

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

In the Matter of:)
)
Hydac Technology Corporation) Case Number: 2012-SE-4107
(electric motors))
)

Issued: November 19, 2012

NOTICE OF NONCOMPLIANCE DETERMINATION

Electric motors are covered equipment subject to federal energy conservation standards as described in 10 C.F.R. § 431.25. Manufacturers and private labelers are prohibited from distributing electric motors that do not comply with the applicable conservation standards. 10 C.F.R. § 431.382(a)(7); 42 U.S.C. § 6302(a)(5).

Hydac Technology Corporation (“Hydac”) notified the U.S. Department of Energy (“DOE”) that Hydac had distributed in U.S. commerce the following electric motors, each with the specified nominal full-load efficiency:

| Part Number | Basic Model Number | HP | Number of Poles | Efficiency | Standard ¹ |
|-----------------------|----------------------|------|-----------------|------------|-----------------------|
| 02582100 | TFC 90L-6 | 1.77 | 6 | 78.1% | 85.5% |
| 02582215 | FC90L-4 | 2.95 | 4 | 83.0% | 86.5% |
| 02586331 | PF 112M/6p-11 | 6.17 | 6 | 78.0% | 87.5% |
| 06007164/ 06013629 | FCP112M-6 | 6.17 | 6 | 83.5% | 87.5% |
| 06095999 | NF90L/6C-11S+E2/0701 | 1.1 | 6 | 78.1% | 80.0% |

FINDINGS

Based upon the information provided by Hydac, DOE has determined that basic models TFC 90L-6, FC90L-4, PF 112M/6p-11, FCP112M-6 and NF90L/6C-11S+E2/0701 do not comply with the applicable federal energy conservation standards.

¹ All covered electric motors manufactured on or after December 19, 2010, shall have a nominal full-load efficiency that is not less than those listed in 10 C.F.R. § 431.25.

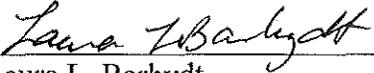
MANDATORY ACTIONS BY HYDAC

Hydac has represented to DOE that Hydac voluntarily ceased distribution in commerce in the United States of the above listed basic models of electric motors. In accordance with 10 C.F.R. § 431.385, Hydac must also provide immediate written notification of this noncompliance determination to all persons in the United States to whom Hydac has distributed units of the above-listed basic models of electric motors.²

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

Should Hydac fail to take the required steps described above, this letter serves as notice that DOE may seek civil penalties as authorized under 10 C.F.R. § 431.382(b).

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.



Laura L. Barhydt
Assistant General Counsel
for Enforcement

² Hydac should also provide a copy of these written notices to DOE.