

1864–1865 MPS), Address Restricted,  
Roscoe, 16000776

#### NEW JERSEY

##### Sussex County

Evans—Waters Cottage, 11 Grandview Rd.,  
Lake Wallkill, Vernon Township,  
16000777

#### NEW YORK

##### Dutchess County

Poughkeepsie and Connecticut Stanfordville  
Station, 5–15 Old Depot Way,  
Stanfordville, 16000778

##### Monroe County

Maplewood Historic District (Boundary  
Increase), 21–267 Alameda, 26–284  
Albemarle, 21–148 Augustine, 36–68 Birr  
Sts., 1–9, Burke Terrace, 1136–1212 Dewey  
Ave., Rochester, 16000779

##### New York County

Hudson Theatre, 139–141 W. 44th St., New  
York, 16000780

#### WYOMING

##### Washakie County

Saban, James T., Lookout,  
Approx. .9 mi. SW. of US 16 & FS Rd. 429,  
Ten Sleep, 16000781

A request for removal has been received for  
the following resource:

#### NEBRASKA

##### Cedar County

Bow Valley Mills, N. of Wynot, Wynot,  
78003402

**Authority:** 60.13 of 36 CFR part 60.

Dated: October 7, 2016.

##### Christopher Hetzel,

*Acting Chief, National Register of Historic  
Places/National Historic Landmarks Program.*

[FR Doc. 2016–26056 Filed 10–27–16; 8:45 am]

**BILLING CODE 4312–52–P**

#### DEPARTMENT OF THE INTERIOR

##### Office of Surface Mining Reclamation and Enforcement

[S1D1S SS08011000 SX064A000  
178S180110; S2D2S SS08011000  
SX064A000 17XS501520]

##### North Cumberland Wildlife Management Area, Tennessee Lands Unsuitable for Mining Final Petition Evaluation Document and Environmental Impact Statement OSM– EIS–37

**AGENCY:** Office of Surface Mining  
Reclamation and Enforcement.

**ACTION:** Notice of availability; final  
environmental impact statement.

**SUMMARY:** The Office of Surface Mining  
Reclamation and Enforcement (OSMRE)  
announces that the final Petition  
Evaluation Document and

Environmental Impact Statement (PED/  
EIS) for the North Cumberland Wildlife  
Management Area Petition to Find  
Certain Lands Unsuitable for Surface  
Coal Mining Operations is available for  
public review and comment.

**DATES:** The OSMRE will not issue a final  
decision of the proposal for a minimum  
of 30 days after the date that the  
Environmental Protection Agency  
publishes the Notice of Availability in  
the **Federal Register**.

**ADDRESSES:** Copies of the Final PED/EIS  
for the Project may be viewed online at  
[http://www.osmre.gov/programs/rcm/  
TNLUM.shtm](http://www.osmre.gov/programs/rcm/TNLUM.shtm). In addition, a limited  
number of CD copies of the Final PED/  
EIS are available upon request. You may  
obtain a CD by contacting the person  
identified in **FOR FURTHER INFORMATION  
CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Earl  
D. Bandy Jr., Director-Knoxville Field  
Office, Office of Surface Mining  
Reclamation and Enforcement, John J.  
Duncan Federal Building, 710 Locust  
Street, 2nd Floor, Knoxville, Tennessee  
37902. Telephone: 865–545–4103 ext.  
186. Email: [TNLUM@osmre.gov](mailto:TNLUM@osmre.gov).

##### SUPPLEMENTARY INFORMATION:

##### Background

On September 30, 2010, pursuant to  
the Surface Mining Control and  
Reclamation Act, 30 U.S.C. 1272 (c)  
(SMCRA), the State of Tennessee filed a  
petition with the Office of Surface  
Mining and Reclamation and  
Enforcement (OSMRE) to designate  
certain lands in the state as unsuitable  
for surface coal mining operations.  
These lands include the area within 600  
feet of all ridge lines (a 1,200 foot  
corridor) lying within the North  
Cumberland Wildlife Management Area  
(NCWMA)—comprised of the Royal  
Blue Wildlife Management Area, the  
Sundquist Wildlife Management Area,  
and the New River Wildlife  
Management Area (also known as the  
Brimstone Tract Conservation  
Easement)—and the Emory River Tracts  
Conservation Easement (ERTCE),  
encompassing approximately 67,326  
acres and 505 miles of ridgelines. In  
Tennessee, OSMRE has operated a  
Federal regulatory program as the  
primary regulator under SMCRA since  
October 1984, when the state repealed  
its surface mining law; therefore, in  
accordance with its responsibility in  
administering the Federal program in  
Tennessee, the OSMRE must process  
and make decisions on all petitions  
submitted to designate areas in the state  
as unsuitable for surface coal mining  
operations.

The petition includes two primary  
allegations with numerous allegations of  
fact and supporting statements. In  
primary allegation 1, the petitioner  
contends that the petition area should  
be designated unsuitable for surface coal  
mining operations because mining in  
the area would be incompatible with  
existing state or local land use plans or  
programs. SMCRA 522(a)(3)(A), 30  
U.S.C. 1272(a)(3)(A). In primary  
allegation 2, the petitioner contends that  
the OSMRE should designate the  
petition area as unsuitable for surface  
coal mining operations because such  
operations would affect fragile or  
historic lands, resulting in significant  
damage to important historic, cultural,  
scientific, and aesthetic values and  
natural systems. SMCRA 522(a)(3)(B),  
30 U.S.C. 1272(a)(3)(B).

The Director, OSMRE, is required to  
make a decision on the petition. The  
Final PED/EIS considers in detail the  
following alternatives for action by the  
Director:

- Alternative 1—do not designate any  
of the petition area as unsuitable for  
surface coal mining operations (no-  
action). There would be no change in  
types of permit applications accepted  
for evaluation.
- Alternative 2—designate the entire  
petition area (67,326 acres) as  
unsuitable for all surface coal mining  
operations (state's proposed action). No  
types of surface mining permit  
applications would be accepted for this  
area.
- Alternative 3—designate the state  
petition area (67,326 acres) as  
unsuitable for surface coal mining  
operations that are not remaining. Under  
this alternative, remaining could  
continue to be permitted on a case-by-  
case basis. The only acceptable types of  
permits would be permits for remaining.
- Alternative 4—grant an expanded  
corridor designation of independently  
identified ridgelines within the petition  
area (76,133 acres) as unsuitable for  
surface coal mining operations that are  
not remaining (agency's preferred  
alternative). Under this alternative,  
remaining could continue to be permitted  
on a case-by-case basis. The only  
acceptable types of permits would be  
permits for remaining.
- Alternative 5—designate lands as  
unsuitable for surface coal mining based  
on the presence of certain sensitive  
resources (12,331 acres). No types of  
surface mining permits would be  
accepted for this area.
- Alternative 6—designate a reduced  
corridor of 600 feet (39,106 acres). No  
types of surface mining permits would  
be accepted for this area.

In accordance with the applicable regulations under 30 CFR parts 762 and 764 and the requirements of the National Environmental Policy Act of 1969 (NEPA), as amended, OSMRE evaluated the merits of the unsuitability petition and analyzed the impacts of these alternatives. This analysis is reflected in the Final PED/EIS, which notes the potential impacts of the project and alternatives on earth resources (geology, topography and physiography), air quality and greenhouse gases, groundwater, surface water, wetlands, vegetation, fish and wildlife including special status species, land use, aesthetics including visual resources and soundscapes, socioeconomic and environmental justice, cultural resources including archaeological, historic and ethnographic resources, and public health and safety. Mitigation measures to be included as part of project implementation will be noted in the final decision.

In accordance with Department of the Interior regulations (43 CFR 46.425), OSMRE identified Alternative 3 as the preferred alternative in the Draft EIS. However, based on public and agency comments, as well as the state's input, OSMRE has now identified alternative 4 as the preferred alternative because it is the most consistent with the state's request. OSMRE reached that decision based on its analysis and conclusion that the "agency's preferred alternative" is the alternative the agency believes would best accomplish the purpose of and need for action, and fulfill its statutory mission and responsibilities, while still giving consideration to economic, environmental, technical, and other factors. Alternative 4 is also the environmentally preferred alternative because of its long-term environmental benefits.

The OSMRE will prepare a Record of Decision (ROD) for the proposed petition after a 30-day period following publication of the NOA.

**Authority:** 40 CFR 1506.6, 40 CFR 1506.1.

Dated: October 7, 2016.

**Thomas D. Shope,**

*Regional Director, Appalachian Region.*

[FR Doc. 2016-25868 Filed 10-27-16; 8:45 am]

**BILLING CODE 4310-05-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Exemptions From Certain Prohibited Transaction Restrictions

**AGENCY:** Employee Benefits Security Administration, Labor.

**ACTION:** Grant of individual exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (ERISA or the Act) and/or the Internal Revenue Code of 1986 (the Code). This notice includes the following: 2016–10, Royal Bank of Canada, D–11868; 2016–11, Northern Trust Corporation, D–11875; and, 2016–12, Extension of PTE 2015–15 involving Deutsche Bank AG, D–11879.

**SUPPLEMENTARY INFORMATION:** A notice was published in the *Federal Register* of the pendency before the Department of a proposal to grant such exemption. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Department in Washington, DC. The notice also invited interested persons to submit comments on the requested exemption to the Department. In addition the notice stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicant has represented that it has complied with the requirements of the notification to interested persons. No requests for a hearing were received by the Department. Public comments were received by the Department as described in the granted exemption.

The notice of proposed exemption was issued and the exemption is being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

#### Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR part 2570, subpart B (76 FR 66637,

66644, October 27, 2011)<sup>1</sup> and based upon the entire record, the Department makes the following findings:

(a) The exemption is administratively feasible;

(b) The exemption is in the interests of the plan and its participants and beneficiaries; and

(c) The exemption is protective of the rights of the participants and beneficiaries of the plan.

#### Royal Bank of Canada (Together With Its Current and Future Affiliates, RBC or the Applicant), Located in Toronto, Ontario, Canada

[Prohibited Transaction Exemption 2016–10; Exemption Application No. D–11868]

#### Temporary Exemption

##### Section I—Covered Transactions

Certain entities with specified relationships to Royal Bank of Canada Trust Company (Bahamas) Limited (RBCTC Bahamas) (hereinafter, the RBC QPAMs, as further defined in Section II(b)) will not be precluded from relying on the exemptive relief provided by Prohibited Transaction Exemption (PTE) 84–14,<sup>2</sup> notwithstanding a judgment of conviction against RBCTC Bahamas for aiding and abetting tax fraud, to be entered in France in the District Court of Paris (the Conviction, as further defined in Section II(a)),<sup>3</sup> for a period of up to twelve months beginning on the date of the Conviction (the Conviction Date), provided that the following conditions are satisfied:

(a) The RBC QPAMs (including their officers, directors, agents other than RBC, and employees of such RBC QPAMs) did not know of, have reason to know of, or participate in the criminal conduct of RBCTC Bahamas that is the subject of the Conviction (for purposes of this paragraph (a), "participate in" includes the knowing or tacit approval of the misconduct underlying the Conviction);

(b) The RBC QPAMs (including their officers, directors, agents other than RBC, and employees of such RBC

<sup>1</sup> The Department has considered exemption applications received prior to December 27, 2011 under the exemption procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, 32847, August 10, 1990).

<sup>2</sup> 49 FR 9494 (March 13, 1984), as corrected at 50 FR 41430 (October 10, 1985), as amended at 70 FR 49305 (August 23, 2005), and as amended at 75 FR 38837 (July 6, 2010).

<sup>3</sup> Section I(g) of PTE 84–14 generally provides that "[n]either the QPAM nor any affiliate thereof . . . nor any owner . . . of a 5 percent or more interest in the QPAM is a person who within the 10 years immediately preceding the transaction has been either convicted or released from imprisonment, whichever is later, as a result of" certain felonies including income tax evasion, and aiding and abetting tax evasion.