

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

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

models IB81R and IT82F-DV, and Hydra-Kool models KGH-ES and KGL-RS (“the basic models”).

- b. Respondent has distributed in commerce<sup>2</sup> in the United States for at least 365 days, and continue to distribute, the basic models.
  - c. Respondent knowingly failed to submit a certification report for the basic models before distributing those models in commerce in the United States, and/or annually thereafter, in violation of 10 C.F.R. § 429.12.
7. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce basic models of covered equipment without submitting to DOE a certification report certifying that those basic models complied with the applicable energy conservation standards. *See* 42 U.S.C. § 6302; 10 C.F.R. § 429.102(a)(1).
8. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. §§ 6303 and 6316, I **HEREBY ASSESS** a civil penalty of \$50,000 (fifty thousand dollars) **AND ORDER** that the Settlement Agreement attached to this Order is adopted.

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Samuel T. Walsh  
General Counsel

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<sup>2</sup> “Distribute in Commerce” or “Distribution in Commerce” means 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).