

distributing in commerce for at least 365 days showerhead basic models without submitting to DOE the certification report required under 10 C.F.R. § 429.12(a) and recommended that Respondent pay a civil penalty of \$148,372.

8. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce basic models of a covered product without submitting to DOE a certification report certifying that the basic models comply with the applicable energy conservation standard. *See* 42 U.S.C. §§ 6302(a)(3), 10 C.F.R. § 429.102(a)(1).
9. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. §§ 6303 and 6316, I **HEREBY ASSESS** a civil penalty of \$148,372 (one hundred forty-eight thousand, three hundred and seventy-two dollars) **AND ORDER** that the Initial Decision attached to this Order is adopted.

Samuel T. Walsh
General Counsel