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.

ADDRESS: Copies of the Final PED/EIS for the Project may be viewed online at http://www.osmre.gov/programs/rcm/TNLUM.shtml. 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.

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OSMRE has operated a Federal regulatory program as the primary regulator under SMCRA since October 1984, when the state repealed its surface mining law; therefore, in accordance with its responsibility in administering the Federal program in Tennessee, the OSMRE must process and make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 remining. Under this alternative, remining could continue to be permitted on a case-by-case basis. The only acceptable types of permits would be permits for remining.
- 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 remining (agency’s preferred alternative). Under this alternative, remining could continue to be permitted on a case-by-case basis. The only acceptable types of permits would be permits for remining.
- 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.
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) 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, 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)), 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 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);

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

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).

Section (g) of PTE 84–14 generally provides that “neither 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.