

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

In the Matter of: )  
)  
)

**Zurn Industries, LLC,** )  
Respondent )  
)

Case Number: 2016-SW-30003

**ORDER**

By the General Counsel, U.S. Department of Energy:

1. In this Order, I adopt the attached Compromise Agreement entered into between the U.S. Department of Energy (“DOE”) and Zurn Industries, LLC (“Respondent”). The Compromise Agreement resolves the case initiated to pursue a civil penalty for knowingly distributing in commerce in the United States water closets that failed to meet an applicable water conservation standard in 10 C.F.R. § 430.32(q).
2. DOE and Respondent have negotiated the terms of the Compromise Agreement that resolves this matter. A copy of the Compromise Agreement is attached hereto and incorporated by reference.
3. After reviewing the terms of the Compromise Agreement and evaluating the facts before me, I find that the public interest would be served by adopting the Compromise Agreement.
4. Based on the information in the case file and Respondent’s admission of facts establishing violations, I find that Respondent committed Prohibited Acts by knowingly distributing in commerce water closets that were not in conformity with an applicable water conservation standard. *See* 42 U.S.C. § 6302; 10 C.F.R. §§ 429.102(a)(6), 430.32(p).
5. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. § 6303, I **HEREBY ASSESS** a civil penalty of \$ 22,300 **AND ORDER** that the Compromise Agreement attached to this Order is adopted.

\_\_\_\_\_/S/\_\_\_\_\_  
John Lucas  
Acting General Counsel

\_\_\_\_\_/4/6/2017  
Date