

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Parts 1005 and 1007

[Docket No. AO-388-A17 and AO-366-A46; DA-05-06-B]

#### Milk in the Appalachian and Southeast Marketing Areas; Termination of Proceeding

##### Correction

In proposed rule document 2014-10033, appearing on pages 25032 through 25033 in the issue of Friday, May 2, 2014, make the following correction:

On page 25032, in the first column, in the **DATES** section, "May 5, 2013" should read "May 5, 2014".

[FR Doc. C1-2014-10033 Filed 5-8-14; 8:45 am]

BILLING CODE 1505-01-D

## DEPARTMENT OF ENERGY

### 10 CFR Part 429

[Docket No. EERE-2013-BT-NOC-0005]

#### Appliance Standards and Rulemaking Federal Advisory Committee: Notice of Open Teleconference/Webinar

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of open meeting and teleconference/webinar.

**SUMMARY:** This notice announces a meeting of the Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC). The Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770, requires that agencies publish notice of an advisory committee meeting in the **Federal Register**.

**DATES:** Friday, June 6, 2014 from 1:00 p.m.–5:00 p.m. (EST).

**ADDRESSES:** U.S. Department of Energy, Forrestal Building, Room 8E-089, 1000

Independence Avenue SW., Washington, DC 20585.

For individuals that wish to attend by webinar, please register at—<https://www1.gotomeeting.com/register/938465121>. After registering you will receive an email with the appropriate link to join the meeting on June 6 and the necessary call-in information.

**FOR FURTHER INFORMATION CONTACT:** John Cymbalsky, ASRAC Designated Federal Officer, U.S. Department of Energy (DOE), Office of Energy Efficiency and Renewable Energy, 950 L'Enfant Plaza SW., Washington, DC 20024. Email: [asrac@ee.doe.gov](mailto:asrac@ee.doe.gov).

#### SUPPLEMENTARY INFORMATION:

*Purpose of Meeting:* To provide advice and recommendations to the Energy Department on the development of standards and test procedures for residential appliances and commercial equipment, certification and enforcement of standards, and product labeling.

*Tentative Agenda:* (Subject to change; final agenda will be posted at <http://www.appliancestandards.energy.gov>):

- Update on Commercial and Industrial Pumps Working Group's efforts
- Discussion regarding commercial labeling.
- Discussion of other topics where ASRAC can assist the Appliance and Equipment Standards Program

*Public Participation:* Members of the public are welcome to observe the business of the meeting and, if time allows, may make oral statements during the specified period for public comment. To attend the meeting and/or to make oral statements regarding any of the items on the agenda, email [asrac@ee.doe.gov](mailto:asrac@ee.doe.gov). In the email, please indicate your name, organization (if appropriate), citizenship, and contact information. Please note that foreign nationals visiting DOE Headquarters are subject to advance security screening procedures. Any foreign national wishing to participate in the meeting should advise ASRAC staff as soon as possible by emailing [asrac@ee.doe.gov](mailto:asrac@ee.doe.gov) to initiate the necessary procedures. Anyone attending the meeting will be required to present a government photo identification, such as a passport, driver's license, or government identification. Due to the required security screening upon entry, individuals attending should arrive early to allow for the extra time needed.

Members of the public will be heard in the order in which they sign up for the Public Comment Period. Time allotted per speaker will depend on the number of individuals who wish to speak but will not exceed five minutes. Reasonable provision will be made to include the scheduled oral statements on the agenda. The co-chairs of the Committee will make every effort to hear the views of all interested parties and to facilitate the orderly conduct of business.

Participation in the meeting is not a prerequisite for submission of written comments. ASRAC invites written comments from all interested parties. Any comments submitted must identify the ASRAC, and provide docket number EERE-2013-BT-NOC-0005. Comments may be submitted using any of the following methods:

1. *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.
2. *Email:* [ASRAC@ee.doe.gov](mailto:ASRAC@ee.doe.gov). Include docket number EERE-2013-BT-NOC-0005 in the subject line of the message.
3. *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.
4. *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586-2945. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

No telefacsimilies (faxes) will be accepted.

*Docket:* The docket is available for review at [www.regulations.gov](http://www.regulations.gov), including **Federal Register** notices, public meeting attendee lists, webinar attendee lists and transcripts, comments, and other supporting documents/materials. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The Secretary of Energy has approved publication of today's notice of proposed rulemaking.

Issued in Washington, DC, on May 2, 2014.

**Kathleen B. Hogan,**

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

[FR Doc. 2014-10689 Filed 5-8-14; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### 10 CFR Part 430

[Docket No. EERE-2014-BT-TP-0014]

RIN 1904-AD22

#### Energy Conservation Program for Consumer Products: Test Procedure for Portable Air Conditioners

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of data availability; request for comment.

**SUMMARY:** In a notice of proposed determination (NOPD) published on July 5, 2013, the U.S. Department of Energy (DOE) tentatively determined that portable air conditioners (ACs) qualify as a covered product under Part B of Title III of the Energy Policy and Conservation Act (EPCA), as amended. To assist in a final determination and to consider approaches for a future DOE test procedure for these products, should DOE determine that portable ACs are covered products, DOE conducted investigative testing to evaluate industry test procedures that could be used to measure cooling capacity and energy use for portable ACs. In today's notice, DOE discusses various industry test procedures and presents results from its investigative testing that evaluated existing methodologies and alternate approaches adapted from these methodologies for portable ACs. DOE requests comment and additional information regarding the testing and results presented in this NODA. DOE also encourages interested parties to provide comment on any alternate approaches for testing portable ACs and information that may improve the analysis.

**DATES:** DOE will accept comments, data, and information regarding this notice of data availability (NODA) submitted no later than June 9, 2014.

**ADDRESSES:** Any comments submitted must identify the Notice of Data Availability for Portable Air Conditioners, and provide docket number EERE-2014-BT-TP-0014 and/

or RIN 1904-AD22. Comments may be submitted using any of the following methods:

1. *Federal eRulemaking Portal:* [www.regulations.gov](http://www.regulations.gov). Follow the instructions for submitting comments.
2. *Email:* [PortableAC2014TP0014@ee.doe.gov](mailto:PortableAC2014TP0014@ee.doe.gov). Include docket EERE-2014-BT-TP-0014 and/or RIN 1904-AD22 in the subject line of the message.
3. *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-5B, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a compact disc (CD), in which case it is not necessary to include printed copies.
4. *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 6th Floor, 950 L'Enfant Plaza SW., Washington, DC 20024. *Telephone:* (202) 586-2945. If possible, please submit all items on a CD, in which case it is not necessary to include printed copies.

*Docket:* The docket is available for review at [www.regulations.gov](http://www.regulations.gov), including **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials. All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

A link to the docket Web page can be found at: <http://www.regulations.gov/#/docketDetail;D=EERE-2014-BT-TP-0014>. This Web page contains a link to the docket for this notice on the [www.regulations.gov](http://www.regulations.gov) site. The [www.regulations.gov](http://www.regulations.gov) Web page contains simple instructions on how to access all documents, including public comments, in the docket.

For further information on how to submit a comment or review other public comments and the docket, contact Ms. Brenda Edwards at (202) 586-2945 or email: [Brenda.Edwards@ee.doe.gov](mailto:Brenda.Edwards@ee.doe.gov).

#### FOR FURTHER INFORMATION CONTACT:

Mr. Bryan Berringer, U.S. Department of Energy, Office of Building Technology Office, EE-5B, 950 L'Enfant Plaza SW., Room 603, Washington, DC 20585-0121. Telephone: 202-586-0371. Email: [Bryan.Berringer@ee.doe.gov](mailto:Bryan.Berringer@ee.doe.gov).

Ms. Sarah Butler, U.S. Department of Energy, Office of the General Counsel, Mailstop GC-71, 1000 Independence Ave. SW., Washington, DC 20585-0121. Telephone: 202-586-2902; Email: [Sarah.Butler@hq.doe.gov](mailto:Sarah.Butler@hq.doe.gov).

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##### I. Authority and Background

Title III, 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, as codified), sets forth a variety of provisions designed to improve energy efficiency and established the Energy Conservation Program for Consumer Products Other Than Automobiles, a program covering most major household appliances (hereinafter referred to as "covered products").<sup>2</sup> In addition to specifying a list of covered products, EPCA contains provisions that enable the Secretary of Energy to classify additional types of consumer products as covered products. For a given product to be classified as a covered product, the Secretary must determine that:

- (1) Classifying the product as a covered product is necessary for the purposes of EPCA; and
- (2) The average annual per-household energy use by products of such type is likely to exceed 100 kilowatt-hours (kWh) per year. (42 U.S.C. 6292(b)(1)).

In order to prescribe an energy conservation standard pursuant to 42 U.S.C. 6295(o) and (p) for covered products added pursuant to 42 U.S.C. 6292(b)(1), the Secretary must also determine that:

- (1) The average household energy use of the products has exceeded 150 kWh per household for any 12-month period ending before such determination;
- (2) The aggregate household energy use of the products has exceeded 4.2 terawatt-hours (TWh) for any such 12-month period;
- (3) Substantial improvement in energy efficiency is technologically feasible; and

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

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