

input from the National Renewable Energy Laboratory (NREL) and the Enhanced Performance Glass Automotive Association (EPGAA). Specifically, the contribution of each glass/glazing location to the overall interior temperature reduction is estimated using its measured Tts, relative to a baseline level, and the area of the glass/glazing location relative to the overall glass area.<sup>20</sup>

The infrared glazing used by Mercedes-Benz has the same Tts performance levels as the baseline Tts levels specified in the MY2017–2025 rule: 62% for all glazing locations, except for roofites and rear side glazings of crossovers, SUVs, and minivans, which have a baseline Tts of 40%. Based on the Tts levels for Mercedes Benz's infrared glazing and the formula described above, Mercedes-Benz calculated a credit of 0.8 to 1.7 g/mi CO<sub>2</sub> for the infrared glazing used over the range of Mercedes-Benz models. In comparison, the default credit values for infrared glazing in the MY2017–2025 rule are scalable depending on such factors as the amount of glass in the vehicle and the performance of the glazing, up to a maximum of 2.9 g/mi CO<sub>2</sub> for cars and 3.9 g/mi CO<sub>2</sub> for trucks.

#### Active Seat Ventilation

Mercedes-Benz is applying for off-cycle credits for applicable vehicles that have active seat ventilation on both the front row' driver and passenger seats (See Section IV of Mercedes-Benz's application).<sup>21</sup> The Mercedes-Benz active seat ventilation technology has the capability to both pull air away from and push air to the seating surface.

To calculate the active seat ventilation credits, Mercedes-Benz used the methods set forth in Chapter 5 of the MY 2017–2025 TSD.<sup>22</sup> Based on the NREL study mentioned above, a 7.5% reduction in air conditioning (A/C) related emissions could be achieved by lowering the surface temperature of the vehicle seats.<sup>23</sup>

Based on the seat location criteria, capability, and the methodology described above, Mercedes-Benz estimated a credit of 1.0 g/mi CO<sub>2</sub> for cars and 1.3 g/mi CO<sub>2</sub> for trucks for the active seat ventilation technology used over the range of Mercedes-Benz models. These values are identical to the default values in the pre-approved off-cycle credit list in the MY 2017–

2025 rule. Therefore, Mercedes-Benz concludes that its active seat ventilation system achieves equivalent performance to that achieved in the MY 2017–2025 rule. Mercedes-Benz could use the pre-approved list to claim these credits beginning in MY 2014, but since they are seeking credits to begin in MY 2012, and because these technologies are not measurable through the 5-cycle testing pathway, Mercedes-Benz is applying for these credits through this alternative technology pathway.

#### III. EPA Decision Process

EPA is providing a 30-day comment period on this application for an alternative methodology for off-cycle credits, as specified by the regulations. The manufacturer may submit a written rebuttal of comments for EPA's consideration, or may revise its application in response to comments; EPA would review a revised application as if it were a new application.<sup>24</sup> After reviewing any public comments and any rebuttal of comments submitted by Mercedes-Benz, EPA will make a final decision regarding the credit request. EPA will make its decision available to the public by placing a decision document in the docket as specified in the MY 2017–2025 rule.<sup>25</sup> and on EPA's Web site at <http://www.epa.gov/otaq/regs/ld-hwy/greenhouse/ld-ghg.htm>.

An EPA decision to approve Mercedes Benz's off-cycle credit request would only apply to the vehicles specified in the Mercedes-Benz application for MYs 2012–2016. Such decision would not apply to other Mercedes-Benz vehicles or vehicles from other manufacturers. While the broad methodology used by Mercedes-Benz could potentially be used for other vehicles and by other manufacturers, the vehicle specific data needed to demonstrate the off-cycle emissions reductions would likely be different. In such cases, a new application would be required, including an opportunity for public comment.

Dated: September 20, 2013.

#### Byron Bunker,

*Director, Compliance Division, Office of Transportation and Air Quality, Office of Air and Radiation.*

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#### ENVIRONMENTAL PROTECTION AGENCY

[FRL–9901–55–OCFO]

#### Notice of Open Meeting of the Environmental Financial Advisory Board (EFAB)

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

**ACTION:** Notice.

**SUMMARY:** The United States Environmental Protection Agency's (EPA) Environmental Financial Advisory Board (EFAB) will hold a full board meeting on October 22–23, 2013. EFAB is an EPA advisory committee chartered under the Federal Advisory Committee Act (FACA) to provide advice and recommendations on environmental financing issues. EFAB focuses its advice and recommendations on promoting sustainability by reducing environmental costs; increasing public and private investment; and building state, local, and tribal financial capacity.

The purpose of the meeting is to hear from informed speakers on environmental finance issues, review Agency challenges and priorities; discuss progress with EFAB work projects currently underway; review and consider requests for assistance from EPA offices as well as suggestions from EFAB members; and, to develop EFAB's FY 2014 Strategic Action Agenda.

Environmental Finance topics expected to be discussed include: Transit-Oriented Development in Sustainable Communities; Drinking Water Pricing and Infrastructure Investment; and Green Infrastructure.

The meeting is open to the public, however, seating is limited. All members of the public who wish to attend the meeting must register in advance, no later than Friday, October 11, 2013.

**DATES:** Full Board Meeting is scheduled for Tuesday, October 22, 2013 from 10:15 a.m. to 5:00 p.m. and Wednesday, October 23, 2013 from 8:30 a.m. to 3:00 p.m.

**ADDRESSES:** EPA Potomac Yards North Bldg., 2733 S. Crystal City Drive, Room 4120, Arlington, VA 22202.

#### Registration and Information Contact

To register for this meeting or get further information, please contact Sandra Williams, U.S. EPA, at (202) 564–4999 or [williams.sandra@epa.gov](mailto:williams.sandra@epa.gov). For information on access or services for individuals with disabilities, please contact Sandra Williams. To request accommodations of a disability, contact Sandra Williams, preferably at least 10

<sup>20</sup> 40 CFR 86.1869–12(b)(1)(viii)(A).

<sup>21</sup> 40 CFR 86.1869–12(b)(4)(viii).

<sup>22</sup> MY2017–2025 Technical Support Document, Chapter 5, Section 5.2.11.

<sup>23</sup> Ibid 12.

<sup>24</sup> 40 CFR 86.1869–12(e)(3)(iii).

<sup>25</sup> 40 CFR 86.1869–12(e)(4)(iii).

days prior to the meeting, to give EPA as much time as possible to process your request.

Dated: September 18, 2013.

**Joseph L. Dillon,**

*Director, Center for Environmental Finance.*

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## ENVIRONMENTAL PROTECTION AGENCY

[(EPA-HQ-OA-2013-0124) FRL 9901-68-OA]

### Good Neighbor Environmental Board; Cancellation Notice of Public Advisory Committee teleconference

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

**ACTION:** Cancellation of the Good Neighbor Environmental Board Teleconference.

**SUMMARY:** EPA announced in the **Federal Register** on May 17, 2013 [FRL-9814-6] a Good Neighbor Environmental Board (GNEB) public teleconference. Pursuant to the Federal Advisory Committee Act, Public Law 92-463, EPA is giving notice of cancellation of that public meeting for the Good Neighbor Environmental Board. GNEB is a federal advisory committee chartered under the Federal Advisory Committee Act, PL 92463. GNEB provides advice and recommendations to the President and Congress on environmental and infrastructure issues along the U.S. border with Mexico.

**DATES:** The teleconference scheduled for Tuesday, October 1, 2013 has been cancelled because the meeting is not needed at this time. The meeting will be rescheduled at a later date.

**FOR FURTHER INFORMATION CONTACT:** Contact Mark Joyce, Acting Designated Federal Officer, [joyce.mark@epa.gov](mailto:joyce.mark@epa.gov), (202) 564-2130. General information about GNEB can be found on its Web site at [www.epa.gov/ofacmo/gneb](http://www.epa.gov/ofacmo/gneb).

Dated: September 26, 2013.

**Mark Joyce,**

*Acting Designated Federal Officer.*

[FR Doc. 2013-24073 Filed 9-30-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9901-56-OGC]

### Proposed Consent Decree, Clean Air Act Citizen Suit

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

**ACTION:** Notice of proposed consent decree; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("CAA" or the "Act"), notice is hereby given of a proposed consent decree to address a lawsuit filed by WildEarth Guardians in the United States District Court for the District of Colorado: *WildEarth Guardians v. McCarthy*, Civil Action No. 1:12-cv-03307. On December 19, 2012, Plaintiffs filed a complaint alleging that EPA failed to perform a mandatory duty under CAA section 110(k)(2) to take final action on three State Implementation Plan (SIP) revisions submitted to EPA by the State of Colorado on June 18, 2009. On May 2, 2013, Plaintiffs filed an amended complaint alleging that EPA failed to take final action on several other SIP submissions from the States of Colorado, North Dakota, South Dakota, and Utah. The proposed consent decree would establish deadlines for EPA to take action on these submissions.

**DATES:** Written comments on the proposed consent decree must be received by October 31, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID number EPA-HQ-OGC-2013-0702, online at [www.regulations.gov](http://www.regulations.gov) (EPA's preferred method); by email to [oei.docket@epa.gov](mailto:oei.docket@epa.gov); by mail to EPA Docket Center, Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; or by hand delivery or courier to EPA Docket Center, EPA West, Room 3334, 1301 Constitution Ave. NW., Washington, DC, between 8:30 a.m. and 4:30 p.m. Monday through Friday, excluding legal holidays. Comments on a disk or CD-ROM should be formatted in Word or ASCII file, avoiding the use of special characters and any form of encryption, and may be mailed to the mailing address above.

**FOR FURTHER INFORMATION CONTACT:** Susmita Dubey, Air and Radiation Law Office (2344A), Office of General Counsel, U.S. Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460; telephone: (202) 564-5577; fax number (202) 564-5603; email address: [dubey.susmita@epa.gov](mailto:dubey.susmita@epa.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Additional Information About the Proposed Consent Decree

The proposed consent decree would resolve a lawsuit filed by WildEarth Guardians ("Plaintiffs") seeking to compel the Administrator to take actions under CAA sections 110(k)(2) to take action on several SIP submissions from the States of Colorado, North Dakota, South Dakota, and Utah. These SIP revisions were submitted to EPA between June of 2009 and June of 2011. Section 110(k)(2) requires EPA to take action on SIP revisions within twelve months of the submission of a SIP revision that has been determined to be or deemed to be complete. EPA did not take action on the SIP revisions listed above within the statutory deadline and this is the basis for the Plaintiffs' mandatory duty lawsuit at issue in the proposed consent decree.

The proposed consent decree would require EPA to sign a notice of final action to approve, disapprove, approve in part and disapprove in part, or conditionally approve the above-listed SIP revisions by the specific dates identified in the proposed consent decree. The proposed consent decree would also require EPA, following signature of the notices of final action on the SIP revisions, to promptly submit such notices to the Office of the Federal Register for review and publication in the **Federal Register**. After EPA fulfills its obligations under the proposed consent decree, the consent decree would be terminated and the case dismissed. In addition, the proposed consent decree contains a provision addressing Plaintiffs' attorneys' fees, costs, and expenses incurred in this litigation.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed consent decree from persons who are not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withdraw or withhold consent to the proposed consent decree if the comments disclose facts or considerations that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines that consent to this consent decree should be withdrawn, the terms of the consent decree will be affirmed.