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10 CFR Ch. II (1–1–21 Edition)

(d) *Disposition.* The Department will evaluate the petition in accordance with § 431.21, and will determine whether the applicant meets the criteria in paragraph (b) of this section for classification as a nationally recognized certification program.

[69 FR 61923, Oct. 21, 2004, as amended at 77 FR 26635, May 4, 2012]

§ 431.21 Procedures for recognition and withdrawal of recognition of accreditation bodies and certification programs.

(a) *Filing of petition.* Any petition submitted to the Department pursuant to §§ 431.19(a) or 431.20(a), shall be entitled “Petition for Recognition” (“Petition”) and must be submitted, in triplicate to the Assistant Secretary for Energy Efficiency and Renewable Energy, U.S. Department of Energy, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585–0121. In accordance with the provisions set forth in 10 CFR 1004.11, any request for confidential treatment of any information contained in such a Petition or in supporting documentation must be accompanied by a copy of the Petition or supporting documentation from which the information claimed to be confidential has been deleted.

(b) *Public notice and solicitation of comments.* DOE shall publish in the FEDERAL REGISTER the Petition from which confidential information, as determined by DOE, has been deleted in accordance with 10 CFR 1004.11 and shall solicit comments, data and information on whether the Petition should be granted. The Department shall also make available for inspection and copying the Petition’s supporting documentation from which confidential information, as determined by DOE, has been deleted in accordance with 10 CFR 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 Petition 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

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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) Except as provided for fire pump electric motors in paragraph (b) of this section, each general purpose electric motor (subtype I) with a power rating of 1 horsepower or greater, but not greater than 200 horsepower, including a NEMA Design B or an equivalent IEC Design N motor that is a general purpose electric motor (subtype I), manufactured (alone or as a component of another piece of equipment) on or after December 19, 2010, but before June 1, 2016, shall have a nominal full-load efficiency that is not less than the following:

TABLE 1—NOMINAL FULL-LOAD EFFICIENCIES OF GENERAL PURPOSE ELECTRIC MOTORS (SUBTYPE I), EXCEPT FIRE PUMP ELECTRIC MOTORS

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	82.5	85.5	77.0	82.5	85.5	77.0
1.5/1.1	86.5	86.5	84.0	87.5	86.5	84.0
2/1.5	87.5	86.5	85.5	88.5	86.5	85.5
3/2.2	88.5	89.5	85.5	89.5	89.5	86.5
5/3.7	89.5	89.5	86.5	89.5	89.5	88.5
7.5/5.5	90.2	91.0	88.5	91.0	91.7	89.5
10/7.5	91.7	91.7	89.5	91.0	91.7	90.2
15/11	91.7	93.0	90.2	91.7	92.4	91.0
20/15	92.4	93.0	91.0	91.7	93.0	91.0
25/18.5	93.0	93.6	91.7	93.0	93.6	91.7
30/22	93.6	94.1	91.7	93.0	93.6	91.7
40/30	94.1	94.1	92.4	94.1	94.1	92.4
50/37	94.1	94.5	93.0	94.1	94.5	93.0
60/45	94.5	95.0	93.6	94.5	95.0	93.6
75/55	94.5	95.0	93.6	94.5	95.4	93.6
100/75	95.0	95.4	93.6	95.0	95.4	94.1
125/90	95.0	95.4	94.1	95.0	95.4	95.0
150/110	95.4	95.8	94.1	95.8	95.8	95.0
200/150	95.4	95.8	95.0	95.8	96.2	95.4

(b) Each fire pump electric motor that is a general purpose electric motor (subtype I) or general purpose electric motor (subtype II) manufactured (alone or as a component of an-

other piece of equipment) on or after December 19, 2010, but before June 1, 2016, shall have a nominal full-load efficiency that is not less than the following:

TABLE 2—NOMINAL FULL-LOAD EFFICIENCIES OF FIRE PUMP ELECTRIC MOTORS

Motor horsepower/standard kilowatt equivalent	Nominal full-load efficiency							
	Open motors (number of poles)				Enclosed motors (number of poles)			
	8	6	4	2	8	6	4	2
1/.75	74.0	80.0	82.5	74.0	80.0	82.5	75.5
1.5/1.1	75.5	84.0	84.0	82.5	77.0	85.5	84.0	82.5
2/1.5	85.5	85.5	84.0	84.0	82.5	86.5	84.0	84.0