

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

In the Matter of:

AHT Cooling Systems, Inc.
(commercial refrigeration equipment)

Case Number: 2015-SE-42031

NOTICE OF ALLOWANCE TO RESUME DISTRIBUTION

Issued: July 14, 2016

Manufacturers of certain covered equipment that the U.S. 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 October 14, 2015, DOE issued a Notice of Noncompliance Determination to AHT Cooling Systems, Inc. (“AHT”) based on DOE enforcement test data of AHT commercial refrigeration equipment nameplate model RIO S68 L F (“the nameplate model”). This data documented the nameplate model failed to meet the applicable energy conservation standard. DOE also determined nameplate model numbers RIO S 68 F L and RIO S 68 L F indicate the same basic model (“the basic model” or “RIO S 68 F”).

AHT modified the basic model and provided DOE test results indicating the modified basic model complies with the applicable energy conservation standard. AHT also stated it will discontinue the “F” nomenclature in the nameplate model number for the modified RIO S68 and the RIO 100 ice cream freezers and the counterpart regular commercial freezers it distributes in commerce in the U.S. AHT believes this approach allows distributors and customers to differentiate between compliant and non-compliant RIO S 68 basic models based on whether or not the basic model number includes the “F” nomenclature.

Based on the test data AHT provided, the modified basic model (RIO S 68) appears to comply with the applicable performance standards and is a suitable replacement for the noncompliant basic model (RIO S 68 F). As such, AHT may distribute basic model RIO S 68 without the “F” nomenclature in the U.S. AHT must maintain records that demonstrate modifications have been made to all units prior to distribution in commerce. Unmodified (*i.e.*, noncompliant) units denoted by the “F” nomenclature may not be distributed in commerce in the U.S. If DOE determines that any unmodified (*i.e.*, noncompliant) units denoted by the “F” nomenclature are being distributed in commerce in the U.S., DOE will assess AHT an appropriate civil penalty

(currently \$200 per violation; \$433 per violation as of July 28, 2016). *See* 42 U.S.C. § 6303; 10 C.F.R. § 429.120; 10 Fed. Reg. 41790.

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