

**SUPPLEMENTARY INFORMATION:** This SEIS and related proposed federal action, which is the approval of a Plan of Operations for the Evaluation Phase of the Montanore Project, is being completed consistent with the Organic Administration Act, the Locatable Minerals Regulations (36 CFR 228 Subpart A), and the Multiple Use Mining Act. The KNF issued a Joint Final Environmental Impact Statement (JFEIS) in December 2015 and a Record of Decision (ROD) in February 2016. The Montana Department of Environmental Quality (DEQ) also issued a ROD in February 2016 that provided the State's approval of the Evaluation Phase of the project. In a U.S. District Court opinion issued on May 30, 2017 in a consolidated case (*Save Our Cabinets v. U.S. Dep't of Agric.*, No. CV-16-53-M-DWM and *Libby Placer Mining Co. v. U.S. Forest Serv.*, No. CV 16-56-M-DWM), the U.S. District Court ruled that the Forest Service violated, in various respects, the Clean Water Act, the Organic Administration Act, the National Forest Management Act, and the National Environmental Policy Act by approving the Montanore Project. In a separate opinion in *Save Our Cabinets v. U.S. Fish & Wildlife Serv.* (No. CV 15-69-M-DWM) issued concurrently with the first, the Court ruled that the U.S. Fish and Wildlife Service violated the Endangered Species Act (ESA) because the No Jeopardy conclusions regarding bull trout and grizzly bears were flawed and that the Forest Service violated the ESA by relying on the flawed Biological Opinions. The Court vacated the Forest Service decision approving the project and remanded the 2016 ROD and JFEIS back to the Forest Service for further action, "either through issuing a new Record of Decision that approves only the Evaluation Phase or one that again addresses the entire project." Furthermore, the Court stated that the primary problem with the 2016 ROD was that it approved the entire project, not just the Evaluation Phase. The Court also remanded to the U.S. Fish and Wildlife Service its 2014 Biological Opinions. The SEIS will describe the activities that would occur during the Evaluation Phase of the Montanore Project, clarify what effects would occur as a result of those activities, and update resource analyses if there are significant new circumstances or information relevant to environmental concerns and bearing on the Evaluation Phase or its impacts in order to ensure a complete analysis of the environmental effects of the proposed federal action.

Following is a brief summary of the Evaluation Phase of the Montanore Project, as it would occur under Alternative 3 selected by the KNF in its 2016 ROD. Detailed descriptions of the alternatives studied in detail are provided in the Joint FEIS and ROD, which can be viewed or downloaded from the following website: <https://www.fs.usda.gov/projects/kootenai/landmanagement/projects>.

#### Evaluation Phase

The purposes of the Evaluation Phase would be to: (1) Expand the knowledge of the mineralized zones of the deposit; (2) assess and define the mineralized zone within established valid existing rights; and (3) collect, provide, and analyze additional geotechnical, hydrological, and other information necessary for preparation of a mine plan for subsequent phases. An updated mine Plan of Operations would be required should MMC decide, based on the assessment of the orebody and other information collected during the Evaluation Phase, to pursue subsequent phases of the project. Information collected during the Evaluation Phase would be used to confirm and update the analysis for subsequent phases that was provided in the JFEIS, should the KNF receive an updated mine Plan of Operations for subsequent project phases.

The Evaluation Phase is anticipated to last 18 to 24 months. MMC would dewater the full extent of the existing Libby Adit and develop an additional 10,500 feet of drifts and 35 drill stations above the currently defined ore zones. MMC would drill ahead of the drifts and keep all drill stations 300 feet from the Rock Lake Fault and 1,000 feet from Rock Lake. The drill core would be used to support resource modeling, mine planning, metallurgical testing, preliminary hydrology assessment, and rock mechanic studies for the full Montanore Project. An estimated 287,000 tons (140,000 cubic yards) of waste rock would be generated and stored on private land at the Libby Adit Site. The waste rock storage areas would be lined to collect runoff from the area and seepage through the waste rock.

Water from the Libby Adit and from the waste rock storage area would be treated before discharging to MPDES-permitted outfalls. The MPDES permit MT0030279, which the DEQ issued in 2017, sets effluent limits and establishes monitoring for wastewater discharges from the Libby Adit Water Treatment Plant. Treated water would be discharged to a percolation pond located at the Libby Adit Site.

MMC would use Tier 4 generators, if available, or Tier 3 generators for all Evaluation Phase activities and would be subject to the limits, emission controls, and mitigations required by its Air Quality Permit (MAQP #3788-00). MMC would also use Tier 4 engines, if available, or Tier 3 engines on underground mobile equipment and use ultra-low sulfur diesel fuel in generator and underground mobile equipment engines during the Evaluation Phase.

In addition to underground activities, MMC would conduct field studies on National Forest System lands between Poorman and Little Cherry Creeks. The field studies would include a site reconnaissance and a drilling and sampling program to evaluate site geology, groundwater conditions and water quality. Surface disturbances would be reclaimed.

If MMC does not pursue subsequent phases of the project or if those phases are not approved by the Forest Service, MMC would install a concrete-reinforced hydraulic plug in the adit, reconstruct the original adit plug, remove all surface facilities, and regrade and revegetate the disturbed areas. Monitoring that would occur during the Evaluation Phase is described in Appendix C of the JFEIS.

#### Lead and Cooperating Agencies

The USDA Forest Service is the Lead Agency for this project. Other agencies may become a Cooperating Agency as the SEIS progresses.

#### Responsible Official

Christopher Savage, Forest Supervisor Kootenai National Forest, 31374 U.S. Highway 2, Libby, MT 59923 is the Responsible Official for the Montanore Project.

Dated: December 8, 2017.

#### Chris French,

Associate Deputy Chief, National Forest System.

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## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

Agency: U.S. Census Bureau.

Title: Annual Business Survey.

OMB Control Number: 0607-XXXX.

*Form Number(s):* ABS-1 Worksheet, ABS-2 Worksheet.

*Type of Request:* New collection.

*Number of Respondents:* 850,000.

*Average Hours per Response:* 52 minutes.

*Burden Hours:* 735,934.

*Needs and Uses:* In an effort to improve the measurement of business dynamics in the United States, the Census Bureau plans to conduct the Annual Business Survey (ABS). The ABS is a new survey designed to combine Census Bureau firm-level collections to reduce respondent burden, increase data quality, reduce operational costs, and operate more efficiently. The ABS replaces the five-year Survey of Business Owners (SBO) for employer businesses, the Annual Survey of Entrepreneurs (ASE), and the Business R&D and Innovation for Microbusinesses (BRDI-M) surveys. ABS estimates will include the number of firms, sales/receipts, annual payroll, and employment by gender, ethnicity, race, and veteran status as well as R&D and Innovation and various other relevant topics. The ABS will be conducted jointly by the National Center for Science and Engineering Statistics (NCSES) within the National Science Foundation (NSF) and the Census Bureau for five reference years (2017–2021).

The ABS universe includes all nonfarm employer businesses filing Internal Revenue Service (IRS) tax forms as individual proprietorships, partnerships, or any type of corporation, and with receipts of \$1,000 or more. The ABS will sample approximately 850,000 employer businesses in 2017 and approximately 300,000 employer businesses in years 2018–2021. The sample is stratified by state, frame, and industry. The Census Bureau selects certain companies with certainty based on volume of sales, payroll, number of paid employees or NAICS. All certainty cases are sure to be selected and represent only themselves.

The ABS is designed to incorporate new content each survey year based on topics of relevance. Each year a new module of questions is submitted to the Office of Management and Budget (OMB) for approval. Topics for the 2017 ABS include: Owner & Business Characteristics; R&D from microbusiness; Innovation; and Technology.

The ABS collection is electronic only. Those selected for the survey receive an initial letter informing the respondents of their requirement to complete the survey as well as instructions on accessing the survey. The 2017 ABS initial mailout is scheduled for June

2018. Responses will be due approximately 40 days from initial mailout. Select respondents will receive a due date reminder approximately one week before responses are due. Additionally, there will be two follow-up letter mailings to nonrespondents after the due date. Select nonrespondents may receive a certified mailing for the second follow-up if needed. Closeout of mail operations is scheduled for December 2018. Upon the close of the collection period, the response data will be processed, edited, reviewed, tabulated, and released publicly.

Statistics from the ABS will be used by government program officials, industry organization leaders, economic and social analysts, business entrepreneurs, and domestic and foreign researchers in academia, business, and government. Estimates produced on owner demographic data may be used to assess business assistance needs, allocate available program resources, and create a framework for planning, directing, and assessing programs that promote the activities of disadvantaged groups; to assess minority-owned businesses by industry and area and to educate industry associations, corporations, and government entities; to analyze business operations in comparison to similar firms, compute market share, and assess business growth and future prospects. Estimates produced on research and development and innovation may be used to compare R&D costs across industries, determine where R&D activity is conducted geographically, and identify the types of businesses with R&D; to contribute to the Bureau of Economic Analysis (BEA) system of national accounts; to increase investments in research and development, strengthen education, and encourage entrepreneurship; and to compare business innovation in the United States to that of other countries, including those in the European Union.

Additionally, the data will help provide insight into the technology sector based on how businesses respond to questions about technology usage and approximate costs of technology usage.

Historical ASE and SBO data have been widely used by private firms and individuals to evaluate their own businesses and markets. The ABS will be able to provide most of the same continuity as previous statistics, with enhanced content, to provide a more comprehensive view of domestic employer businesses, their owners and corresponding characteristics and activities. Additional examples of data use include:

- The Small Business Administration (SBA) and the Minority Business Development Agency (MBDA) to assess business assistance needs and allocate available program resources.

- Local government commissions on small and disadvantaged businesses to establish and evaluate contract procurement practices.

- Federal, state and local government agencies as a framework for planning, directing and assessing programs that promote the activities of disadvantaged groups.

- The National Women's Business Council to assess the state of women's business ownership for policymakers, researchers, and the public at large.

- Consultants and researchers to analyze long-term economic and demographic shifts, and differences in ownership and performance among geographic areas.

- Individual business owners to analyze their operations in comparison to similar firms, compute their market share, and assess their growth and future prospects.

*Affected Public:* Business or other for-profit.

*Frequency:* Annually.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* Title 13 United States Code, Sections 8(b), 131, and 182, Title 42 United States Code, Section 1861–76 (National Science Foundation Act of 1950, as amended), and Section 505 within the America COMPETES Reauthorization Act of 2010 authorize this collection. Sections 224 and 225 of Title 13 United States Code requires response from sampled firms.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) or fax to (202) 395–5806.

**Sheleen Dumas,**

*Departmental PRA Lead, Office of the Chief Information Officer.*

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