

that the scales can remain static for at least 10 years. The overall efficiency of the U.S. building stock is not expected to change dramatically enough to warrant scale revisions within 10 years.

Although building equipment will degrade over time, equipment performance is affected by multiple factors, most of which are related to operation and maintenance. Given this combination of influences, equipment degradation is not accounted for in the score and will not affect the durability of the score.

DOE will incorporate new software releases of EnergyPlus as they are developed. However, DOE expects that most new features that extend modeling capability or increase simulation speed will have little effect on the energy asset score. If a software update of EnergyPlus or other updates to the scoring tool result in a change of the modeling results, prior users of the tool will receive an updated score report.

More information about the score durability is described in Section 3.2.4 of the Protocol. DOE welcomes stakeholder comments on the durability of the energy asset score scale and the period for which a building should be able to maintain its score.

#### *Submitting Comments to DOE*

DOE invites comments on all elements discussed above, as well as additional issues that respondents deem important. Specifically, DOE requests comments on (1) Data classification for the simple and advanced levels of tool use as well as score validation methods; (2) critical information to be included in the energy asset score report; and (3) durability of the energy asset scores.

Comments may be submitted in writing via direct mail or email within on or before March 11, 2013. Please limit comments to no more than 3 pages per program area, not to exceed a total of 8 pages.

#### *Disclaimer and Important Notes*

This is an RFI issued solely for information and program planning purposes; this RFI does not constitute a formal solicitation for proposals or abstracts. Your response to this notice will be treated as information only. DOE will not provide reimbursement for costs incurred in responding to this RFI. Respondents are advised that DOE is under no obligation to acknowledge receipt of the information received or provide feedback to respondents with respect to any information submitted under this RFI. Responses to this RFI do not bind DOE to any further actions related to this topic.

#### *Confidential Business Information*

According to 10 CFR 1004.11, any person submitting information he or she believes to be confidential and exempt by law from public disclosure should submit via email, postal mail, or hand delivery/courier two well-marked copies: One copy of the document marked confidential including all the information believed to be confidential, and one copy of the document marked non-confidential with the information believed to be confidential deleted. Submit these documents via email or on a CD, if feasible. DOE will make its own determination about the confidential status of the information and treat it according to its determination.

Factors of interest to DOE when evaluating requests to treat submitted information as confidential include: (1) A description of the items; (2) whether and why such items are customarily treated as confidential within the industry; (3) whether the information is generally known by or available from other sources; (4) whether the information has previously been made available to others without obligation concerning its confidentiality; (5) an explanation of the competitive injury to the submitting person which would result from public disclosure; (6) when such information might lose its confidential character due to the passage of time; and (7) why disclosure of the information would be contrary to the public interest.

It is DOE's policy that all comments may be included in the public docket, without change and as received, including any personal information provided in the comments (except information deemed to be exempt from public disclosure).

Issued in Washington, DC, on February 1, 2013.

**Kathleen B. Hogan,**

*Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.*

[FR Doc. 2013-02753 Filed 2-6-13; 8:45 am]

**BILLING CODE 6450-01-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-9777-4]**

### **Adequacy Status of the Motor Vehicle Emission Budgets for Metropolitan Washington DC Area (DC-MD-VA) 1997 8-Hour Ozone Non-Attainment Area's 2009 Attainment Plan and 2010 Contingency Plan**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of adequacy.

**SUMMARY:** In this notice, EPA is notifying the public that the Motor Vehicle Emissions Budgets (MVEBs) for volatile organic compounds (VOCs) and nitrogen oxides (NO<sub>x</sub>) in the 2009 Attainment Plan and 2010 Contingency Plan submitted as a State Implementation Plan (SIP) revision on June 4, 2007 by the Maryland Department of the Environment (MDE) and June 12, 2007 by both the Virginia Department of Environmental Quality (VADEQ) and the District of Columbia Department of Health (DCDOH) are adequate for transportation conformity purposes. As a result of EPA's finding, the Washington DC-MD-VA Nonattainment Area for the 1997 8-Hour Ozone National Ambient Air Quality Standard (the Metropolitan Washington Area) must use the MVEBs from the June 4, 2007 and June 12, 2007 Attainment Plan and Contingency Plan for future conformity determinations for the 1997 8-hour ozone standard.

**DATES:** The adequacy finding for MVEBs for VOCs and NO<sub>x</sub> is effective February 22, 2013.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103 at (215) 814-3335 or by email at: [kotsch.martin@epa.gov](mailto:kotsch.martin@epa.gov). The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/cursrips.htm>.

**SUPPLEMENTARY INFORMATION:** The word "budgets" refers to the motor vehicle emission budgets for VOCs and NO<sub>x</sub>. The word "SIP" in this document refers to the Attainment Plan and Contingency Plan for the Metropolitan Washington Area, 1997 8-Hour Ozone Nonattainment Area submitted to EPA as a SIP revision on June 4, 2007 by MDE and June 12, 2007 by VADEQ and DCDOH.

Today's notice is simply an announcement of a finding that EPA has already made. In this notice, EPA is notifying the public that we have found that the MVEBs in the 2009 Attainment Plan and 2010 Contingency Plan, submitted on June 4, 2007 by MDE and June 12, 2007 by VADEQ and DCDOH, are adequate for transportation conformity purposes. As a result of EPA's finding, the Metropolitan Washington Area must use the MVEBs from the 2009 Attainment Plan and 2010 Contingency Plan for future conformity determinations for the 1997 8-hour ozone standard. This finding has also been announced on EPA's conformity Web site: <http://>

[www.epa.gov/otaq/stateresources/transconf/pastsips.htm](http://www.epa.gov/otaq/stateresources/transconf/pastsips.htm). The adequate MVEBs are shown in the following table:

**METROPOLITAN WASHINGTON AREA  
MVEBs 2009 ATTAINMENT PLAN  
AND 2010 CONTINGENCY PLAN**

Milestone year	VOCs (tons per day)	NO <sub>x</sub> (tons per day)
2009 .....	66.5	146.1
2010 .....	N/A	144.3

Transportation conformity is required by section 176(c) of the Clean Air Act, as amended in 1990. EPA's conformity rule requires that transportation plans, programs and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards. The criteria by which EPA determines whether a SIP's MVEBs are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). EPA has described the process for determining the adequacy of submitted SIP budgets in 40 CFR 93.118(f) and has followed this rule in making its adequacy determination.

Dated: January 25, 2013.

**W.C. Early,**

*Acting Regional Administrator, Region III.*

[FR Doc. 2013-02808 Filed 2-6-13; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION  
AGENCY**

[FRL-9528-1]

**Agency Information Collection  
Activities OMB Responses**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This document announces the Office of Management and Budget (OMB) responses to Agency Clearance requests, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA regulations are listed in 40 CFR part 9 and 48 CFR chapter 15.

**FOR FURTHER INFORMATION CONTACT:** Rick Westlund (202) 566-1682, or email at [westlund.rick@epa.gov](mailto:westlund.rick@epa.gov) and please refer to the appropriate EPA Information Collection Request (ICR) Number.

**SUPPLEMENTARY INFORMATION:**

**OMB Responses to Agency Clearance Requests**

*OMB Approvals*

EPA ICR Number 0161.12; Foreign Purchaser Acknowledgment Statement of Unregistered Pesticides; 40 CFR part 168, subpart D; was approved on 01/04/2013; OMB Number 2070-0027; expires on 01/31/2016; Approved without change.

EPA ICR Number 2263.04; NSPS for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007; 40 CFR part 60, subparts A and Ja; was approved on 01/07/2013; OMB Number 2060-0602; expires on 12/31/2015; Approved without change.

EPA ICR Number 1718.09; Fuel Quality Regulations for Diesel Fuel Sold in 2001 and Later Years; Tax-Exempt (Dyed) Highway Diesel Fuel; and Non-Road Locomotive and Marine Diesel Fuel (Renewal); 40 CFR 80.561 and 80.597; and 40 CFR part 80 subpart I; was approved on 01/19/2013; OMB Number 2060-0308; expires on 01/31/2016; Approved with change.

EPA ICR Number 2450.01; EPA's Design for the Environment (DfE) Partner of the Year Awards Program; was approved on 01/23/2013; OMB Number 2070-0184; expires on 01/31/2016; Approved with change.

EPA ICR Number 1901.05; NSPS for Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or before August 30, 1999; 40 CFR part 60, subparts A and BBBB; was approved on 01/29/2013; OMB Number 2060-0424; expires on 01/31/2016; Approved without change.

EPA ICR Number 1061.12; NSPS for the Phosphate Fertilizer Industry; 40 CFR part 60, subparts T, U, V, W and X; was approved on 01/30/2013; OMB Number 2060-0037; expires on 01/31/2016; Approved without change.

EPA ICR Number 1935.04; Standardized Permit for RCRA Hazardous Waste Management Facilities (Renewal); 40 CFR part 267; 40 CFR 270.290, 270.300-270.315; was approved on 01/30/2013; OMB Number 2050-0182; expires on 01/31/2016; Approved with change.

EPA ICR Number 2323.05; NESHAP for Chemical Manufacturing Area Sources; 40 CFR part 63, subparts A and VVVVVV; was approved on 01/30/2013;

OMB Number 2060-0621; expires on 01/31/2016; Approved without change.

**John Moses,**

*Director, Collections Strategies Division.*

[FR Doc. 2013-02761 Filed 2-6-13; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION  
AGENCY**

[EPA-HQ-OA-2012-0033; FRL-9527-8]

**Information Collection Request  
Submitted to OMB for Review and  
Approval; Comment Request;  
Willingness To Pay Survey for  
Chesapeake Bay Total Maximum Daily  
Load: Instrument, Pre-Test, and  
Implementation**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency has submitted an information collection request (ICR), "Willingness to Pay Survey for Chesapeake Bay Total Maximum Daily Load: Instrument, Pre-test, and Implementation" (EPA ICR No. 2456.01, OMB Control No. 2010-NEW) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). This is a request for approval of a new collection. Public comments were previously requested via the **Federal Register** (77 FR 31006) on May 24, 2012 during a 60-day comment period, which was later extended for an additional 30 days (77 FR 43822). This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

**DATES:** Additional comments may be submitted on or before March 11, 2013.

**ADDRESSES:** Submit your comments, referencing Docket ID Number EPA-HQ-OA-2012-0033, to (1) EPA online using [www.regulations.gov](http://www.regulations.gov) (our preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by fax at (202) 566-9744; or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW., Washington, DC 20460, and (2) OMB via email to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public