

Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2], 1000 Independence Avenue SW., Washington, DC, 20585-0121. Telephone (202) 586-2945. Email: [Brenda.Edwards@ee.doe.gov](mailto:Brenda.Edwards@ee.doe.gov).

#### SUPPLEMENTARY INFORMATION:

Part B<sup>1</sup> of the Energy Policy and Conservation Act of 1975 (EPCA), Public Law 94-163 (42 U.S.C. 6291-6309) established the Energy Conservation Program for Consumer Products Other Than Automobiles, a program covering most major household appliances.<sup>2</sup> EPCA directed DOE to prescribe energy conservation standards for beverage vending machines (42 U.S.C. 6295(v)), and DOE published a final rule for beverage vending machines on August 31, 2009. (74 FR at 44914).

Within 6 years after issuance of any final rule establishing or amending a standard, EPCA also requires DOE to publish a notice determining whether to amend such standards. If DOE determines that amendment is warranted, DOE must also issue a notice of proposed rulemaking (NOPR) including new proposed energy conservation standards by that same date. (42 U.S.C. 6295(m)(1)) DOE prepared this Framework document to consider amending the energy conservation standards for refrigerated beverage vending machines. This document explains the relevant issues, analyses, and processes DOE anticipates using to determine whether to amend the standards, and, if so, for the development of such amended standards. The focus of the public meeting noted above will be to discuss the information presented and issues identified in the Framework document. At the public meeting, DOE will make presentations and invite discussion on the rulemaking process as it applies to refrigerated beverage vending machines. DOE will also solicit comments, data, and information from participants and other interested parties.

DOE is planning to conduct in-depth technical analyses in the following areas: (1) Engineering; (2) energy use; (3) life-cycle cost and payback period; (4) national impacts; (5) manufacturer impacts; (6) emissions impacts; (7) utility impacts; (8) employment impacts; and (9) regulatory impacts. Additionally, DOE will also conduct

several other analyses to support these analyses, including the market and technology assessment, the screening analysis (which contributes to the engineering analysis), the markups analysis (which contributes to the life-cycle cost and payback period analysis), and the shipments analysis (which contributes to the national impacts analysis).

#### Public Participation

DOE encourages those who wish to participate in the public meeting to obtain the Framework document and to be prepared to discuss its contents. A copy of the Framework document is available at: [http://www1.eere.energy.gov/buildings/appliance\\_standards/rulemaking.aspx/ruleid/73](http://www1.eere.energy.gov/buildings/appliance_standards/rulemaking.aspx/ruleid/73).

Public meeting participants need not limit their comments to the issues identified in the Framework document. DOE is also interested in comments on other relevant issues that participants believe would affect energy conservation standards for this equipment, applicable test procedures, or the preliminary determination on the scope of coverage. DOE invites all interested parties, whether or not they participate in the public meeting, to submit in writing by July 19, 2013 comments and information on matters addressed in the Framework document and on other matters relevant to DOE's consideration of coverage and standards for refrigerated beverage vending machines.

The public meeting will be conducted in an informal, facilitated, conference style. There shall be no discussion of proprietary information, costs or prices, market shares, or other commercial matters regulated by U.S. antitrust laws. A court reporter will record the proceedings of the public meeting, after which a transcript will be available at: [http://www1.eere.energy.gov/buildings/appliance\\_standards/rulemaking.aspx/ruleid/73](http://www1.eere.energy.gov/buildings/appliance_standards/rulemaking.aspx/ruleid/73) and available for purchase from the court reporter.

After the public meeting and the close of the comment period on the Framework document, DOE will collect additional data, conduct the analyses as discussed in the Framework document and at the public meeting, and review the public comments received.

DOE considers public participation to be a very important part of the process for determining whether to establish energy conservation standards and, if so, in setting those standards. DOE actively encourages the participation and interaction of the public during the comment period in each stage of the rulemaking process. Beginning with the

Framework document, and during each subsequent public meeting and comment period, interactions with and among members of the public provide a balanced discussion of the issues to assist DOE in the standards rulemaking process. Accordingly, anyone who wishes to participate in the public meeting, receive meeting materials, or be added to the DOE mailing list to receive future notices and information about this rulemaking should contact Ms. Brenda Edwards at (202) 586-2945, or via email at [Brenda.Edwards@ee.doe.gov](mailto:Brenda.Edwards@ee.doe.gov).

Issued in Washington, DC, on May 29, 2013.

**Kathleen B. Hogan,**

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

[FR Doc. 2013-13174 Filed 6-3-13; 8:45 am]

**BILLING CODE 6450-01-P**

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0273; Airspace Docket No. 13-ASW-9]

#### Proposed Amendment of Class D and Class E Airspace; San Marcos, TX

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend Class D and Class E airspace at San Marcos, TX. Additional controlled airspace is necessary to accommodate new Standard Instrument Approach Procedures (SIAP) at San Marcos Municipal Airport and the decommissioning of the Garys Locator Outer Marker (LOM). The FAA is taking this action to enhance the safety and management of Instrument Flight Rules (IFR) operations for SIAPs at the airport. Adjustments to the geographic coordinates also would be made.

**DATES:** Comments must be received on or before July 19, 2013.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2013-0273/Airspace Docket No. 13-ASW-9, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>.

<sup>1</sup> For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.

<sup>2</sup> All references to EPCA in this document refer to the statute as amended through the American Energy Manufacturing Technical Corrections Act (AEMTCA), Pub. L. 112-210 (Dec. 18, 2012).

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527), is on the ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:**

Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: (817) 321-7716.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2013-0273/Airspace Docket No. 13-ASW-9." The postcard will be date/time stamped and returned to the commenter.

**Availability of NPRMs**

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), part 71 by amending Class D airspace and Class E airspace extending upward from 700 feet above the surface to accommodate new standard instrument approach procedures and the decommissioning of the Garys LOM at San Marcos Municipal Airport, San Marcos, TX. Accordingly, small segments of Class D airspace would extend west and north from the current 4.2-mile radius of the airport to 11.8 miles north of the airport, and small segments of Class E airspace would extend west, east, southeast and south of the 6.7-mile radius of the airport to retain the safety and management of IFR aircraft in Class D and Class E airspace to/from the en route environment. Geographic coordinates for San Marcos Municipal Airport and Lockhart Municipal Airport would also be updated to coincide with the FAA's aeronautical database.

Class D airspace areas are published in Paragraph 5000, and Class E airspace areas in Paragraph 6005 of FAA Order 7400.9W, dated August 8, 2012 and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class D and Class E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in

Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend controlled airspace at San Marcos Municipal Airport, San Marcos, TX.

**Environmental Review**

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR Part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, is amended as follows:

*Paragraph 5000 Class D Airspace*  
\* \* \* \* \*

**ASW TX D San Marcos, TX [Amended]**

San Marcos Municipal Airport, TX  
(Lat. 29°53'34" N., long. 97°51'47" W.)

That airspace extending upward from the surface to and including 3,100 feet MSL within a 4.2-mile radius of San Marcos Municipal Airport, and within 1 mile each side of the 313° bearing from the airport extending from the 4.2-mile radius to 5 miles northwest of the airport, and within 1 mile each side of the 268° bearing from the airport extending from the 4.2-mile radius to 4.4

miles west of the airport, and within 1 mile each side of the 358° bearing from the airport extending from the 4.2-mile radius to 4.4 miles north of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continually published in the Airport/Facility Directory.

*Paragraph 6005 Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ASW TX E5 San Marcos, TX [Amended]

San Marcos Municipal Airport, TX  
(Lat. 29°53'34" N., long. 97°51'47" W.)  
Lockhart Municipal Airport, TX  
(Lat. 29°51'01" N., long. 97°40'21" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of San Marcos Municipal Airport, and within 2 miles each side of the 268° bearing from the airport extending from the 6.7-mile radius to 13.1 miles west of the airport, and within 2 miles each side of the 313° bearing from the airport extending from the 6.7-mile radius to 11.1 miles northwest of the airport, and within 2 miles each side of the 088° bearing from the airport extending from the 6.7-mile radius to 10.4 miles east of the airport, and within 2 miles each side of the 133° bearing from the airport extending from the 6.7-mile radius to 9.6 miles southeast of the airport, and within 2 miles each side of the 178° bearing from the airport extending from the 6.7-mile radius to 10.4 miles south of the airport, and within a 6.3-mile radius of Lockhart Municipal Airport.

Issued in Fort Worth, TX, on May 22, 2013.

**David P. Medina,**

Manager, Operations Support Group, ATO  
Central Service Center.

[FR Doc. 2013-13016 Filed 6-3-13; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2013-0002; Airspace  
Docket No. 12-ASO-46]

#### Proposed Establishment of Class E Airspace; Umatilla, FL

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking  
(NPRM).

**SUMMARY:** This action proposes to establish Class E Airspace at Umatilla, FL, to accommodate the Area Navigation (RNAV) Global Positioning System (GPS) Standard Instrument Approach Procedures at Umatilla Municipal Airport. This action would enhance the safety and airspace

management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Comments must be received on or before July 19, 2013. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA, Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** Send comments on this rule to: U. S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12-140, 1200 New Jersey, SE., Washington, DC 20590-0001; Telephone: 1-800-647-5527; Fax: 202-493-2251. You must identify the Docket Number FAA-2013-0002; Airspace Docket No. 12-ASO-46, at the beginning of your comments. You may also submit and review received comments through the Internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested persons are invited to comment on this rule by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2013-0002; Airspace Docket No. 12-ASO-46) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://www.regulations.gov>.

Persons wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2013-0002; Airspace Docket No. 12-ASO-46." The postcard will be date/time stamped and returned to the commenter.

All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal

contained in this notice may be changed in light of the comments received. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

#### Availability of NPRMs

An electronic copy of this document may be downloaded from and comments submitted through <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal Holidays. An informal docket may also be examined between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal Holidays, at the office of the Eastern Service Center, Federal Aviation Administration, room 350, 1701 Columbia Avenue, College Park, Georgia 30337.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory circular No. 11-2A, Notice of Proposed Rulemaking distribution System, which describes the application procedure.

#### The Proposal

The FAA is considering an amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 to establish Class E airspace at Umatilla, FL, providing the controlled airspace required to support the RNAV (GPS) standard instrument approach procedures for Umatilla Municipal Airport. Controlled airspace extending upward from 700 feet above the surface within a 6.7-mile radius of Umatilla Municipal Airport would be established for the safety and management of IFR operations at the airport.

Class E airspace designations are published in Paragraph 6005 of FAA Order 7400.9W, dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and