

**Department of Energy**

**§ 431.25**

1004.11. Any person submitting written comments to DOE with respect to a Petition shall also send a copy of such comments to the petitioner.

(c) *Responsive statement by the petitioner.* A petitioner may, within 10 working days of receipt of a copy of any comments submitted in accordance with paragraph (b) of this section, respond to such comments in a written statement submitted to the Assistant Secretary for Energy Efficiency and Renewable Energy. A petitioner may address more than one set of comments in a single responsive statement.

(d) *Public announcement of interim determination and solicitation of comments.* The Assistant Secretary for Energy Efficiency and Renewable Energy shall issue an interim determination on the Petition as soon as is practicable following receipt and review of the Petition and other applicable documents, including, but not limited to, comments and responses to comments. The petitioner shall be notified in writing of the interim determination. DOE shall also publish in the FEDERAL REGISTER the interim determination and shall solicit comments, data and information with respect to that interim determination. Written comments and responsive statements may be submitted as provided in paragraphs (b) and (c) of this section.

(e) *Public announcement of final determination.* The Assistant Secretary for Energy Efficiency and Renewable Energy shall as soon as practicable, following receipt and review of comments and responsive statements on the interim determination, publish in the FEDERAL REGISTER a notice of final determination on the Petition.

(f) *Additional information.* The Department may, at any time during the recognition process, request additional relevant information or conduct an investigation concerning the Petition. The Department's determination on a Petition may be based solely on the Pe-

tion and supporting documents, or may also be based on such additional information as the Department deems appropriate.

(g) *Withdrawal of recognition—(1) Withdrawal by the Department.* If the Department believes that an accreditation body or certification program that has been recognized under §§431.19 or 431.20, respectively, is failing to meet the criteria of paragraph (b) of the section under which it is recognized, the Department will so advise such entity and request that it take appropriate corrective action. The Department will give the entity an opportunity to respond. If after receiving such response, or no response, the Department believes satisfactory correction has not been made, the Department will withdraw its recognition from that entity.

(2) *Voluntary withdrawal.* An accreditation body or certification program may withdraw itself from recognition by the Department by advising the Department in writing of such withdrawal. It must also advise those that use it (for an accreditation body, the testing laboratories, and for a certification organization, the manufacturers) of such withdrawal.

(3) *Notice of withdrawal of recognition.* The Department will publish in the FEDERAL REGISTER a notice of any withdrawal of recognition that occurs pursuant to this paragraph.

ENERGY CONSERVATION STANDARDS

**§ 431.25 Energy conservation standards and effective dates.**

(a) Each electric motor manufactured (alone or as a component of another piece of equipment) after October 24, 1997, or in the case of an electric motor which requires listing or certification by a nationally recognized safety testing laboratory, after October 24, 1999, shall have a nominal full load efficiency of not less than the following:

Motor horsepower/standard kilowatt equivalent	Nominal full load efficiency					
	Open motors (number of poles)			Enclosed motors (number of poles)		
	6	4	2	6	4	2
1/.75 .....	80.0	82.5	.....	80.0	82.5	75.5
1.5/1.1 .....	84.0	84.0	82.5	85.5	84.0	82.5
2/1.5 .....	85.5	84.0	84.0	86.5	84.0	84.0
3/2.2 .....	86.5	86.5	84.0	87.5	87.5	85.5

Motor horsepower/ standard kilowatt equivalent	Nominal full load efficiency					
	Open motors (number of poles)			Enclosed motors (number of poles)		
	6	4	2	6	4	2
5/3.7 .....	87.5	87.5	85.5	87.5	87.5	87.5
7.5/5.5 .....	88.5	88.5	87.5	89.5	89.5	88.5
10/7.5 .....	90.2	89.5	88.5	89.5	89.5	89.5
15/11 .....	90.2	91.0	89.5	90.2	91.0	90.2
20/15 .....	91.0	91.0	90.2	90.2	91.0	90.2
25/18.5 .....	91.7	91.7	91.0	91.7	92.4	91.0
30/22 .....	92.4	92.4	91.0	91.7	92.4	91.0
40/30 .....	93.0	93.0	91.7	93.0	93.0	91.7
50/37 .....	93.0	93.0	92.4	93.0	93.0	92.4
60/45 .....	93.6	93.6	93.0	93.6	93.6	93.0
75/55 .....	93.6	94.1	93.0	93.6	94.1	93.0
100/75 .....	94.1	94.1	93.0	94.1	94.5	93.6
125/90 .....	94.1	94.5	93.6	94.1	94.5	94.5
150/110 .....	94.5	95.0	93.6	95.0	95.0	94.5
200/150 .....	94.5	95.0	94.5	95.0	95.0	95.0

(b) For purposes of determining the required minimum nominal full load efficiency of an electric motor that has a horsepower or kilowatt rating between two horsepower or kilowattages listed consecutively in paragraph (a) of this section, each such motor shall be deemed to have a horsepower or kilowatt rating that is listed in paragraph (a) of this section. The rating that the motor is deemed to have shall be determined as follows:

(1) A horsepower at or above the midpoint between the two consecutive horsepower shall be rounded up to the higher of the two horsepower;

(2) A horsepower below the midpoint between the two consecutive horsepower shall be rounded down to the lower of the two horsepower, or

(3) A kilowatt rating shall be directly converted from kilowatts to horsepower using the formula, 1 kilowatt = (1/0.746) horsepower, without calculating beyond three significant decimal places, and the resulting horsepower shall be rounded in accordance with paragraphs (b)(1) or (b)(2) of this section, whichever applies.

(c) This section does not apply to definite purpose motors, special purpose motors, and those motors exempted by the Secretary.

**§ 431.26 Preemption of State regulations.**

Any State regulation providing for any energy conservation standard, or other requirement with respect to the energy efficiency or energy use, of an electric motor that is not identical to

a Federal standard in effect under this subpart is preempted by that standard, except as provided for in Section 345(a) and 327(b) and (c) of the Act.

LABELING

**§ 431.30 Applicability of labeling requirements.**

The labeling rules in § 431.31, established pursuant to Section 344 of EPCA, 42 U.S.C. 6315, apply only to electric motors manufactured after October 5, 2000.

**§ 431.31 Labeling requirements.**

(a) *Electric motor nameplate*—(1) *Required information.* The permanent nameplate of an electric motor for which standards are prescribed in § 431.25 must be marked clearly with the following information:

(i) The motor’s nominal full load efficiency (as of the date of manufacture), derived from the motor’s average full load efficiency as determined pursuant to this subpart; and

(ii) A Compliance Certification number (“CC number”) supplied by DOE to the manufacturer or private labeler, pursuant to § 431.36(f), and applicable to that motor. Such CC number must be on the nameplate of a motor beginning 90 days after either:

(A) The manufacturer or private labeler has received the number upon submitting a Compliance Certification covering that motor, or