

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

In the Matter of:)

Nortek Global HVAC LLC)
(central air conditioners and central air)
conditioning heat pumps))

Case Number: 2020-SE-16009)
)

Issued: March 26, 2020

NOTICE OF NONCOMPLIANCE DETERMINATION

Central air conditioners and central air conditioning heat pumps are covered products subject to federal energy conservation standards. 10 C.F.R. §§ 430.2, 430.32(c). Manufacturers and private labelers are prohibited from distributing covered products that do not comply with an applicable energy conservation standard. 10 C.F.R. § 429.102(a)(6).

NORTEK VOLUNTARY REPORT OF NONCOMPLIANCE

On February 5, 2020, Nortek Global HVAC LLC (“Nortek”) informed the U.S. Department of Energy (“DOE”) that single package central air conditioning heat pump basic model Q7RF-X24K, manufactured and distributed in commerce by Nortek, does not satisfy the applicable energy conservation standards at 10 C.F.R. § 430.32(c).

FINDINGS

Based on the facts stated above, DOE finds (and Nortek admits) that single package central air conditioning heat pump basic model Q7RF-X24K does not comply with the applicable energy conservation standards at 10 C.F.R. § 430.32(c).

NOTICE

Distribution in commerce of covered products that do not meet the energy conservation standards is a violation subject to civil penalty, regardless of the issuance of this Notice.

MANDATORY ACTION BY NORTEK

On February 5, 2020, Nortek disclosed the number of units of basic model Q7RF-X24K that Nortek manufactured on or after January 1, 2015. Nortek stated that, promptly after discovery of the noncompliance, the company permanently stopped all manufacture, distribution, and sale of the basic model.

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

Should Nortek distribute the basic model in commerce in the U.S., this letter serves as notice that DOE may seek a judicial order within 30 calendar days to restrain further distribution. If, however, Nortek provides DOE with a satisfactory statement within that 30-day period detailing the steps that Nortek will take to ensure that units of the noncompliant model will no longer be distributed in commerce in the United States, DOE may elect to defer seeking such an order until a more appropriate time, if needed.

The distribution of any units of a noncompliant basic model may result in DOE seeking all appropriate legal remedies available under federal law, including injunctive relief and civil penalties with respect to each unit of the basic model distributed in violation of federal law.

/S/

Laura L. Barhydt
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for Enforcement