

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

In the Matter of:

Lettoi, LLC
(faucets, water closets)

Case Number: 2024-CW-28001

ORDER

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

1. On January 10, 2024, under the above-listed case number, DOE issued a Notice of Proposed Civil Penalty to Lettoi, LLC (“Respondent”) to pursue a civil penalty against Respondent for knowingly distributing in commerce faucet and water closet basic models without submitting to DOE a report certifying that those basic models comply with the applicable energy conservation standards.
2. Faucets and water closets are covered products subject to federal energy conservation standards. 10 C.F.R. §§ 430.2, 430.32(o), 430.32(q).
3. Pursuant to 10 C.F.R. § 429.12, manufacturers must submit to DOE a report certifying that each basic model of a covered product 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. Respondent admitted the following:
 - a. Respondent has manufactured¹ faucet and water closet basic models.
 - b. Respondent has distributed in commerce² those basic models.

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

² “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 submit a certification report for those basic models prior to distributing them in commerce, in violation of 10 C.F.R. §§ 429.12, 429.28, and 429.30.
- 7. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce basic models of covered products 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).
 - 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, **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