

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.*

[FR Doc. 97-3838 Filed 2-14-97; 8:45 am]

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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.*

[FR Doc. 97-3822 Filed 2-14-97; 8:45 am]

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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

2.1207 of the Commission's Regulations, a single member of the Atomic Safety and Licensing Board Panel is hereby designated to rule on petitions for leave to intervene and/or requests for hearing and, if necessary, to serve as the Presiding Officer to conduct an informal adjudicatory hearing in the following proceeding.

Atlas Corporation

*(Request for License Amendment)*

The hearing, if granted, will be conducted pursuant to 10 C.F.R. Subpart L of the Commission's Regulations, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." This proceeding concerns a requested license amendment by Atlas Corporation to change the completion date for placement of the final radon barrier on the pile at its Moab, Utah facility. Pursuant to the provisions of 10 C.F.R. § 2.1205(a) and Federal Register Notice, 62 F.R. 3313 (January 22, 1997), John Francis Darke opposes this amendment and requests a hearing. The Presiding Officer in this proceeding is Administrative Judge G. Paul Bollwerk, III. Pursuant to the provisions of 10 C.F.R. § 2.722, Administrative Judge Charles N. Kelber has been appointed to assist the Presiding Officer in taking evidence and in preparing a suitable record for review.

All correspondence, documents and other materials shall be filed with Judge Bollwerk and Judge Kelber in accordance with 10 C.F.R. § 2.701. Their addresses are:

Administrative Judge G. Paul Bollwerk, III, Presiding Officer, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Dr. Charles N. Kelber, Special Assistant, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555

Issued at Rockville, Maryland, this 11th day of February 1997.

B. Paul Cotter, Jr.,  
*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. 97-3885 Filed 2-14-97; 8:45 am]

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[Docket No. 50-368]

### Correction to Exemption

ENTERGY OPERATIONS, INC. (Arkansas Nuclear One, Unit 2).

In notice document 97-2377 beginning on page 4818, in the issue of Friday, January 31, 1997, make the following correction:

On page 4819, in the third column, second full paragraph, in line 5, (61 FR 20846) should be corrected to read, (61 FR 37774).

Dated at Rockville, Maryland, this 10th day of February 1997.

For the Nuclear Regulatory Commission,  
Frank J. Miraglia,  
*Acting Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 97-3887 Filed 2-14-97; 8:45 am]

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### Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 90th meeting on March 20 and 21, 1997, in Room T-2B3, at 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C. 552b(c)(6).

The schedule for this meeting is as follows:

Thursday, March 20, 1997—8:30 A.M. until 6:00 P.M.

Friday, March 21, 1997—8:30 A.M. until 6:00 P.M.

During this meeting, the Committee plans to consider the following:

A. *Meeting with the Directors of the Division of Waste Management and the Spent Fuel Projects Office*—The Directors will discuss priorities for their respective divisions and highlight issues they may wish the Committee to consider over the next year.

B. *Defense In-Depth Philosophy*—The NRC staff will discuss this philosophy and how it applies to the regulation of nuclear waste activities. This discussion will revisit the history of the defense in-depth philosophy and the rationale behind the high-level waste subsystem requirements in the Commission's regulations (10 CFR Part 60).

C. *Planning for Commission Meeting*—The Committee will prepare for their April 1997 meeting with the Commission.

D. *BIOMOVs II*—The Committee will be briefed by the NRC staff on the current status of the Biosphere Model Validation Study, Phase II. Central to this work is defining the reference biosphere and critical group.

E. *Preparation of ACNW Reports*—The Committee will discuss proposed reports, including the specification of a critical group and reference biosphere to be used in the performance assessment

for a nuclear waste disposal facility, and other topics discussed during the meeting as the need arises.

F. *Committee Activities/Future Agenda/Appointment of New Members*—The Committee will consider topics proposed for future consideration by the full Committee and Working Groups. The Committee will discuss ACNW-related activities of individual members. The Committee will also consider the qualifications of potential new ACNW members. A portion of this session may be closed to public attendance to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C. 552b(c)(6).

G. *Miscellaneous*—The Committee will discuss miscellaneous matters related to the conduct of Committee activities and organizational activities and complete discussion of matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the Federal Register on October 8, 1996 (61 FR 52814). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the Chief, Nuclear Waste Branch, Mr. Richard K. Major, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Chief, Nuclear Waste Branch, prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Major as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Mr. Richard K. Major, Chief, Nuclear Waste Branch