

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

In the Matter of:)
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Nor-Lake, Inc.) Case Number: 2016-SE-53004
(panels for walk-in coolers and freezers))
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)

NOTICE OF ALLOWANCE TO RESUME DISTRIBUTION

Issued: April 7, 2017

Manufacturers of certain covered equipment that the Department of Energy (“DOE”) has determined to be noncompliant with the applicable energy conservation standard may be allowed to resume distribution, per 10 C.F.R. § 429.114(d), if the manufacturer modifies the basic model in such a manner as to make it comply with the applicable energy conservation standard. On January 19, 2017, DOE issued a Notice of Noncompliance Determination to Nor-Lake Inc. (“Nor-Lake”) based on DOE enforcement test data of Nor-Lake’s walk-in freezer panel 4” Wall Panel model. This data documented that the model failed to meet the applicable energy conservation standard.

Nor-Lake has provided information that it modified the walk-in freezer panel 4” Wall Panel model and has provided test results for the modified model, performed by an independent third-party lab. The test data indicates that the testing was conducted in accordance with ASTM C518-15, but does not indicate testing conducted in full compliance with DOE test procedure at 10 C.F.R. § 431.304. Nor-Lake has indicated that, once it receives a notice of allowance from DOE to distribute the modified model as a new basic model, it will do so as basic model 4” HE Wall Panel.

Notwithstanding the inadequate test data provided by Nor-Lake, DOE believes that the modified freezer panel model is likely compliant with the applicable energy conservation standard and may be a suitable replacement for the noncompliant model. As such, the company may distribute basic model 4” HE Wall Panel after it has submitted the required certification report. Notably, the certification report should ensure that models identified in the report as being the same basic model have the same certified efficiency rating.

Nor-Lake must maintain records that demonstrate that modifications have been made to all units of the new basic model prior to distribution in commerce. Unmodified units may not be distributed in commerce in the U.S.

/s/ _____
Laura Barhydt
Assistant General Counsel
for Enforcement