlite must immediately contact Christina Studt of my staff at christina.studt@hq.doe.gov to request an extension of time.

(4) Although Grandlite has provided to DOE some information regarding the distribution in commerce in the United States of the Grandlite Basic Models, Grandlite must provide additional information. Specifically, Grandlite must provide to DOE within 30 calendar days of the date of this Notice the following:

- (a) for each of the Grandlite Basic Models that Grandlite distributed in U.S. commerce on or after August 1, 2010, and before January 1, 2011, a summary page listing the quantity of units Grandlite distributed in commerce in the United States during that time period.³
- (b) For each basic model, the quantity of units Grandlite sold beginning January 1, 2014, through the cease of distribution.
- (c) For each basic model, the quantity of each basic model remaining in Grandlite inventory before cease of distribution.

Please use the following format:

Basic Model	Quantity Grandlite Sold August 1, 2010 – December 31, 2010	Quantity Grandlite Sold January 1, 2014 through the cease of distribution	Inventory Quantity before cease of distribution

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

If Grandlite fails to take the required steps 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.

³ Please note that "[t]he terms 'to distribute in commerce' and 'distribution in commerce' mean to sell in commerce, to import, to introduce or deliver for introduction into commerce, or to hold for sale or distribution after introduction into commerce." 42 U.S.C. § 6291(16). Thus, the summary page must include all units that Grandlite has imported into the United States, as well as any other units that otherwise meet the definition in 42 U.S.C. § 6291(16).

Grandlite may modify any or all of the Grandlite Basic Models in such manner as to make it comply with the applicable standard. Such 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, except that in addition to satisfying all requirements of this part, any models within the basic model must be assigned new model numbers and the manufacturer shall 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.

_____/S/_____
Laura L. Barhydt
Assistant General Counsel for
Enforcement