

required to bring the process facilities in compliance with the descriptions provided in SAR Chapter 3. One of the upgrades involves the identification of Structures, Systems and Components (SSCs) and associated support systems required to meet the nuclear criticality safety (NCS) double contingency principle. These SSCs are also referred to as AQ-NCS SSCs. By March 3, 1997, USEC was required by Issue 23 of the Compliance Plan (DOE/ORO-2027/R3) submitted as part of their certificate application, to identify and delineate AQ-NCS SSCs and their associated support systems. According to USEC, this action has been completed. A commitment made in SAR Section 3.9.10 entitled "Identification of Nuclear Criticality Safety SSCs," requires USEC to follow-up by revising TSR 3.11.1, to reflect identification of AQ-NCS SSCs and their associated support systems. As such, USEC has proposed to add a new fourth bullet to TSR 3.11.1 to state that the NCS program will address the identification of SSCs and support systems necessary to meet the double contingency principle.

Basis for Finding of No Significance

1. The proposed amendment will not result in a change in the types or significant increase in the amounts of any effluents that may be released offsite.

This amendment adds an additional TSR commitment related to the PORTS NCS program by requiring identification of SSCs and support systems necessary to meet the double contingency principle. As such, it will not result in a significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

2. The proposed amendment will not result in a significant increase in individual or cumulative occupational radiation exposure.

This amendment adds an additional TSR commitment related to the PORTS NCS program by requiring identification of SSCs and support systems necessary to meet the double contingency principle. As such, it will not result in a significant increase in individual or cumulative occupational radiation exposures.

3. The proposed amendment will not result in a significant construction impact.

The proposed amendment does not involve any construction, therefore, there will be no construction impacts.

4. The proposed amendment will not result in a significant increase in the potential for, or radiological or chemical

consequences from, previously analyzed accidents.

This amendment adds an additional TSR commitment related to the PORTS NCS program by requiring identification of SSCs and support systems necessary to meet the double contingency principle. As such, it will not significantly increase the potential for, or radiological or chemical consequences from, previously analyzed accidents.

5. The proposed amendment will not result in the possibility of a new or different kind of accident.

This amendment adds an additional TSR commitment related to the PORTS NCS program by requiring identification of SSCs and support systems necessary to meet the double contingency principle. As such, it will not result in new or different kinds of accidents.

6. The proposed amendment will not result in a significant reduction in any margin of safety.

This amendment adds an additional TSR commitment related to the PORTS NCS program by requiring identification of SSCs and support systems necessary to meet the double contingency principle. As such, there will not be a significant reduction of any margin of safety. On the contrary, this amendment may constitute an increase in the NCS margin of safety.

7. The proposed amendment will not result in an overall decrease in the effectiveness of the plant's safety, safeguards, or security programs.

This amendment adds an additional TSR commitment related to the PORTS NCS program by requiring identification of SSCs and support systems necessary to meet the double contingency principle. As such, it will not result in an overall decrease in the effectiveness of the plant's safety program. On the contrary, this amendment may increase the effectiveness of the plant's NCS program.

The staff has not identified any safeguards or security related implications from the proposed amendment. Therefore, the proposed amendment will not result in an overall decrease in the effectiveness of the plant's safeguards, or security programs.

Effective date: The amendment to GDP-2 will become effective immediately after issuance by NRC.

Certificate of Compliance No. GDP-2: Amendment will revise the Technical Safety Requirements.

Local Public Document Room

Location: Portsmouth Public Library, 1220 Gallia Street, Portsmouth, Ohio 45662.

Dated at Rockville, Maryland, this 12th day of November 1997.

For the Nuclear Regulatory Commission.

Carl J. Paperiello,

Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 97-30619 Filed 11-20-97; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR WASTE TECHNICAL REVIEW BOARD

Panel Meeting: December 17, 1997—Augusta, Georgia: DOE-Owned Spent Fuel, Spent Naval Fuel, Treatment and Disposal of Aluminum-Clad Fuel, Defense Waste Processing, Defense Waste and Surplus Plutonium Disposal

Pursuant to its authority under section 5051 of Pub. L. 100-203, the Nuclear Waste Policy Amendments Act of 1987, the Nuclear Waste Technical Review Board's Panel on the Repository will hold a meeting December 17, 1997, beginning at 8:30 a.m. The meeting, which is open to the public, will focus on Department of Energy (DOE)-owned spent nuclear fuel, spent naval fuel, defense waste processing, and defense waste and surplus plutonium disposal.

Representatives of the DOE and the U.S. Navy have been invited to make presentations, including introductions to DOE-owned spent fuel, naval spent fuel, and aluminum-clad, highly enriched uranium (HEU) spent fuel. Disposal of aluminum-clad HEU spent fuel will be covered, including package design, criticality analyses, and treatment options. Representatives of the Savannah River facility will talk about the work done there, including defense high-level waste processing and disposition. Other presentations will cover the characteristics and disposal of vitrified high-level defense waste, and the immobilization and disposal of surplus weapons-grade plutonium. A detailed agenda will be available approximately two weeks prior to the meeting by fax or email, or on the Board's web site at www.nwtb.gov.

The meeting will be held at the Radisson Riverfront Hotel, Two 10th Street, Augusta, Georgia 30901; Tel (706) 722-8900; Fax (706) 823-6513. Reservations for accommodations must be made by December 8, 1997, and you must indicate that you are attending the Nuclear Waste Technical Review Board's panel meeting to receive the preferred rate.

Time has been set aside on the agenda for comments and questions from the public. Those wishing to speak are encouraged to sign the Public Comment Register at the check-in table. A time limit may have to be set on the length of individual remarks; however, written

comments of any length may be submitted for the record.

Transcripts of this meeting will be available on computer disk, via e-mail, or on a library-loan basis in paper format from Davonya Barnes, Board staff, beginning January 13, 1998. For further information, contact Frank Randall, External Affairs, 2300 Clarendon Blvd., Suite 1300, Arlington, Virginia 22201-3367; (Tel) 703-235-4473; (Fax) 703-235-4495; (E-mail) info@nwtrb.gov.

The Nuclear Waste Technical Review Board was created by Congress in the Nuclear Waste Policy Amendments Act of 1987 to evaluate the technical and scientific validity of activities undertaken by the DOE in its program to manage the disposal of the nation's high-level radioactive waste and commercial spent nuclear fuel. In that same legislation, Congress directed the DOE to characterize a site at Yucca Mountain, Nevada, for its suitability as a potential location for a permanent repository for the disposal of that waste.

Dated: November 18, 1997.

William Barnard,

Executive Director, Nuclear Waste Technical Review Board.

[FR Doc. 97-30621 Filed 11-20-97; 8:45 am]

BILLING CODE 6820-AM-M

RAILROAD RETIREMENT BOARD

Sunshine Act Meeting

Notice was previously published at 62 FR 61153 on November 14, 1997, that the Railroad Retirement Board would hold a meeting on November 19, 1997, 9:00 a.m., at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois, 60611. This meeting has been canceled.

Date: November 18, 1997.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 97-30770 Filed 11-19-97; 10:52 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-22888; File No. 812-10740]

The Guardian Insurance & Annuity Company, Inc., et al.; Notice of Application

November 14, 1997.

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

ACTION: Notice of application for an order under section 6(c) of the Investment Company Act of 1940 (the "Act") granting relief from rule 6e-2(c)(1) and from certain provisions of the Act and rules thereunder specified in paragraph (b) of rule 6e-2; and from sections 2(a)(32) and 27(i)(2)(A) of the Act and rules 6e-2(b)(12) and 22c-1 thereunder.

SUMMARY OF APPLICATION: Applicants seek exemptive relief to the extent necessary: (1) to permit them to offer and sell certain variable whole life insurance policies with modified scheduled premiums ("Policies"); and (2) to permit certain other persons which may become the principal underwriter for such Policies ("Future Underwriters") to offer and sell such Policies.

APPLICANTS: The Guardian Insurance & Annuity Company, Inc. ("GIAC"), The Guardian Separate Account K ("Separate Account"), and Guardian Investor Services Corporation ("GISC").

FILING DATES: The application was filed on July 28, 1997, and amended and restated on October 20, 1997.

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 December 9, 1997, 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 Richard T. Potter, Jr., Esq., The Guardian Insurance & Annuity Company, Inc., 201 Park Avenue, South, New York, New York 10003.

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: 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. GIAC, a Delaware stock life insurance company, is a wholly-owned subsidiary of The Guardian Life Insurance Company of America.

2. GIAC established the Separate Account under Delaware insurance law to serve as a funding vehicle for certain variable life insurance products. The Separate Account is registered under the Act as a unit investment trust. The Separate Account currently has eight investment divisions, each of which invests in shares of a corresponding mutual fund registered under the Act as an open-end diversified management investment company.

3. GISC, a wholly-owned subsidiary of GIAC, will act as the principal underwriter for the policies. GISC is registered with the Commission as a broker-dealer under the Securities Exchange Act of 1934 and is a member of the National Association of Securities Dealers, Inc. (the "NASD").

4. Those premium amounts set forth in each Policy which must be paid to obtain the benefits provided by the Policy exclusive of the additional benefit riders ("Basic Scheduled Premiums") plus rating charges for those insureds that do not satisfy (GIAC's underwriting requirements for standard issuance, and premiums for insurance benefits that the Policy owner may add as riders to the Policy (collectively, "Policy Premium Assessments") are payable until the Policy anniversary nearest the insured's 100th birthday. If all Basic Scheduled Premiums and Policy Premium Assessments (collectively, "Policy Premiums") are paid when due or skipped under the premium skip option (described below), the Policy will not lapse and will retain its minimum death benefit guarantee until the Policy anniversary nearest the insured's 100th birthday, so long as no partial withdrawals are made and there is no Policy debt outstanding.

5. Policy Premiums may be paid annually or periodically. Each periodic Policy Premium must be at least \$100.

6. The Policy's Basic Scheduled Premiums cannot be increased during the guaranteed premium period, but will be reduced by GIAC if the Policy's face amount is decreased. The guaranteed premium period starts on the Policy date and ends on the later of the Policy anniversary nearest the insured's 70th birthday or the 10th Policy anniversary. After the expiration of the guaranteed premium period, a