

advanced educational system; and to foster an open and effective partnership among Federal, State, and local government, business, industry, academic institutions, community based environmental groups, and international organizations.

The Foundation is a charitable and nonprofit corporation whose income is exempt from tax, and donations to which are tax deductible to the same extent as those organizations listed pursuant to section 501(c) of the Internal Revenue Code of 1986. The Foundation is not an agency or establishment of the United States. The purposes of the Foundation are—

(A) Subject to the limitation contained in the final sentence of subsection (d) herein, to encourage, accept, leverage, and administer private gifts for the benefit of, or in connection with, the environmental education and training activities and services of the United States Environmental Protection Agency;

(B) to conduct such other environmental education activities as will further the development of an environmentally conscious and responsible public, a well-trained and environmentally literate workforce, and an environmentally advanced educational system;

(C) to participate with foreign entities and individuals in the conduct and coordination of activities that will further opportunities for environmental education and training to address environmental issues and problems involving the United States and Canada or Mexico.

The Foundation develops, supports, and/or operates programs and projects to educate and train educational and environmental professionals, and to assist them in the development and delivery of environmental education and training programs and studies.

The Foundation has a governing Board of Directors (hereafter referred to in this section as ‘the Board’), which consists of 13 directors, each of whom shall be knowledgeable or experienced in the environment, education and/or training. The Board oversees the activities of the Foundation and assures that the activities of the Foundation are consistent with the environmental and education goals and policies of the Environmental Protection Agency and with the intents and purposes of the Act. The membership of the Board, to the extent practicable, represents diverse points of view relating to environmental education and training. Members of the Board are appointed by the Administrator of the Environmental Protection Agency.

Within 90 days of the date of the enactment of the National Environmental Education Act, and as appropriate thereafter, the Administrator will publish in the **Federal Register** an announcement of appointments of Directors of the Board. Such appointments become final and effective 90 days after publication in the **Federal Register**. The directors are appointed for terms of 4 years. The Administrator shall appoint an individual to serve as a director in the event of a vacancy on the Board within 60 days of said vacancy in the manner in which the original appointment was made. No individual may serve more than 2 consecutive terms as a director.

Dated: October 31, 2013.

**Gina McCarthy**,  
Administrator.

**Jacqueline M. Thomas**

Ms. Thomas is the Vice President of corporate responsibility at Toyota Motor Sales USA Inc. (TMS). She joined TMS in 1999. She is responsible for providing strategic direction and leadership over multiple departments, including internal audit; compliance and ethics; enterprise risk management; environment, hazmat, health and safety; and the office of privacy.

Prior to joining TMS she worked at Atlantic Richfield Company. She is active in a number of church and community programs.

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**BILLING CODE 6560–50–P**

**ENVIRONMENTAL PROTECTION AGENCY**

[CERCLA–04–2014–3750; FRL 9903–42–Region 4]

**Macalloy Superfund Site, North Charleston, Charleston County, South Carolina; Notice of Settlement**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Settlement.

**SUMMARY:** Under 122(h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the United States Environmental Protection Agency has entered into a settlement with the Metallurg, Inc., Mitsui & Co. (U.S.A.), Inc., and Glencore LTD., addressing past costs and a portion of future costs concerning the Macalloy Superfund Site located in North Charleston, Charleston County, South Carolina. The settlement addresses costs from a Remedial Action taken by EPA at the Site.

**DATES:** The Agency will consider public comments on the settlement until December 26, 2013. The Agency will consider all comments received and may modify or withdraw its consent to the settlement if comments received indicate that the settlement is inappropriate, improper, or inadequate.

**ADDRESSES:** Copies of the settlement are available from the Agency by contacting Ms. Paula V. Painter, Environmental Protection Specialist using the contact information provided in this notice. Comments may also be submitted by referencing the Site’s name through one of the following methods:

- *Internet:* [www.epa.gov/region4/superfund/programs/enforcement/enforcement.html](http://www.epa.gov/region4/superfund/programs/enforcement/enforcement.html).

- *U.S. Mail:* U.S. Environmental Protection Agency, Superfund Division, Attn: Paula V. Painter, 61 Forsyth Street SW., Atlanta, Georgia 30303.

- *Email:* [Painter.Paula@epa.gov](mailto:Painter.Paula@epa.gov).

**FOR FURTHER INFORMATION CONTACT:** Paula V. Painter at 404/562–8887.

Dated: October 29, 2013.

**Anita L. Davis**,

*Chief, Superfund Enforcement & Information Management Branch, Superfund Division.*

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**BILLING CODE 6560–50–P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Federal Advisory Committee Act; Communications Security, Reliability, and Interoperability Council**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the Federal Communications Commission’s (FCC or Commission) Communications Security, Reliability, and Interoperability Council (CSRIC) IV will hold its second meeting. At the meeting, each of the Working Groups will present an update on topics including emergency warning systems, 9–1–1 location accuracy, distributed denial-of-service (DDoS), and cybersecurity best practices.

**DATES:** December 4, 2013.

**ADDRESSES:** Federal Communications Commission, Room TW–C305 (Commission Meeting Room), 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Jeffery Goldthorp, Designated Federal Officer, (202) 418–1096 (voice) or

[jeffery.goldthorp@fcc.gov](mailto:jeffery.goldthorp@fcc.gov) (email); or Lauren Kravetz, Deputy Designated Federal Officer, (202) 418-7944 (voice) or [lauren.kravetz@fcc.gov](mailto:lauren.kravetz@fcc.gov) (email).

**SUPPLEMENTARY INFORMATION:** The notice of this meeting was first published in the **Federal Register** on November 21, 2013, only 14 days in advance of the meeting. While the publication did not meet the 15-day requirement for advance publication, exceptional circumstances warrant proceeding with the December 4, 2013, CSRIC meeting. CSRIC members were informed of the December 4th meeting at the September 12, 2013, public meeting of the Council, and have been informed informally of the December meeting date on more than one occasion since then. A significant number of Council members have made business and travel plans in accordance with this schedule, and there is no date within one month of the planned date that will accommodate Council members' schedules. Delaying the meeting will also cause undue financial burdens on many of the members who have made travel arrangements.

In addition, it is not possible at this time to schedule a half-day meeting in the FCC's Commission Meeting Room for any date within one month of December 4, 2013. Further, recognizing the one-day delay in **Federal Register** publication, the agency issued a Public Notice of this meeting on November 20, 2013, to mitigate the late **Federal Register** publication and as an additional way of advising the public of this meeting and their right to attend. As the December 2013 meeting date was announced at the September 2013 public meeting of the Council, the meeting has now been broadly announced to the public more than once.

The November 21, 2013, **Federal Register** notice is available at <http://www.gpo.gov/fdsys/pkg/FR-2013-11-21/pdf/2013-27844.pdf>. The FCC Public Notice announcing the meeting is available at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2013/db1120/DA-13-2225A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db1120/DA-13-2225A1.pdf). Additional information regarding the CSRIC can be found at <http://www.fcc.gov/encyclopedia/communications-security-reliability-and-interoperability-council-iv>.

Federal Communications Commission.

**Lisa M. Fowlkes,**

*Deputy Chief, Public Safety and Homeland Security Bureau.*

[FR Doc. 2013-28491 Filed 11-22-13; 4:15 pm]

**BILLING CODE 6712-01-P**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Guidance on Supervisory Concerns and Expectations Regarding Deposit Advance Products

**AGENCY:** The Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Final guidance.

**SUMMARY:** The FDIC is issuing final supervisory guidance entitled "Guidance on Supervisory Concerns and Expectations Regarding Deposit Advance Products" (Guidance), which addresses safe and sound banking practices and consumer protection in connection with deposit advance products.

#### FOR FURTHER INFORMATION CONTACT:

Luke H. Brown, Associate Director, Supervisory Policy, (202) 898-3842; Rae-Ann Miller, Associate Director, Risk Management Policy, (202) 898-3898; Surya Sen, Section Chief, Supervisory Policy, (202) 898-6699; Ardie Hollifield, Senior Policy Analyst, Supervisory Policy, (202) 898-6638; or Louis Bervid, Senior Examination Specialist, Risk Management Policy, (202) 898-6896.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The Federal Deposit Insurance Corporation (FDIC) is issuing the Guidance to clarify the FDIC's application of principles of safe and sound banking practices and consumer protection in connection with deposit advance products. The Guidance details the FDIC's supervisory expectations in connection with any deposit advance product offered by FDIC-supervised financial institutions (banks) to address potential credit, reputation, operational, and compliance risks. The FDIC expects a bank to apply the principles set forth in this Guidance to any deposit advance product it offers.

##### II. Description of Guidance

A deposit advance product is a small-dollar, short-term loan or line of credit that a bank makes available to a customer whose deposit account reflects recurring direct deposits. The customer obtains a loan, which is to be repaid from the proceeds of the next direct deposit. These loans typically have high fees, are repaid in a lump sum in advance of the customer's other bills, and often are not subject to fundamental and prudent banking practices through which a bank can determine the customer's ability to repay the loan and meet other necessary financial obligations.

The FDIC continues to encourage banks to respond to customers' small-dollar credit needs; however, banks should be aware that deposit advance products can pose a variety of credit, reputation, operational, compliance, and other risks. The FDIC is issuing the Guidance to ensure that any bank offering these products does so in a safe and sound manner and does not engage in practices that would increase these risks.

##### III. Comment Letters Received

The FDIC received over 100 official comments on the proposal.<sup>1</sup> After consideration of all such comments, the FDIC is issuing the Guidance substantially as proposed, but with certain amendments. The amendments to the Guidance are meant to provide further clarification of certain provisions, including those raised by the commenters.

Several commenters stated they believed the FDIC issued the Guidance to address consumer protection issues, not safety and soundness concerns. Additionally, some commenters stated the Guidance would create new rules and regulations within the consumer protection arena, which the FDIC does not have the jurisdiction to promulgate. The Guidance, like other supervisory guidance issued by the prudential banking regulators, highlights supervisory expectations based on applicable laws and regulations. It is intended to make a bank aware of the risks related to deposit advance products and provide guidelines to follow, based on safety and soundness principles, if it offers, or is considering offering, deposit advance products. The Guidance, in part, is also designed to help a bank understand which specific consumer compliance laws and regulations may be applicable to these types of loans.

Many commenters also questioned whether guidance relating to a determination of a customer's financial capacity and the level of effort necessary to complete such an analysis may be overly burdensome. The FDIC, however, believes analyzing recurring deposits (inflows) and checks/credits/customer withdrawals (outflows) over at least a six-month period is appropriate because it would afford a bank the opportunity to use readily available information to determine whether the customer has the ability to repay the loan without needing to borrow repeatedly from any source, including re-borrowing, to meet necessary expenses. When determining

<sup>1</sup> See "Proposed Guidance on Deposit Advance Products," 78 FR 25268 (April 20, 2013).