

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

In the Matter of:)
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Lennox International Inc.) Case Number: 2023-SE-16002
(central air conditioners and heat pumps))
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Issued: February 21, 2023

NOTICE OF NONCOMPLIANCE DETERMINATION

Central air conditioners and 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). Specifically, single package air conditioning heat pumps manufactured on or after January 1, 2015, and before January 1, 2023, must have a seasonal energy efficiency ratio (“SEER”) that meets or exceeds the minimum of 14 and a heating seasonal performance factor (“HSPF”) of 8.0. 10 C.F.R. § 430.32(c)(1).

LENNOX ADMISSIONS

On or about February 14, 2023, Lennox International Inc. (“Lennox”) disclosed to the U.S. Department of Energy (“DOE”) that Lennox had identified an error in the calculation of the rating of two of its models of single package heat pumps, the correction of which resulted in ratings that do not meet the applicable energy conservation standard of 8.0 HSPF for models manufactured on or after January 1, 2015, and before January 1, 2023. Lennox determined that its two-ton capacity packaged dual fuel model PRPDF1624 and package heat pump model PRPHP1624 do not comply with the applicable energy conservation standard for HSPF set forth at 10 C.F.R. § 430.32(c)(1).

FINDINGS

Based on the facts stated above and additional information provided by Lennox, DOE finds (based on Lennox’s self-report) that basic models¹ PRPDF1624* PRPHP1624* and NP16H24V, and all models within these basic models (altogether, “the basic models”) do not comply with the applicable federal energy conservation standard of no less than an HSPF of 8.0.

¹ A “basic model” is all units manufactured by one manufacturer that have the same primary energy source and essentially identical electrical, physical and functional characteristics that affect energy consumption or energy efficiency. See 10 C.F.R. § 430.2.

NOTICE

Distribution in commerce of a covered product that does not meet the energy conservation standards is a violation subject to civil penalty, regardless of the issuance of this Notice. If Lennox continues to distribute the basic models, DOE may assess a higher civil penalty for units sold after the date of this Notice.

MANDATORY ACTION BY LENNOX

In light of the above findings, Lennox must, within 30 calendar days of the date of this Notice, provide to DOE records sufficient to show the number of units of the basic model that Lennox distributed in commerce in the United States in the past five years, categorized by year. 10 C.F.R. § 429.114(a). This includes all units that remain in Lennox's inventory that were manufactured (including importation) on or after February 21, 2018. Lennox has indicated that it ceased manufacture and distribution of the basic models in October 2022.

If you claim that any of the information sought by this Notice constitutes confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or is protected from disclosure pursuant to 18 U.S.C. § 1905, you must (1) provide one complete and full copy and one copy with the confidential information deleted and (2) submit supporting information together with the materials that are the subject of the confidentiality request. *See* 10 C.F.R. § 429.7. Failure to adhere to these procedures will result in a rejection of your request for confidential treatment.

CONSEQUENCES FOR CONTINUING TO DISTRIBUTE THE BASIC MODEL

Should Lennox fail to cease immediately the distribution in the United States of all units of the basic models, this letter serves as notice that DOE may seek a judicial order within 30 calendar days to restrain further distribution. If, however, Lennox provides DOE with a satisfactory statement within that 30-day period detailing the steps that Lennox 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.

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