

any of the felonies described in part I(g) of PTE 84-14, other than General Electric Company; and

(B) This exemption is not applicable with respect to any convictions of General Electric Company for felonies described in part I(g) of PTE 84-14 other than those involved in the G.E. Felonies, described in the Notice of Proposed Exemption.

For a more complete statement of the facts and representations supporting this exemption, refer to the notice of proposed exemption published on November 25, 1996 at 61 FR 59912.

**EFFECTIVE DATE:** This exemption is effective as of January 29, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ronald Willett of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

Givens 401(k) Savings and Retirement Plan (the Plan) Located in Chesapeake, VA

[Prohibited Transaction Exemption 97-14; Exemption Application No. D-10364]

#### Exemption

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the purchase from the Plan of the Plan's interest in a group annuity contract (the GAC Interest) by Givens, Incorporated, a sponsor of the Plan; provided the following conditions are satisfied:

(a) The sale is a one-time transaction for cash;

(b) The Plan suffers no loss nor incurs any expense in connection with the sale; and

(c) The Plan receives a purchase price of no less than the fair market value of the GAC Interest as of the date of the sale.

For a more complete statement of the facts and representations supporting this exemption, refer to the notice of proposed exemption published on December 17, 1996 at 61 FR 66331.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ronald Willett of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

#### General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other

provisions to which the exemptions does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application are true and complete and accurately describe all material terms of the transaction which is the subject of the exemption. In the case of continuing exemption transactions, if any of the material facts or representations described in the application change after the exemption is granted, the exemption will cease to apply as of the date of such change. In the event of any such change, application for a new exemption may be made to the Department.

Signed at Washington, D.C., this 12th day of February, 1997.

Ivan Strasfeld,

*Director of Exemption Determinations,  
Pension and Welfare Benefits Administration,  
U.S. Department of Labor.*

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### NATIONAL CAPITAL PLANNING COMMISSION

**Environmental Impact Statement; Public Meeting; Availability Washington, D.C. Convention Center, Construction and Operation**

**AGENCY:** National Capital Planning Commission.

**SUMMARY:** The National Capital Planning Commission (Commission) announces the availability of a Draft Environmental Impact Statement (DEIS) prepared by the Commission and the District of

Columbia Government as part of the requirements for Commission consideration of a proposed Urban Renewal Plan modification and site and building plans for the proposed construction and operation of a Convention Center in Downtown Washington, D.C. The DEIS analyzes impacts on land use, the environment, transportation and historic and cultural resources as well as socio-economic impacts of three proposed alternatives. These alternatives include: (1) The Mount Vernon Square site (bounded by K, 7th, 9th and N Streets, NW.); (2) Northeast No. 1 (generally between First Street, NE. and the railroad track); and (3) a No Action Alternative which would result in no new construction.

In addition, a public meeting will be held to elicit public comments on the DEIS prior to the issuance of a final EIS. That meeting will also serve as part of the public consultation process required by the National Historic Preservation Act.

**DATES:** The public meeting will be held on Tuesday, March 18, 1997 at the D.C. Convention Center at 900 9th St. NW., beginning at 7:30 p.m. Parties interested in speaking at that time, should contact the Commission at (202) 482-7200. Speakers will be recognized in the order that they call. In addition, individuals may sign up to speak at the door.

All written comments on issues regarding the environmental review of the proposed Convention Center must be postmarked by March 31, 1997 and sent to the National Capital Planning Commission, 801 Pennsylvania Avenue, NW., Suite 301, Washington, D.C. 20576. Attention: Maurice Foushee, Community Planner, Phone (202) 482-7240.

**FOR FURTHER INFORMATION CONTACT:** Please contact Ms. Sandra H. Shapiro, General Counsel at (202) 482-7223. Sandra H. Shapiro, General Counsel, National Capital Planning Commission.

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### NUCLEAR REGULATORY COMMISSION

[Docket No. 40-3453-MLA; ASLBP No. 97-723-02-MLA]

**Atlas Corporation; Designation of Presiding Officer**

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 F.R. 28710 (1972), and Sections 2.105, 2.700, 2.702, 2.714, 2.714a, 2.717 and