

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

In the Matter of:

Ningbo Xingtai Technology Co., Ltd.
(large-diameter ceiling fans)

DOE Case Number: 2024-CE-32004
OHA Case Number: EEE-24-0009

ORDER

For the U.S. Department of Energy (“DOE”):

1. On October 16, 2023, under the above-listed DOE case number, DOE issued a Notice of Proposed Civil Penalty to Ningbo Xingtai Technology Co., Ltd. (“Respondent”) to pursue a civil penalty for knowingly distributing in commerce large-diameter ceiling fan basic models without submitting to DOE a report certifying that those basic models comply with the applicable energy conservation standards.
2. Ceiling fans are covered products pursuant to 42 U.S.C. §§ 6292(a)(20) and 6295(ff), and 10 C.F.R. § 430.32, that are subject to federal energy conservation standards set forth at 10 C.F.R. § 430.32(s).
3. Pursuant to 10 C.F.R. § 429.12, manufacturers are required to submit to DOE a certification report certifying that each basic model meets the applicable energy conservation standard, before distributing each basic model in commerce and annually thereafter.
4. Failure to submit a certification report for a covered product in accordance with 10 C.F.R. § 429.12 is a prohibited act pursuant to 10 C.F.R. § 429.102(a)(1) and subject to civil penalties as described in 10 C.F.R. § 429.120.
5. Pursuant to 10 C.F.R. § 429.120, each day that a manufacturer fails to submit a certification report for a basic model is a separate violation.
6. On January 31, 2024, pursuant to 10 C.F.R. § 429.124(c), DOE referred this case to an Administrative Law Judge (“ALJ”) by filing a Complaint with the DOE Office of Hearings and Appeals (“OHA”) and serving the Complaint on Respondent.¹
7. On April 11, 2024, the ALJ issued an Initial Decision in which the ALJ found that Respondent knowingly violated 10 C.F.R. § 429.102(a)(1) by knowingly distributing

¹ OHA subsequently assigned OHA Case Number EEE-24-0009 to this civil penalty action.

basic models of large-diameter ceiling fans in commerce for at least 365 days 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 \$296,745.

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 those basic models comply with the applicable energy conservation standards. *See* 42 U.S.C. § 6302; 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 \$296,745 (two hundred ninety-six thousand, seven hundred forty-five dollars), **ORDER** Respondent to pay the assessed civil penalty in full within 60 calendar days, and **ORDER** that the Initial Decision attached to this Order is adopted.

Samuel T. Walsh
General Counsel