

of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received may be examined at the NRC Public Document Room, 2120 L Street NW., Washington, DC. Comments will be most helpful if received by June 9, 2000.

You may also provide comments via the NRC's interactive rulemaking website through the NRC home page (<http://www.nrc.gov>). This site provides the availability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking website, contact Ms. Carol Gallagher, (301) 415-5905; e-mail [CAG@NRC.GOV](mailto:CAG@NRC.GOV). Electronic copies of this draft guide, under Accession Number ML003698165, are available in NRC's Public Electronic Reading Room, which can also be accessed through NRC's web site, [WWW.NRC.GOV](http://WWW.NRC.GOV). For information about the draft guide and the related documents, contact Ms. E. McKenna at (301) 415-2189; e-mail [EMM@NRC.GOV](mailto:EMM@NRC.GOV).

Although a time limit is given for comments on this draft guide, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC. Requests for single copies of draft or final guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Reproduction and Distribution Services Section; or by fax to (301) 415-2289, or by email to [DISTRIBUTION@NRC.GOV](mailto:DISTRIBUTION@NRC.GOV). Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a)).

Dated at Rockville, Maryland, this 12th day of April 2000.

For the Nuclear Regulatory Commission.

**Charles E. Ader,**

*Director, Program Management, Policy Development & Analysis Staff, Office of Nuclear Regulatory Research.*

[FR Doc. 00-10293 Filed 4-24-00; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Draft Regulatory Guide; Issuance, Availability

The Nuclear Regulatory Commission has placed a draft guide on the website for public comment. This Regulatory Guide series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and data needed by the staff in its review of applications for permits and licenses.

This draft guide, temporarily identified by its task number, DG-1094 (which should be mentioned in all correspondence concerning this draft guide), is a revision of DG-1094 (64FR58461) as a result of public comments and a public meeting held on February 23, 2000. A final draft guide, identified by the task number of DG-1097, will be published shortly for formal comment. This guide has been developed to provide a comprehensive fire protection guidance document, and to identify the scope and depth of fire protection that the staff has determined to be acceptable for operating nuclear plants. This guide may be used for licensee self-assessments and as the deterministic basis for future rulemaking. This guide has been developed from a compilation of fire protection regulations, generic communications, Branch Technical Positions, and other NRC guidance. In addition, as appropriate, new guidance is provided where the existing guidance is weak or non-existent. The specific NRC fire protection requirements applicable to any given operating reactor are a function of licensing dates, specific license conditions, rule applicability statements, approved exemptions/deviations, and individual plant Safety Evaluation Reports (SERs). It is not possible to capture in a single guide all the compliance alternatives that have been previously accepted by the NRC for a given plant. This guide presents the best available methods for meeting fire protection requirements and objectives that are acceptable to the Commission, and will be used in the evaluation of fire protection programs for operating nuclear power plants. Nothing in this guide prohibits a licensee from proposing an alternative method(s) for complying with specified portions of the Commission's regulations.

The draft guide has not received complete staff approval and does not represent an official NRC staff position.

Comments may be accompanied by relevant information or supporting data. Written comments may be submitted to David L. Meyer, Chief, Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Copies of comments received may be examined at the NRC Public Document Room, 2120 L Street, NW, (Lower Level), Washington, DC 20555-0001. The public comment period for this revision of DG-1094 will close at the same time as the public comment period for the final draft guide identified by the task number of DG-1097. All comments will be incorporated in the final regulatory guide to be issued in 2001.

You may also provide comments via the NRC's interactive rulemaking website ([http://www.techconf.llnl.gov/cgi\\_bin/topics](http://www.techconf.llnl.gov/cgi_bin/topics)). This site provides the availability to upload comments as files (any format), if your web browser supports this function. For information about the interactive rulemaking website, contact Ms. Carol Gallagher, (301) 415-5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov). For information about the draft guide and the related documents, contact Mr. E.A. Connell, (301) 415-2838; e-mail [EAC@nrc.gov](mailto:EAC@nrc.gov).

Although a time limit is given for comments on this draft guide, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Regulatory guides are available for inspection at the Commission's Public Document Room 2120 L Street, NW, (Lower Level), Washington, DC. Current draft Regulatory Guides that have been issued for public comment can be found at our Rulemaking site: [http://ruleforum.llnl.gov/cg\\_bn/rulemake?source=rg](http://ruleforum.llnl.gov/cg_bn/rulemake?source=rg). Requests for single copies of draft or final guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Reproduction and Distribution Services Section; or by fax to (301) 415-2289, or by e-mail to [Distribution@nrc.gov](mailto:Distribution@nrc.gov). Telephone requests cannot be accommodated. Regulatory Guides are not copyrighted and Commission approval is not required to reproduce them. (5 U.S.C. 552(a)).

Dated at Rockville, Maryland this 18th day of April 2000.

For the Nuclear Regulatory Commission.

**John N. Hannon,**

*Chief, Plant Systems Branch, Division of Systems Safety and Analysis, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-10294 Filed 4-24-00; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (NeoPharm, Inc., Common Stock, Par Value \$.0002145 Per Share) File No. 1-12493

April 19, 2000.

NeoPharm, Inc. ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw the security described above ("Security") from listing and registration on the American Stock Exchange LLC ("Amex") and under Section 12(b) of the Act.<sup>3</sup>

The Company, whose business is biotechnology, has determined to transfer trading in its Security from the Amex to the National Market of the Nasdaq Stock Market, Inc. ("Nasdaq"), which it considers to be the preeminent marketplace for the securities of biotechnology companies. The Company has registered its Security pursuant to Section 12(g) of the Act<sup>4</sup> by filing a Registration Statement on Form 8-A with the Commission on April 12, 2000. The Security subsequently became designated for quotation and began trading on the Nasdaq National Market, and was simultaneously suspended from trading on the Amex, on April 14, 2000.

The Company has stated that it has complied with the Rules of the Amex governing the withdrawal of its Security from listing and registration on the Exchange and that the Amex, in turn, has indicated that it will not oppose such withdrawal.

The Company's application relates solely to the withdrawal of the Security from listing and registration on the Amex and shall have no effect upon the Security's designation for quotation and trading on the Nasdaq National Market

and registration under Section 12(g) of the Act.<sup>5</sup>

Any interested person may, on or before May 10, 2000, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>6</sup>

**Jonathan G. Katz,**  
*Secretary.*

[FR Doc. 00-10256 Filed 4-24-00; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27167]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

April 18, 2000.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by May 12, 2000, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person

who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After May 12, 2000, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

### Entergy Arkansas, Inc. (70-7571)

Entergy Arkansas, Inc. ("Arkansas"), 425 West Capitol Avenue, Little Rock, Arkansas 72201, a wholly owned electric utility subsidiary company of Entergy Corporation, a registered holding company, has filed a post-effective amendment to its application-declaration under sections 6(a), 7, 9(a) and 10 of the Act and rule 54 under the Act.

By prior Commission orders dated January 24, 1996, July 7, 1989 and December 20, 1988 (HCAR Nos. 26461, 24917 and 24787, respectively) (collectively, "Orders"), Arkansas was authorized to enter into and amend a Fuel Lease originally dated December 22, 1988 ("Lease"), with River Fuel Funding Company #1, Inc. ("River Fuel"), under which Arkansas leases nuclear fuel required for use at its Grand Gulf Nuclear Generating Station. Under the terms of the Lease, Arkansas makes periodic lease payments to River Fuel based on the nuclear fuel consumption rate and the unamortized cost of the nuclear fuel, including financing costs ("Lease Payments").

River Fuel originally financed its acquisition of nuclear fuel leased to Arkansas through, among other things, borrowings under a credit agreement dated December 22, 1988 (as amended, "Credit Agreement") with Union Bank of Switzerland ("Bank"). In the Orders, the Commission imposed limits on certain fees and rates applicable to borrowings under the Credit Agreement that were incorporated in the Lease Payments.

Specifically, under the terms of the Credit Agreement, River Fuel is currently required to pay: (1) A commitment fee of 1/4 of one percent *per annum* on the daily difference between the maximum commitment under the Credit Agreement and the amount of commercial paper and revolving credit borrowings outstanding; (2) a letter of credit fee of .00625 percent *per annum* on the average aggregate amount of commercial paper outstanding during each calendar quarter; and (3) an administrative fee of \$20,000 per year.

In addition, at the election of River Fuel, each revolving credit borrowing under the Credit Agreement currently bears interest at either: (a) the higher of (i) the rate publicly announced by the Bank from time to time as its prime rate,

<sup>1</sup> 15 U.S.C. 78j(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78j(b).

<sup>4</sup> 15 U.S.C. 78j(g).

<sup>5</sup> *Id.*

<sup>6</sup> 17 CFR 200.30-3(a)(1).