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

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In the Matter of:

Therma-Stor LLC (dehumidifiers)

Case Number: 2024-CE-36002

## **ORDER**

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

- 1. On June 10, 2024, under the above-listed case number, DOE issued to Therma-Stor LLC ("Respondent") a Notice of Proposed Civil Penalty to pursue a civil penalty against Respondent for knowingly distributing in commerce a dehumidifier basic model without properly certifying to DOE that the basic model complies with the applicable energy conservation standards.
- Dehumidifiers are covered products under 42 U.S.C. § 6295(a)(1) and (cc) and 10 C.F.R. § 430.2 that are subject to federal energy conservation standards set forth at 10 C.F.R. § 430.32(v)(2).
- 3. Pursuant to 10 C.F.R. § 429.12, a manufacturer must submit to DOE a report certifying that each basic model of a covered product meets the applicable energy conservation standards, before distributing each basic model in commerce and annually thereafter.
- 4. Failure to properly certify a basic model of 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 properly certify a basic model is a separate violation.
- 6. Respondent admitted the following:
  - a. Respondent has manufactured<sup>1</sup> dehumidifier basic models.
  - b. Respondent has distributed those basic models in commerce.<sup>2</sup>

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

<sup>&</sup>lt;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).

- c. Respondent knowingly failed to certify those basic models properly, in violation of 10 C.F.R. §§ 429.12, 429.36, and 429.102(a)(1).
- 7. 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 properly certifying those basic models in accordance with 10 C.F.R. § 429.12. *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 \$474,880 (four hundred seventy-four thousand eight hundred eighty dollars), ORDER Respondent to pay the assessed civil penalty in full within 30 calendar days, AND ORDER that the Settlement Agreement attached to this Order is adopted.

Samuel T. Walsh General Counsel