

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

In the Matter of: )

**Mueller Streamline Co.** )  
(Faucets) )

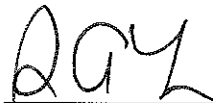
Case Number: 2011-SW-2802 )  
)

**NOTICE OF ALLOWANCE TO RESUME DISTRIBUTION**

Issued: August 11, 2011

Manufacturers of certain covered products which have been determined by the Department of Energy (DOE) to be noncompliant with the applicable energy conservation standard may be allowed to resume distribution, per 10 CFR § 429.114(d), if the manufacturer modifies the basic model in such a manner as to make it comply with the applicable performance standards. On July 19, 2011, DOE issued a Notice of Non-Compliance Determination based on information provided by Mueller Streamline Co. (Mueller) showing that model 120-003NL failed to meet the applicable performance standards. Mueller has modified model 120-003NL and has provided testing of the modified product, performed by an independent third-party lab, indicating that the modified model complies with the applicable performance standards. Mueller also 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 model 120-003NLA.

Based on the test data for the modified model, DOE has determined that the new basic model appears to comply with the applicable performance standards and is a suitable replacement for the noncompliant model. As Mueller has certified the new basic model in accordance with 10 CFR § 429.12 and has assigned a new model number to the new basic model, the company may distribute model 120-003NLA. Mueller must comply with all applicable provisions of 10 C.F.R. Part 429 for the new basic model and must also maintain records that demonstrate that, prior to distribution in commerce, modifications have been made to all units. Unmodified units of model 120-003NL may not be distributed in commerce in the U.S.



\_\_\_\_\_  
Sean A. Lev  
Acting General Counsel