

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

In the Matter of:)
)
WEG Equipamentos Eletricos S.A. -) Case Number: 2017-SE-41003
Motores)
(electric motors))
)

Issued: May 3, 2019

NOTICE OF NONCOMPLIANCE DETERMINATION

Electric motors are covered equipment subject to federal energy conservation standards. See 10 C.F.R. §§ 431.12, 431.25. Manufacturers and private labelers are prohibited from distributing electric motors in the United States that do not comply with the applicable federal energy conservation standards. 10 C.F.R. § 431.382(a)(7).

The energy conservation standard for 250-horsepower, 6-pole, open, NEMA Design A, NEMA Design B and IEC Design N electric motors manufactured on or after June 1, 2016, is 95.8%. 10 C.F.R. § 431.25.

On May 31, 2016, WEG Equipamentos Eléctricos S.A. – Motores (“WEG”) submitted a report at CCMS #92214 to the U.S. Department of Energy (“DOE”) in an attempt to certify the compliance of various basic models of electric motors. In its certification report for NEMA Design A, NEMA Design B and IEC Design N electric motors, WEG listed a noncompliant nominal full-load efficiency for basic model 25012OT3G447/9T. In response to a Request for Data issued by DOE on January 9, 2017, WEG submitted to DOE AEDM data for basic model 25012OT3G447/9T that show the design is a 250-horsepower, 6-pole, open electric motor with a full-load efficiency of 95.6%.

FINDINGS

Based on WEG’s data and WEG’s admission of noncompliance, DOE has determined that basic model 25012OT3G447/9T fails to comply with the applicable energy conservation standards for electric motors.

MANDATORY ACTIONS BY WEG

WEG has represented to DOE that WEG has ceased distribution in commerce in the United States of electric motor basic model 25012OT3G447/9T. WEG has also represented to DOE that it has modified electric motor basic model 25012OT3G447/9T to comply with applicable federal

energy conservation standards and that it has submitted a certification report for the modified basic model.

On December 17, 2018, WEG represented to DOE that WEG distributed in commerce in the United States one unit of electric motor basic model 25012OT3G447/9T, manufactured on or after June 1, 2016.

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

Should WEG distribute the unmodified basic model in the United States, this letter serves as notice that DOE may seek a judicial order within 30 calendar days to restrain further distribution. If, however, WEG provides DOE with a satisfactory statement within that 30-day period detailing the steps that WEG will take to ensure that units of the noncompliant basic 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.

_____/S/_____
Laura L. Barhydt
Assistant General Counsel
for Enforcement