



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 25, 1999

MEMORANDUM TO: Division of Licensing Project Management Staff

FROM: Malcolm R. Knapp  
Deputy Executive Director  
for Materials, Research and State Programs

SUBJECT: A PLAIN ENGLISH HANDBOOK

In step with the other federal agencies, we are working to improve communications from the government to the public. As a result, we've committed to using plain language in all of our documents. This handbook, "A Plain English Handbook," can help us achieve this goal. I believe that the handbook, created by the U.S. Securities and Exchange Commission, is helpful enough that I'd like you to have your own copy. The following are several excellent suggestions from the Handbook:

- Use common, everyday words in short sentences (15 - 20 words) - pages 28 - 29  
*For example, use "explain" rather than "elucidate" and "end" instead of "terminate".*
- Write sentences in the active voice, clearly identifying who is taking what action - pages 19 - 21  
*For example, use "the Director wrote the memo yesterday" rather than "the memo was written yesterday".*
- Use "you" and other pronouns, especially in correspondence, to speak directly to the reader - page 22
- Use easy-to-read design features like lists, tables, graphics, and "white space" to open dense blocks of text - pages 37 - 54
- Reduce the use of acronyms and jargon by using key words instead - pages 30 - 31  
*For instance, NMSS uses "the Center" instead of using CNWRA for the Center for Nuclear Waste Regulatory Analyses.*

Please look through this handbook, and use its ideas in your written products. This is a culture change the NRC will be going through - welcome to the front lines!

Attachment: As stated

# Public Communications



*Plain Language*

Background

Plain Language Action Plan

Interactions with Public Communications Initiative (DSI-14)

Ongoing Activities

**Award Program (internal and external)**

**Stylewriter Evaluation**

**Training Review**

**Federal Register Experiment**

Plain Language Help

**A Plain English Handbook**

**Checklist**

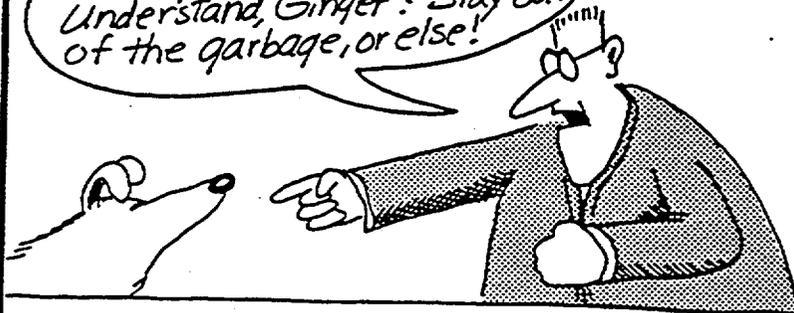
**Grammatik**

**Plain Language Web Pages**

**Training**

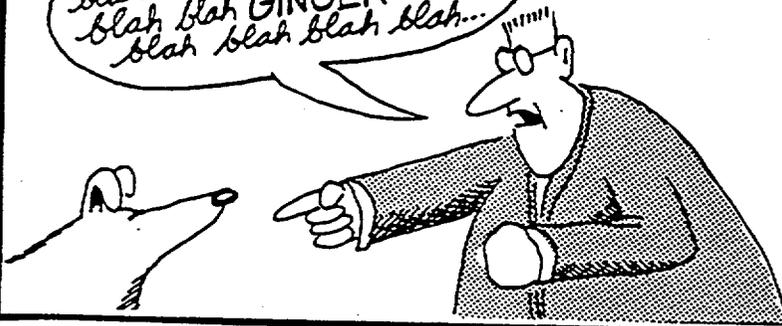
### What we say to dogs.

Okay, Ginger! I've had it!  
You stay out of the garbage!  
Understand, Ginger? Stay out  
of the garbage, or else!



### What they hear

blah blah GINGER blah  
blah blah blah blah blah  
blah blah GINGER blah  
blah blah blah blah...



Janis

## *Why now?*

Memorandum from President Clinton 6/1/98

Guidance from Vice-President Gore 7/28/98

NRC Plain Language Action Plan 9/28/98

DEDE is responsible for implementing Plain Language  
Action Plan

***What does the President's memo require us to use?***

- Logical organization
- Easy-to-read design features
- Common, everyday words
- "You" and other pronouns
- The active voice
- Short sentences

# *Plain Language Action Plan*

Applies to all documents

Internal Plain Language Web Page

External Web Page

Customization of the HELP drop-down menu in WordPerfect 8

- “NRC Abbreviations”
- “NRC Editorial Style Guide”
- “Word Usage Guide”

Inform staff

Feedback



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 28, 1998

Ms. Annetta Cheek  
National Partnership for Reinventing Government  
750 17<sup>th</sup> Street, NW.  
Suite 200  
Washington, D.C. 20006

Dear Ms. Cheek:

I have enclosed the Plain Language Action Plan for the U.S. Nuclear Regulatory Commission (NRC) in response to Vice President Gore's guidance memorandum of July 28, 1998. I am also designating the NRC Deputy Executive Director for Regulatory Effectiveness to serve as our senior official responsible for implementing President Clinton's Memorandum for the Heads of Executive Departments and Agencies of June 1, 1998.

Should you have any questions about NRC's plain language plans and activities, please contact Walter E. Oliu at 301-415-7166, e-mail [address: weo@nrc.gov](mailto:weo@nrc.gov).

Sincerely,

Shirley Ann Jackson

Enclosure: As stated

# Plain Language Action Plan

## U.S. Nuclear Regulatory Commission

The Nuclear Regulatory Commission (NRC) is committed to improving its communications with the public at large and other stakeholders by directing the NRC staff to use plain, understandable language whenever possible in documents and at public meetings. We have developed the following plan to accomplish the goals of the Presidential Memorandum on Plain Language:

1. Establish an agency internal web site to assist NRC employees in complying with the plain language initiative. As a beginning, the site will contain the following information:

- President Clinton's Memorandum to Agencies of June 1, 1998
- Vice President Gore's Memorandum and Implementation Guidance of July 28, 1998
- Existing NRC plain language guidance documents and directives
  - ◆ "The ABCs of Better Correspondence: An In-House Guide to Help You Create Effective Official Correspondence"
  - ◆ "Glossary of Nuclear Terms"
  - ◆ "NRC Editorial Style Guide"
  - ◆ "NRC Collection of Abbreviations"
  - ◆ Management Directive 3.57, "Managing Correspondence"
  - ◆ Management Directive 6.3, "The Rulemaking Process"
  - ◆ "NRC Regulations Handbook"
  - ◆ Course materials from the three-day workshop "Clear Writing"
- Links to [www.plainlanguage.gov](http://www.plainlanguage.gov) and other relevant sites

Due Date: January 15, 1999

2. Through an agencywide network announcement, inform employees about the President's and Commission's expectations. Use the same mechanism to keep employees informed as the site is updated and expanded.

Due Date: January 15, 1999

3. Establish a Plain Language presence on the agency's external web site that would include narrative introducing the concept, President Clinton's and Vice President Gore's guidance to agencies, and a form requesting that NRC stakeholders comment on how well NRC is complying with the letter and spirit of the plain language initiative.

Due Date: January 15, 1999

In addition, the NRC has customized the HELP drop-down menu of Corel WordPerfect 8 to include "NRC Abbreviations," the "NRC Editorial Style Guide," and a "Word Usage Guide" to commonly confused terms. Employees can access and use these guides from within the Word

Perfect documents they're working on. This feature is currently being installed as part of an ongoing software upgrade to all agency desktop computers in headquarters and the regions.

Completion Date: January 31, 1999

In addition, NRC has a number of projects under development which are designed to ensure that plain language is sustained over the long term. By way of background: in the spring of 1997, the Commission directed the Executive Council to create a special coordinating committee to propose recommendations to further the Commission's objective of improving public communications with all stakeholders, and particularly with the general public. The resulting plan recommended ways to improve the quality, clarity, and credibility of agency communications, with an emphasis on using plain language to communicate the necessarily technical matters involved in nuclear oversight. It recommended that the NRC identify public concerns earlier, provide clearer oral and written communications, involve the public earlier in NRC activities, respond more effectively to public concerns, and improve public access to information. The recommendations endorsed by the NRC's Executive Council and adopted by the Commission which should support the objectives of the Presidential Memorandum include:

- Adopt a format for both technical reports (broader than that which now exists) and public meetings so that each starts with a clear, plain language executive summary.
- Expand and enhance the glossary of nuclear expressions now posted on the NRC external web site and include often-used expressions with clear definitions in plain language.
- Distribute the glossary to all NRC employees with guidance to limit use of jargon and encourage use of plain language definitions in writing.
- Post the expanded glossary on the NRC external web site and encourage members of the public to comment on the clarity of definitions and request the inclusion of additional expressions or explanations for terms considered less than clear.
- Periodically, have the Commission and senior NRC officials stress to all employees the need to convey our findings and conclusions not only clearly, but in a carefully balanced way, neither overstating nor minimizing our concerns.
- Include in the annual performance appraisal of all appropriate individuals a specific element dealing with both the clarity of their communications (written and oral) and their responsiveness to the public.

We are currently fulfilling the President's mandate to use plain language in all new documents (other than regulations) by October 1, 1998. We are developing a strategy to review appropriate documents issued prior to this date by January 1, 2002, to ensure they meet similar standards.

We also plan to meet the January 1, 1999, deadline for using plain language, to the extent it is practical in view of the technical nature of our regulations, in all proposed and final rulemaking documents published in the Federal Register. Feedback will be requested from the public on

the clarity of our proposed rules, both in the Federal Register, and on our rulemaking page on the NRC external web site.

To sustain change over the long term, and to ensure that our efforts are ongoing, I have appointed the NRC Deputy Executive Director for Regulatory Effectiveness as the senior official overseeing this important project. He will coordinate his efforts with Anthony Galante, Chief Information Officer, and William Beecher, Director of Public Affairs.



# Plain Language Action Plan

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The Nuclear Regulatory Commission (NRC) is committed to improving its communications with the public at large and other stakeholders by directing the NRC staff to use plain, understandable language whenever possible in documents and at public meetings. This commitment stems from two related initiatives. President Clinton sent a Memorandum on Plain Language in Government Writing to the Heads of Executive Departments and Agencies on June 1, 1998. The Government-wide Plain Language initiative coincides with the agency's Public Communications Initiative (Direction Setting Issue 14, [SECY-98-089](#)). This initiative supports the objectives of the President's Memorandum on Plain Language.

This site contains the Memorandum from President Clinton and a follow up Memorandum and Implementation Guidance from Vice President Gore providing clear, concise guidance with examples for writing plain language documents. This site also includes a broad variety of agency guidance documents and links to external Plain Language web sites. These documents and links can assist you, the NRC staff, in complying with the Plain Language initiative and the goals of DSI 14.

[President Clinton's Memorandum to Agencies of June 1, 1998](#)

[Vice President Gore's Memorandum and Implementation Guidance of July 28, 1998](#)

[Plain Language Action Network](#) (links to other relevant sites)

[A Plain English Handbook](#) provides techniques for writing in plain English. Although drafted by the Securities and Exchange Commission (SEC), this guide contains well-established plain language techniques that are applicable to NRC's written communications.

NRC guidance documents and directives

- ["The ABCs of Better Correspondence: An In-House Guide to Help You Create Effective Official Correspondence"](#)
- ["Glossary of Nuclear Terms"](#)
- ["NRC Editorial Style Guide"](#)
- ["NRC Collection of Abbreviations"](#)
- ["Managing Correspondence" \(Management Directive 3.57\)](#)
- ["The Rulemaking Process" \(Management Directive 6.3\)](#)
- ["NRC Regulations Handbook" \(NUREG/BR-0053, Rev. 4\)](#)
- [Excerpts from course material for "Clear Writing" \(three-day workshop\)](#)

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## **Plain Language Award of the Month**

The NRC Plain Language Award of the Month runs from April to September, 1999. Its goal is to recognize outstanding examples of plain language regulations, notices, reports, or other documents written by NRC

staff. You can either nominate your own work, or someone else's work. **Note: Entries must be received by c.o.b. on the last business day of the month to be considered for that month's award.**

Applications will be reviewed by a committee that will pick one document a month. The winner will receive an instant cash award which will be presented by Bill Travers, EDO, or Mal Knapp, DEDE.

The committee will choose the winning document by evaluating the use of plain language principles in each document. They include:

- Common, everyday words
- Short sentences
- Active voice
- "You" and other pronouns (as appropriate)
- Easy-to-read design features (i.e., lists and tables)
- Logical organization

For more information on using plain language in your documents, review the plain language information elsewhere at this site. To assist you further, we have included a "[Plain Language Document Checklist](#)" for your use on the plain language web page.

Please send all entries to:

*Louise Lund*  
*Attn: "Plain Language Award"*  
*Mail Stop: O-16E15*

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[ [Internal Home Page](#) | [External Home Page](#) ]



# Plain Language Action Plan

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## Plain Language and Nuclear Regulatory Commission Communications

The Nuclear Regulatory Commission (NRC) is committed to improving its communications with the public and other agency stakeholders by directing the NRC staff to use plain, understandable language whenever possible in documents and at public meetings. This commitment stems from two related initiatives. President Clinton sent a Memorandum on Plain Language in Government Writing to the Heads of Executive Departments and Agencies on June 1, 1998. A follow up Memorandum and Implementation Guidance from Vice President Gore provides clear, concise guidelines with examples for writing plain language documents. A government-wide Plain Language Action Network (PLAN) has been created to improve communications from the federal government to the public.

This Government-wide Plain Language initiative coincides with the agency's Public Communications Initiative. The scope of NRC's program is described in Commission Paper SECY-98-089. This initiative supports the objectives of the President's Memorandum on Plain Language. Chairman Jackson of the NRC responded to the President's Memorandum on Plain Language with the NRC Plain Language Action Plan.

### ⇒ How Are We Doing?

We welcome your comments on how well we're doing in keeping with the letter and spirit of these initiatives in our communications with you. To help you interpret agency technical terms and abbreviations, refer to the NRC "Glossary of Nuclear Terms," and the "NRC Collection of Abbreviations." You may submit your comments on one or more specific agency documents by completing the Plain Language Action Plan comment form.

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[ [NRC Home Page](#) ]

# *Interactions with Public Communications Initiative (DSI-14) Implementation Plan*

High profile reports - inclusion of an executive summary in plain English

Public meetings - inclusion of a brief tutorial

Update glossary of nuclear expressions on NRC web page

Distribute the glossary to all NRC employees with guidance to limit use of jargon

Conveying findings in a balanced way, neither overstating nor minimizing concerns

Include a performance appraisal element for public communications

# Plain Language Award of The Month

## *What qualifies?*

- A document written by NRC staff
- Any substantial document (more than letter or brief memo)
- Written for in-house audience or public, but understandable to anybody
- Recent work - doesn't have to be from past month
- Your work or re-write of someone else's work



## *What are the criteria?*

Use of plain language principles, such as:

- Common, everyday words
- Short sentences
- Active voice
- "You" and other pronouns (as appropriate)
- Easy-to-read design features (i.e., lists and tables, if appropriate)
- Logical organization

## *How will the documents be nominated?*

You can either nominate your own work, or someone else's work.

## *What is the award?*

Instant cash award presented by Bill Travers, EDO, or Mal Knapp, DEDE.

## *Who do I send the nomination to?*

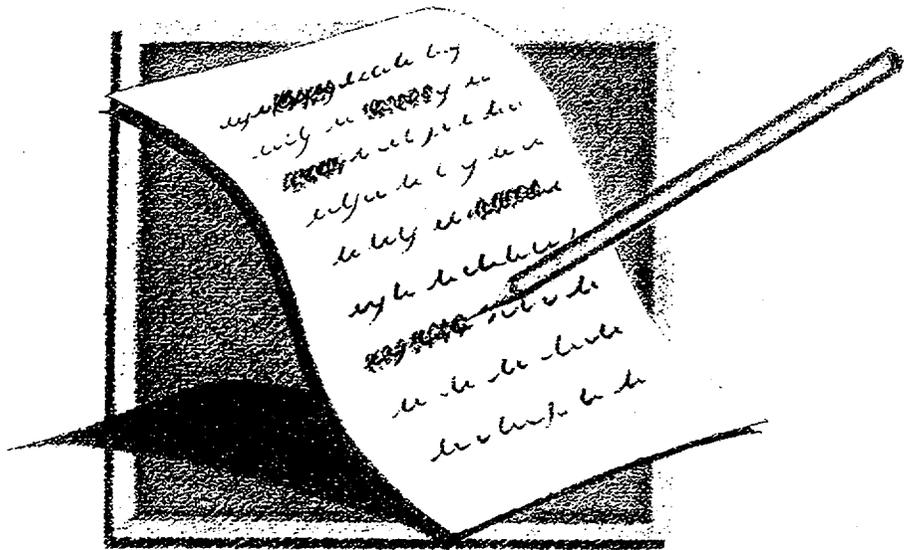
Louise Lund, "Plain Language Award", O-16E15, by c.o.b. on the last business day of the month.

## *Questions? Need help?*

Call Louise Lund at (301) 415-8508, e-mail at [LXL@NRC.GOV](mailto:LXL@NRC.GOV), or see Plain Language Web Page on [NRC Internal Home Page](#).

# StyleWriter™

THE PLAIN ENGLISH EDITOR

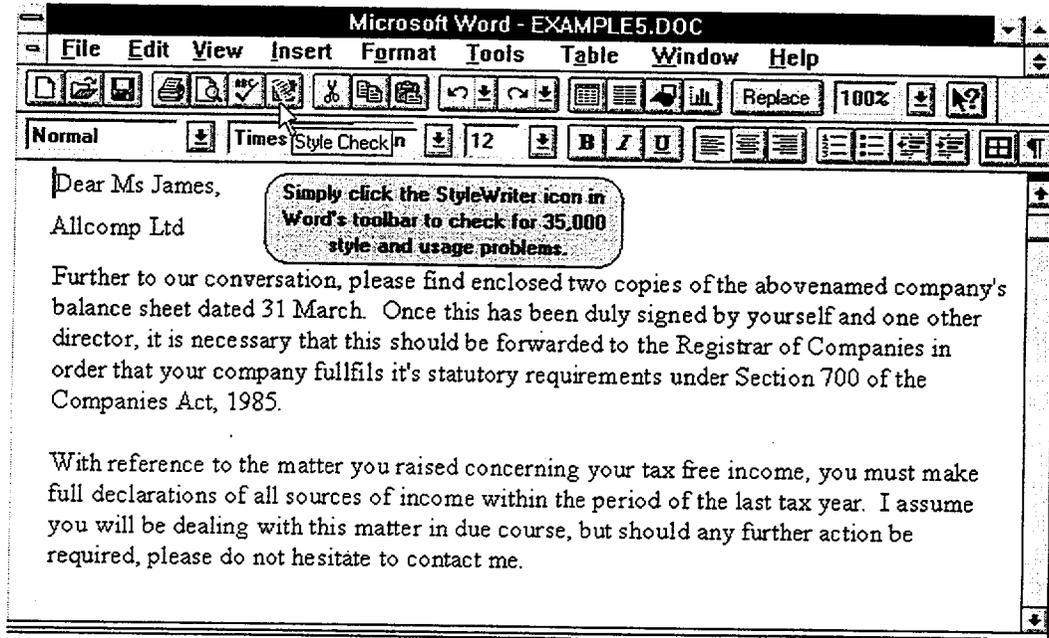


WINDOWS VERSION 3

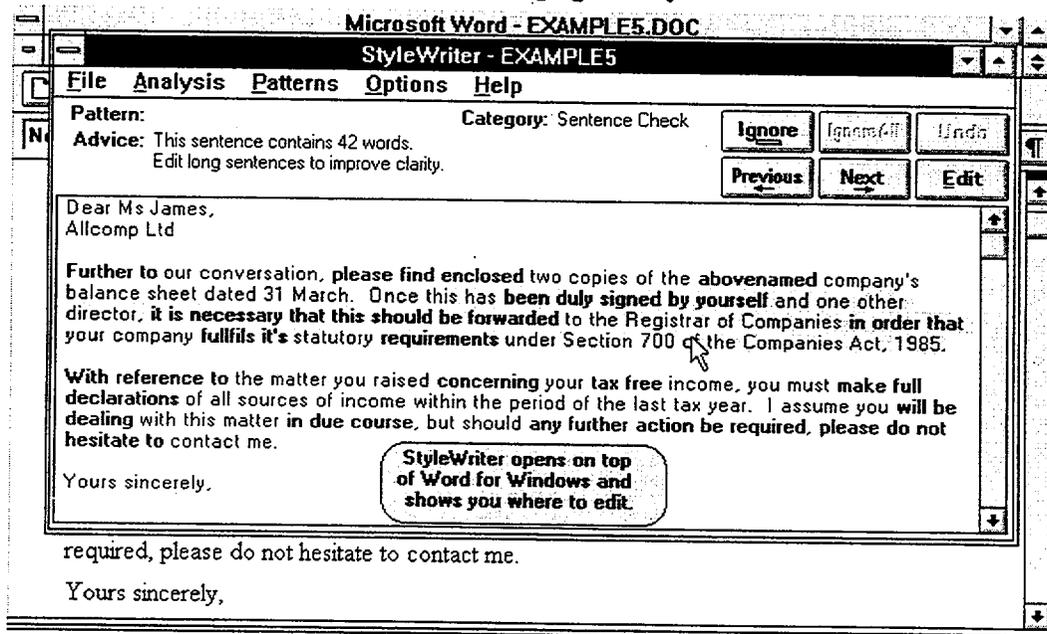
The way to clear, concise and readable writing

# How StyleWriter Helps you Edit

1. Open a file or draft a file in your word processor.
2. Click on the StyleWriter icon in the tool bar.

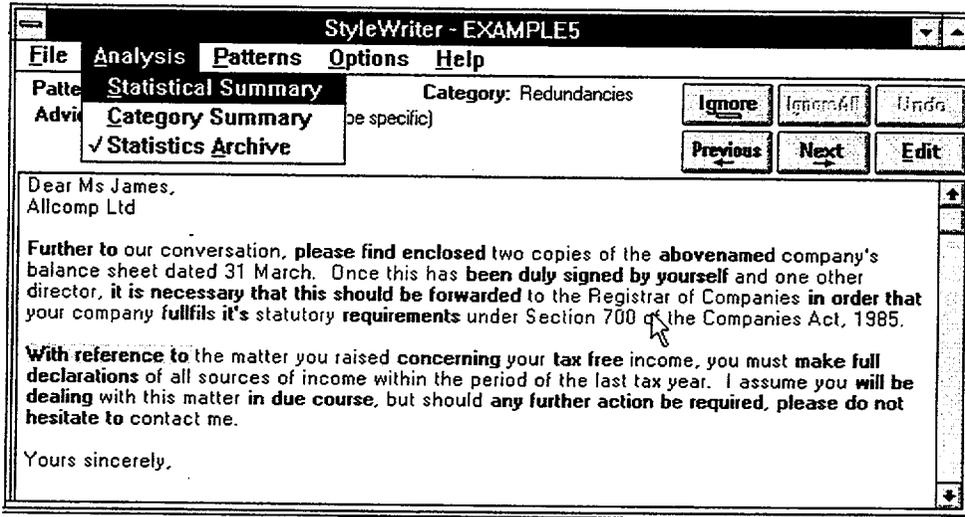


**StyleWriter opens over your word processor and analyses your document at a page every second.**

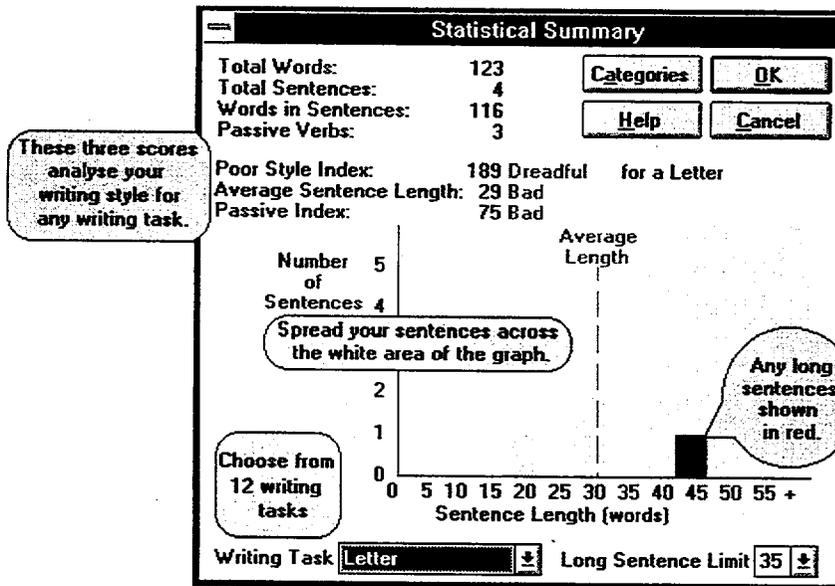


**StyleWriter shows you the words, phrases and sentences to change to improve style, clarity and English usage.**

3. Click StyleWriter's Analysis.
4. Click StyleWriter's Statistical analysis.

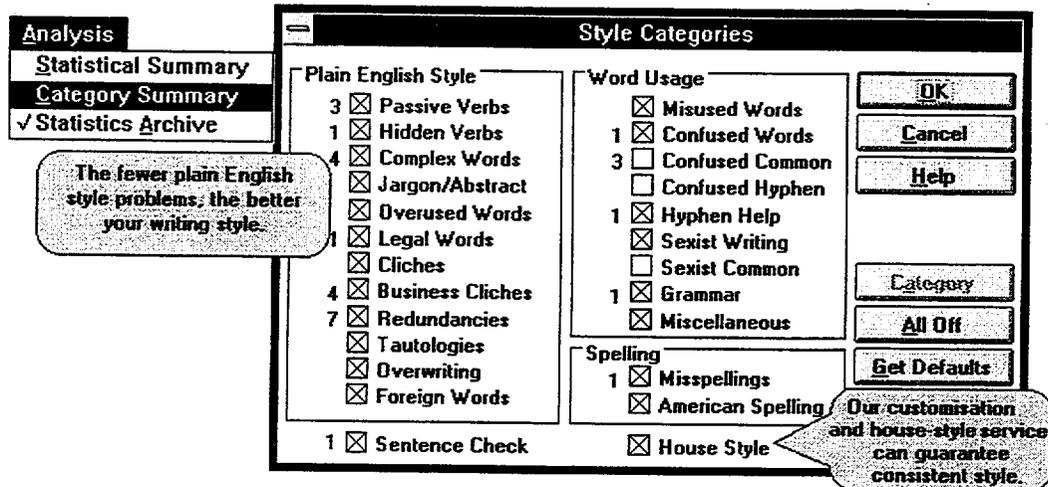


Before you start editing, check StyleWriter's Statistical Summary and Category Summary. These analyse your document for good style and correct English usage.



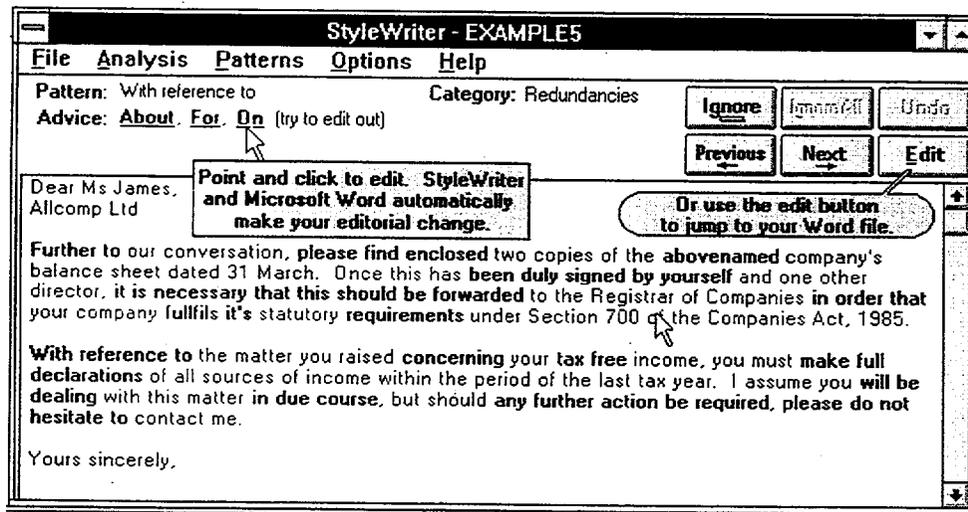
StyleWriter shows three key statistics on your document and your spread of sentences. To write in clear English, keep your three scores below 20 and vary your sentence lengths.

5. Click *Category Summary* or the *Categories* button in the previous screen.



The Plain English style categories show you your writing habits. You can switch categories on  or off  to tailor the program. You can set your own house-style rules in StyleWriter.

6. Click *OK* to return to the *Text* screen.



Editing with StyleWriter is easy. Click the editorial advice at the top of the screen or click the *Edit* button to make your changes in your word processor.

# **federal register**

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**Friday  
December 11, 1998**

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**Part IV**

**Department of  
Transportation**

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**Research and Special Programs  
Administration**

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**49 CFR Parts 105, 106, and 107  
Revised and Clarified Hazardous  
Materials Safety Rulemaking and Program  
Procedures; Proposed Rule**

**DEPARTMENT OF TRANSPORTATION****Research and Special Programs Administration****49 CFR Parts 105, 106, and 107**

[Docket No. RSPA-98-3974]

RIN 2137-AD20

**Revised and Clarified Hazardous Materials Safety Rulemaking and Program Procedures**

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

**SUMMARY:** In response to President Clinton's mandate to Federal agencies to make communications with the public more understandable, RSPA is issuing this NPRM in which it proposes to revise and clarify the hazardous materials safety rulemaking and program procedures by:

- Putting them into plain language and making minor substantive changes.
- Creating a new part that will contain all defined terms used in RSPA's procedural regulations.
- Demonstrating clearer Federal Register and Code of Federal Regulations (CFR) formats.

**DATES:** Send your comments on or before February 9, 1999.

**ADDRESSES:** Address your comments to the Docket Management System, U.S. Department of Transportation, Room PL 401, 400 Seventh Street, SW, Washington, DC 20590-0001. You must identify the docket number RSPA-98-3974 at the beginning of your comments, and you should submit two copies of your comments. If you wish to receive confirmation that RSPA has received your comments, include a self-addressed, stamped postcard. You may also submit comments by e-mail to [rspa.counsel@rspa.dot.gov](mailto:rspa.counsel@rspa.dot.gov). You may review public dockets containing comments to these proposed regulations in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Dockets Office is on the plaza level of the Nassif Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Karin Christian, Office of the Chief Counsel, (202) 366-4400, Research and Special Programs Administration.

**SUPPLEMENTARY INFORMATION:**

**1. Proposed Substantive Changes**

RSPA ("we") proposes to revise all of parts 106 and 107, and to create a new part 105 that will eventually contain all definitions for terms used in Title 49, parts 106, 107 and 110, and perhaps parts 130 and 171 through 180. The proposed revisions respond to President Clinton's June 1, 1998 Executive Memorandum directing Federal agencies to make communications with the public more understandable. We propose to clarify existing requirements and make minor substantive changes which are explained in the following paragraphs. We will revise the remainder of subchapter A into plain language in a future rulemaking.

**Part 105**

We propose to create a new part 105 that will tell you how to obtain information from us about our procedural regulations and the Hazardous Materials Regulations (HMR). It will also explain subpoenas and service of documents. We also have revised mailing addresses throughout parts 105 and 106 to ensure that documents you send us reach the appropriate RSPA office in a timely manner.

Also, proposed part 105 would eventually contain all definitions that are now in various places throughout subchapter A and may eventually include the definitions now found throughout subchapters B and C. This change would let you go to a single location for all defined terms. Part 105 would also include some definitions found in section 5102 of Federal hazardous material transportation law, 49 U.S.C. 5101 et seq, that apply to terms used in the Hazardous Materials Regulations but do not appear in the regulations themselves. As a result of the present deficiency, you must refer to the statute to determine what particular words in the regulations mean.

At this time, proposed part 105 contains a limited number of definitions that have been rewritten into plain language. Many of these terms are also defined in 49 CFR parts 107 and 171. Consequently, the same term may be defined with different language in part 105 on the one hand and parts 107 and 171 on the other. Nevertheless, the plain language definitions in proposed part 105 are intended to have the same meaning as those in parts 107 and 171; we did not intend to make any substantive changes when we rewrote the proposed part 105 definitions into plain language.

**Part 106**

Proposed § 106.5 contains new information on our rulemaking process. Specifically, it states that we use informal rulemaking procedures under the Administrative Procedure Act. Furthermore, this section sets out the types of rulemaking documents we normally use to propose and adopt changes to our regulations.

Section 106.15 describes an advance notice of proposed rulemaking.

Section 106.20 describes a notice of proposed rulemaking.

Section 106.30 describes a final rule.

Section 106.35 describes an interim final rule.

Section 106.40 describes a direct final rule.

Section 106.70 proposes to allow commenters to electronically file their comments in a rulemaking proceeding. It also would allow us to reject paper and electronic comments that are frivolous, abusive, or repetitious.

Sections 106.80 through 106.95 talk about "public meetings" rather than "informal hearings." We are proposing this language change to more accurately reflect the nature of these public, information-gathering sessions.

Sections 106.115 through 106.140 propose to eliminate the current petition-for-reconsideration procedures in § 106.35 and § 106.38. Current § 106.35 requires that you file a petition for reconsideration of a rule with either RSPA's Associate Administrator for Hazardous Materials Safety or RSPA's Chief Counsel, depending on the subject matter of the regulation you are challenging. Current § 106.38 then allows you to appeal the decision of the Associate Administrator or the Chief Counsel by filing an appeal with RSPA's Administrator.

Only the Administrator has the authority, delegated from the Secretary of Transportation, to grant a petition for reconsideration that results in a new final rule. Therefore, petitions for reconsideration and appeals are currently processed through the Administrator. The proposed regulatory change avoids duplicative appeal procedures by limiting the process to action by the Administrator only.

**Part 107**

The substance of the procedural regulations in part 107, subpart A, has been captured in proposed parts 105 and 106. Consequently, with the exception of § 107.1—which would contain the definitions now found in

§ 107.3—we propose to remove the regulations currently contained in Part 107 subpart A.

## 2. Clearer Federal Register and CFR Formats

Plain language helps readers find requirements quickly and understand them easily. To do that, we have reorganized and reworded the parts using plain-language techniques not usually found in the Federal Register and CFR, such as these:

- Undesignated center headings cluster related sections within subparts.
- Short sections, paragraphs, sentences, and words speed up reading and enhance understanding.
- Sections as questions and answers focus sections better and combine to establish a rule.
- Personal pronouns reduce passive voice and draw readers into the writing.
- Tables display complex information in a simple, easy-to-read format.

In coordination with the Office of the Federal Register (OFR) and the National Partnership for Reinventing Government (NPR), RSPA is proposing changes in format that would make all regulations easier to read. The changes respond to the call in President Clinton's Executive Memorandum of June 1, 1998, for writing that uses "easy-to-read design features." RSPA intends to use these and other plain language techniques, as appropriate, in future rulemaking projects if the OFR approves them for general use. The public and all agencies are invited to comment on the proposed changes.

### Staggering Paragraph Levels

OFR strongly recommends that agencies never use more than three levels of paragraphs (for example (a)(1)(i)), but distinguishing one level from another is hard because all paragraphs in the CFR start at the same distance from the left margin. To make relative importance stand out, we have drafted this proposed rule using the following format features:

- *Different paragraph levels start in different places.* You see the limit of three levels and proposed staggered indentations at § 106.45. Indenting first lines of three levels of paragraphs has virtually no effect on the length of the text.
- *Main paragraphs start at the margin.* This change would show that main paragraphs (those without numbers or letters) are at the highest level. See the first sentence in § 106.45.

### Spacing Between Paragraphs

The dense formats of the Federal Register and CFR save on pages but hinder reading. Though section headings are framed by blank lines above and below them, there is no such relief to the fine print within a section, where users do their closest reading. To make navigation faster and easier, at least one commercial publisher of the Federal Acquisition Regulations has adopted two techniques that RSPA proposes here:

- *Blank half lines separate paragraphs.* The visual relief helps readers move around and spot things fast. Using this proposed rule document as an example, blank half lines add about one-half page in 10 (or an increase of about 5 percent). Agencies may be able to offset this space increase and resulting increases in publication costs by taking advantage of some economies of plain language.
- *All new paragraphs start on new lines.* Most paragraphs do start on new lines now, with this exception: when a paragraph consists of just a heading, the next paragraph starts beside it. The compression creates an occasional inconsistency that complicates reading. Imagine § 106.40(d)(1) starting next to "Withdrawing a direct final rule." The proposed change makes the placement of section designations entirely consistent. It lets readers devote more of their limited time to understanding the substance and less to compensating for the format's irregularities.

RSPA, OFR and NPR are interested in your views on the need for format changes in the Federal Register and CFR. Changes can be implemented over time, as new regulatory documents are published, but where? In the Federal Register alone? In the CFR as well? Within the Federal Register, should blank half lines between paragraphs be added to regulatory text alone or to preambles as well?

### Identifying Defined Terms

RSPA proposes to list, at the beginning of each subpart, the defined terms that are used within the subpart and to refer the reader to the new part 105 definitions. This way, readers will know that RSPA has given a term a precise meaning and will know where to find it. This proposal leaves certain practices unchanged. In a definitions section, writers would still underline a term on its first appearance and OFR would still italicize the defined term. In such a section, writers would still have the option of ending a definition with a cross-reference to the term's first

substantive use. Similarly, writers would still have the option of following the first substantive use of a defined term with a cross-reference back to the section that defines it.

### Clarifying Table Format

This proposal illustrates the use of horizontal lines and plain language in a table format, and adopts other standard features of table design. For an example, see the table in § 106.110.

- *Tables use horizontal lines.* This is common practice in newspapers and magazines (stock market tables are an example). But tables in the Federal Register and CFR often have vertical lines between columns, separating closely related matter and blocking normal left-to-right reading. Under this proposal, if-then tables would appear with horizontal lines between rows and no vertical lines anywhere.
- *Column widths vary.* Currently, columns may be too wide or too narrow for the amount of text. This proposal would have column widths adjusted to fit the text in them.
- *Column headings start at left margins.* Currently, column headings which are centered do not contribute to the clean left margin that substitutes for a vertical line.
- *Column headings appear in boldface.* In plain text now, they do not stand out as they might. Agencies would continue to have the option of submitting tables in camera-ready form.
- *Tables use text font.* In the past, tables and text have appeared in different fonts, a visual inconsistency we propose to eliminate.

### Centering Headings in the Federal Register

After clustering related sections into subparts, writers currently have the option of clustering them further under center headings. They draft these headings in initial caps, without number or letter designations, in both the text and tables of contents. You see the organizing power of center headings throughout parts 105 and 106.

Currently, undesignated center headings appear as intended in the CFR but not in the Federal Register. In the latter, center headings appear at the left margin and look like section headings without section numbers. The effect is confusing, especially for first-time readers. The proposed change would improve the placement and look of undesignated center headings in the Federal Register by making them appear centered as they do in the CFR.

### *Using Bulleted Lists in Preamble Summaries*

Currently, preamble summaries appear in running text only. But the information required there—what the rule does, why it is necessary, and the intended effect—lends itself to vertical listing with bullets. (See this preamble's summary.)

### **3. Regulatory Analysis and Notices**

#### *Executive Order 12866 and DOT Regulatory Policies and Procedures*

This rule is not considered a significant regulatory action under section 3(f) of Executive Order 12866. Consequently, it was not reviewed by the Office of Management and Budget. RSPA will not prepare a regulatory impact analysis or a regulatory evaluation because this proposed rule has minimal economic impact. This determination may change as a result of public comment. This proposed rule is not significant according to the Regulatory Policies and Procedures of the Department of Transportation (44 FR 11034; February 26, 1979).

#### *Executive Order 12612*

RSPA has analyzed this proposed rule in accordance with the principles and criteria in Executive Order 12612 ("Federalism"). RSPA has determined that this proposed rule does not have sufficient Federalism impacts to warrant the preparation of a federalism assessment.

#### *Executive Order 13084*

We do not believe that the revised regulations evolving from this NPRM will significantly or uniquely affect the communities of Indian tribal governments when analyzed under the principles and criteria contained in Executive Order 13084 ("Consultation and Coordination with Indian Tribal Governments"). Therefore, the funding and consultation requirements of this Executive Order would not apply. Nevertheless, this NPRM specifically requests comments from affected persons, including Indian tribal governments, as to its potential impact.

#### *Regulatory Flexibility Act*

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), RSPA must consider whether a notice of proposed rulemaking would have a significant economic impact on a substantial number of small entities. This proposed rule clarifies and revises RSPA's general procedures and rulemaking procedures to assist the public to better understand our procedures. Therefore, I certify that this proposed rule will not have a

significant economic impact on a substantial number of small entities.

#### *Paperwork Reduction Act*

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number. This proposed rule does not propose any new information collection requirements.

#### *Regulation Identifier Number (RIN)*

The Department of Transportation assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. You may use the RIN contained in the heading of this document to cross-reference this action with the Unified Agenda.

#### *Unfunded Mandates Reform Act*

This proposed rule does not impose unfunded mandates under the Unfunded Mandates Reform Act of 1995. It does not result in costs of \$100 million or more to either State, local, or tribal governments, in the aggregate, or to the private sector, and is the least burdensome alternative that achieves the objectives of the rule.

#### *Impact on Business Processes and Computer Systems*

Many computers that use two digits to keep track of dates will, on January 1, 2000, recognize "double zero" not as 2000 but as 1900. This glitch, the Year 2000 problem, could cause computers to stop running or to start generating erroneous data. The Year 2000 problem poses a threat to the global economy in which Americans live and work. With the help of the President's Council on Year 2000 Conversion, Federal agencies are reaching out to increase awareness of the problem and to offer support. We do not want to impose new requirements that would mandate business process changes when the resources necessary to implement those requirements would otherwise be applied to the Year 2000 problem.

This NPRM does not propose business process changes or require modifications to computer systems. Because this NPRM apparently does not affect organizations' ability to respond to the Year 2000 problem, we do not intend to delay the effectiveness of the proposed requirements in this NPRM.

### **List of Subjects**

#### **49 CFR Part 105**

Administrative practice and procedure, Hazardous materials transportation.

#### **49 CFR Part 106**

Administrative practice and procedure, Hazardous materials transportation, Packaging and containers, Penalties, Reporting and recordkeeping requirements.

#### **49 CFR Part 107**

Administrative practice and procedure, Hazardous materials transportation, Penalties, Reporting and recordkeeping requirements.

Accordingly, RSPA proposes to amend 49 CFR chapter I, subchapter A, as follows:

1. Add part 105 to read as follows:

### **PART 105—HAZARDOUS MATERIALS PROGRAM DEFINITIONS AND GENERAL PROCEDURES**

#### **Subpart A—Definitions**

Sec.

- 105.5 How does RSPA identify defined terms?  
105.10 How does RSPA define the terms used in this subchapter?

#### **Subpart B—General Procedures**

- 105.15 Which defined terms are used in this subpart?  
**Obtaining Guidance and Public Information**  
105.20 Where can I get guidance and interpretations?  
105.25 Where can I review public documents on file with RSPA?  
105.30 Is information I submit to RSPA made available to the public?

#### **Serving Documents**

- 105.35 How may RSPA and others serve documents in RSPA proceedings?  
105.40 How do I designate an agent to receive documents on my behalf if I am not a United States resident?

#### **Subpoenas**

- 105.45 What is involved in issuing a subpoena?  
105.50 How are subpoenas served?  
105.55 What if I do not want to obey a subpoena?

Authority: 49 U.S.C. 5101-5127.

#### **Subpart A—Definitions**

##### **§ 105.5 How does RSPA identify defined terms?**

This part contains the definitions for certain words and phrases used throughout this subchapter (49 CFR parts 105 through 110). At the beginning of each subpart, the Research and Special Programs Administration ("RSPA" or "we") will identify the

.....  
: A Plain English  
: Handbook

.....  
: *How to create clear*  
: *SEC disclosure documents*

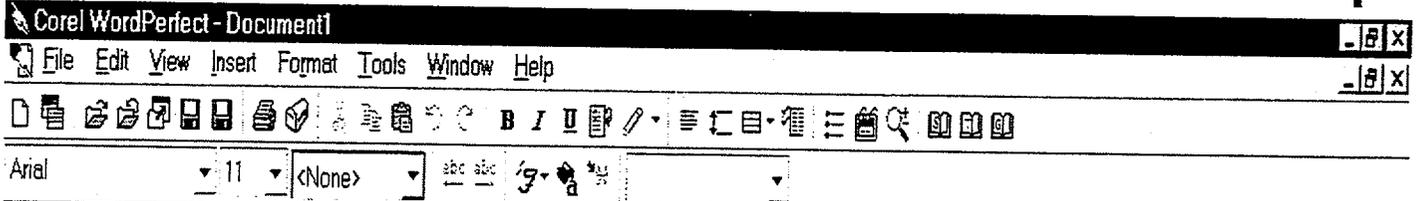
By the Office of Investor Education and Assistance  
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August 1998

## Plain English Document Checklist

- \_\_\_ written for the average reader
- \_\_\_ organized to serve the reader's needs
- \_\_\_ in question-and-answer format
- \_\_\_ uses "you" and other pronouns
- \_\_\_ uses active voice
- \_\_\_ uses short sections and sentences
- \_\_\_ written to one person, not a group
- \_\_\_ uses the simplest tense possible
- \_\_\_ uses "must" instead of "shall" to indicate a requirement
- \_\_\_ places words carefully (exceptions are last, subjects and verbs are together)
- \_\_\_ uses lists and tables
- \_\_\_ avoids confusing words and constructions
- \_\_\_ uses no more than two or three subordinate levels

# Plain Language

## Plain Language Help Is on Your Desktop



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**Answer:** Help is on the way! *Grammatik* comes to the rescue! This useful software tool is already available on your *Corel WordPerfect* tool bar. Here's how to use it:

Open your document in *Corel WordPerfect 8*. To open *Grammatik*, click on *Tools* on the tool bar near the top of your screen and click on *Grammatik*. Or, click on the book marked *G* on the far right of the tool bar. A box will open across the bottom portion of your screen.

To activate *Grammatik*, check on the *Grammatik* tab in the box across the bottom portion of your screen. Click on *Options*, and then click on *Checking Styles*. Two listings will appear. In the box on the left hand side, select "very strict," and on the right, click on "edit."

On the next screen, in the box on the left, be sure "long sentence" is checked, and, on the right, type "20" as the "long sentence length." Click on "save." You'll return to the *Checking Styles* screen. Click on "close." You are now back at your document, with the *Grammatik* box across the bottom of the screen.

If you see "start" or "resume" on the right hand side of that box, you may have to click there to start *Grammatik*. *Grammatik* will go through the document, pausing when it has a question – about spelling, punctuation, sentence construction, word choice, and sentence length. The box at the bottom of the page will show the concern, suggested changes, and the reason for the concern. You can accept or reject each suggestion. While many of the suggestions will be very helpful, you also are likely to reject many others. For a summary of why those areas were flagged, click on *Options* on the *Grammatik* screen. Choose *Analysis* and then *Flagged*. For data on sentence length, from *Analysis*, select *Basic Count* to see how many sentences are "long," that is, longer than your twenty-word limit. (Remember, you *may have* some long sentences in your document. You just don't want to have too many of them.)

Finally, for fun, from *Analysis*, select *Readability*, and you can see how your document stacks up – in terms of grade-level needed for comprehension, percentage of sentences in the passive voice, sentence complexity, and word complexity – compared to some famous writing. The comparison documents are a Hemingway short story, Lincoln's *Gettysburg Address*, and IRS form 1040EZ. You may be surprised at the results.

### Tip

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