

operating license suspended or modified until the facility's design and licensing basis were updated to permit operation with failed fuel assemblies, or until all failed fuel assemblies were removed from the reactor core. The Petitioner also requested a public hearing in the Washington, D.C. area.

The purpose of this informal public hearing is to obtain additional information from the Petitioner, the licensees, and the public for NRC staff use in evaluating the Petitions. Therefore, this informal public hearing will be limited to information relevant to issues raised in the two Petitions. The staff will not offer any preliminary views on its evaluation of the Petitions. The informal public hearing will be chaired by a senior NRC official who will limit presentations to the above subject.

The format of the informal public hearing will be as follows: opening remarks by the NRC regarding the general 10 CFR 2.206 process, the purpose of informal public hearing, and a brief summary of the Petitions (15 minutes); time for the Petitioner to explain the basis of the Petitions (45 minutes); time for the NRC to ask the Petitioner questions for the purposes of clarification (15 minutes); time for the licensees to address the issues raised in the petition (30 minutes for each licensee); time for the NRC to ask the licensees questions for the purposes of clarification (15 minutes each, following licensees' presentations); time for public comments relative to the Petition (45 minutes); and time for the licensees' and Petitioner's final statements (15 minutes).

Members of the public who are interested in presenting information relative to the Petitions should notify the NRC official named below, 5 working days prior to the hearing. A brief summary of the information to be presented and the time requested should be provided in order to make appropriate arrangements. Time allotted for presentations by members of the public will be determined based upon the number of requests received and will be announced at the beginning of the hearing. The order for public presentations will be determined on a first received—first to speak basis. Written statements should be mailed to the U.S. Nuclear Regulatory Commission, Mailstop O-13H03, Attention: Robert Fretz, Washington, D.C. 20555.

Requests for the opportunity to present information can be made by contacting Robert Fretz, Project Manager, Division of Reactor Projects—III/IV (telephone 301-415-1324)

between 7:00 a.m. to 3:30 p.m. (EST), Monday–Friday. Persons planning to attend this informal public hearing are urged to contact the above NRC representative 1 or 2 working days prior to the informal public hearing to be advised of any changes that may have occurred.

In order to assist participation in the informal hearing by interested members of the public, the NRC may also provide video conferencing services at a public location in the vicinity of the River Bend and Perry facilities. A subsequent notice in the **Federal Register** will be published at least 10 days prior to the date of the informal public hearing to announce the location of the video conferencing site, if made available.

Dated at Rockville, Maryland, this 14th day of January 1999.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

Acting Director, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-155]

Consumers Energy Company (Big Rock Point Nuclear Plant); Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations to Facility Operating License No. DPR-6, issued to Consumers Energy Company (Consumers or the licensee) for the possession of the Big Rock Point Nuclear Plant (BRP) located in Charlevoix County, Michigan.

Environmental Assessment

Identification of the Proposed Action

The proposed exemption would reduce or remove selected physical security requirements of 10 CFR part 73.

The proposed action is in accordance with the licensee's application dated November 12, 1998.

Need for the Proposed Action

On June 26, 1997, Consumers certified that it would permanently cease reactor power operations at its BRP facility. On August 30, 1997, the reactor was shut down. By letter dated September 23, 1997, the licensee certified the permanent removal of all fuel from the reactor vessel. In accordance with 10

CFR 50.82(a)(2), upon docketing of the certifications, Facility Operating License No. DPR-6 no longer authorizes operation of the reactor or emplacement or retention of the fuel in the reactor vessel. In this permanently shutdown and defueled condition, the facility poses a reduced risk to public health and safety.

The proposed action is required to allow the licensee to implement physical security plans appropriate to the permanently shutdown and defueled condition of the BRP facility.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed action and concludes that the granting of the exemption from selected portions of 10 CFR part 73 is acceptable, as described in the safety evaluation accompanying issuance of the exemption.

The proposed action will not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not involve any historical sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. Further, the "no-action" alternative would require Consumers to maintain and implement physical security plans required of an operating reactor plant. Such a plan would represent a burden on the licensee and not enhance the protection of the environment. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of resources not previously considered in BRP's Environmental Report for Decommissioning, dated February 27, 1995.

Agencies and Persons Consulted

In accordance with its stated policy, on December 29, 1998, the staff consulted with the Michigan State official, Robert D. Skowronek, Acting Chief Radiological Protection Section, Drinking Water and Radiological Protection Division, Michigan Department of Environmental Quality, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

On the basis of the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed exemption, see the licensee's letter dated November 12, 1998, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the Local Public Document Room, North Central Michigan College Library, 1515 Howard Street, Petoskey, MI 49770.

Dated at Rockville, Maryland, this 13th day of January 1999.

For the Nuclear Regulatory Commission.

Seymour H. Weiss,

Director, Non-Power Reactors and Decommissioning Project Directorate, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.

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SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-23652; File No. 812-11396]

Hartford Life and Annuity Insurance Company, et al.; Notice of Application

January 13, 1999.

AGENCY: The Securities and Exchange Commission ("Commission").

ACTION: Notice of application for an order pursuant to Section 26(b) of the Investment Company Act of 1940 (the "Act") approving certain substitutions of securities, and pursuant to Section 17(b) of the Act exempting related

transactions from Section 17(a) of the Act.

SUMMARY OF APPLICATION: Applicants request an order to permit certain registered unit investment trusts to substitute shares of Bond Fund of One Group Investment Trust ("One Group Trust") for shares of Pegasus Variable Fund ("Pegasus Trust") Bond Fund, shares of One Group Trust's Value Growth Fund for shares of Pegasus Variable Fund's Growth and Value Fund, shares of One Group Trust's Mid Cap Opportunities Fund for shares of Pegasus Trust's Mid Cap Opportunity Fund, shares of One Group Trust's Large Company Growth Fund for shares of Pegasus Trust's Growth Fund and shares of One Group Trust's Mid Cap Value Fund for shares of Pegasus Trust's Intrinsic Value Fund currently held by those unit investment trusts, and to permit certain in-kind redemptions of portfolio securities in connection with the substitutions.

Applicants: Hartford Life and Annuity Insurance Company ("Hartford"), ICMG Registered Variable Life Separate Account One ("ICMG Account") and Hartford Life and Annuity Insurance Company Separate Account Six ("Annuity Account," together with the ICMG Account, the "Accounts").

Filing date: The application was filed on November 10, 1998.

Hearing or notification of hearing: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on February 8, 1999, and should be accompanied by proof of service on Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the Secretary of the Commission.

ADDRESSES: Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549. Applicants, c/o Marianne O'Doherty, Esq., Counsel, Hartford Life and Annuity Insurance Company, 200 Hopmeadow Street, Simsbury, Connecticut 06089. Copies to Stephen E. Roth, Esq. and David S. Goldstein, Esq., Sutherland Asbill & Brennan LLP, 1275 Pennsylvania Avenue, NW, Washington, DC 20004-2415.

FOR FURTHER INFORMATION CONTACT:

Ethan D. Corey, Senior Counsel, at (202) 942-0675, or Kevin M. Kirchoff, Branch Chief, at (202) 942-0672, Office of Insurance Products, Division of Investment Management.

SUPPLEMENTARY INFORMATION: The following is a summary of the application; the complete application may be obtained for a fee from the Public Reference Branch of the Commission, 450 5th Street, NW, Washington, DC 20549 (tel. (202) 942-8090).

Applicants' Representations

1. Hartford is a stock life insurance company incorporated in Connecticut. Hartford is engaged in the business of writing individual and group life insurance and annuity contracts in the District of Columbia and all states but New York. Hartford is the depositor and sponsor of the Accounts.

2. The ICMG Account, a segregated investment account established under Connecticut law, is registered with the Commission as a unit investment trust. The ICMG Account is currently divided into fourteen subaccounts, each of which invests exclusively in shares representing an interest in a separate corresponding investment portfolio ("Fund") of one of three management investment companies of the series type ("Management Companies"), including Pegasus Trust. The assets of the ICMG Account support flexible premium group variable life insurance contracts ("ICMG Contracts"), and interests in the Account offered through the ICMG Contracts have been registered under the Securities Act of 1933 (the "1933 Act") on Form S-6.

3. The Annuity Account is currently divided into thirteen subaccounts. Each subaccount invests exclusively in a corresponding Fund of one of the same three Management Companies in which the ICMG Account invests. The assets of the Annuity Account support individual and group flexible premium deferred variable annuity contracts ("Annuity Contracts," together with the ICMG Contracts, "Contracts"), and interests in the Account offered through the Annuity Contracts have been registered under the 1933 Act on Form N-4 (File No. 33-86330).

4. Pegasus Trust, a Delaware business trust, is registered under the Act as an open-end management investment company (File No. 811-8854). Pegasus Trust currently comprises five Funds, all of which would be involved in the proposed substitutions. Pegasus Trust issues a separate series of shares of beneficial interest in connection with each Fund. Those shares are registered under the 1933 Act on Form N-1A (File