

Subpart	Title
Part 175	
Subpart A	General Information and Regulations.
Subpart B	Loading, Unloading, and Handling.
Subpart C	Specific Regulations Applicable According to Classification of Material.
Part 176	
Subpart A	General.
Subpart B	General Operating Requirements.
Subpart D	General Segregation Requirements.
Subpart M	Detailed Requirements for Radioactive Materials.
Part 177	
Subpart A	General Information and Regulations.
Subpart B	Loading and Unloading.
Subpart C	Segregation and Separation Chart of Hazardous Materials.
Subpart E	Regulations Applying to Hazardous Material on Motor Vehicles Carrying Passengers for Hire.
Part 178	
Subpart K	Specifications for Packagings for Class 7 (Radioactive) Materials.

We are seeking comments on whether any requirements for radioactive materials transportation in parts 172, 173, 174, 175, 176, 177, and 178 have a significant impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations under 50,000. If your business or organization is a small entity and if any of the radioactive materials requirements in parts 172, 173, 174, 175, 176, 177, and 178 have a significant economic impact on your business or organization, please submit a comment explaining how and to what degree these rules affect you, the extent of the economic impact on your business or organization, and why you believe the economic impact is significant.

II. Plain Language

A. Background and Purpose

Plain language helps readers find requirements quickly and understand them easily. Examples of plain language techniques include:

- (1) Undesignated center headings to cluster related sections within subparts.
- (2) Short words, sentences, paragraphs, and sections to speed up reading and enhance understanding.
- (3) Sections as questions and answers to provide focus.
- (4) Personal pronouns to reduce passive voice and draw readers into the writing.

(5) Tables to display complex information in a simple, easy-to-read format.

For an example of a rule drafted in plain language, you can refer to RSPA's final rule entitled "Revised and Clarified Hazardous Materials Safety Rulemaking and Program Procedures," which was published June 25, 2002 (67 FR 42948). This final rule revised and clarified the hazardous materials safety rulemaking and program procedures by rewriting 49 CFR part 106 and subpart A of part 107 in plain language and creating a new part 105 that would contain definitions and general procedures.

B. Review Schedule

In conjunction with our section 610 reviews, we will be performing plain language reviews of the HMR over a 10-year period on a schedule consistent with the section 610 review schedule. Thus, our review of requirements in parts 172, 173, 174, 175, 176, 177, and 178 applicable to radioactive materials transportation will also include a plain language review to determine if the regulations can be reorganized and/or rewritten to make them easier to read, understand, and use. We encourage interested persons to submit draft regulatory language that clearly and simply communicates regulatory requirements, and other recommendations, such as putting information in tables or consolidating regulatory requirements, that may make the regulations easier to use.

Issued in Washington, DC on March 31, 2003 under authority delegated in 49 CFR part 106.

Robert A. McGuire,

Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 266

[FRA Docket No. 3R-1979-1, Notice No. 3]

RIN 2130-AA60

Local Rail Freight Assistance to States

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Proposed rules; withdrawal.

SUMMARY: The FRA is withdrawing a notice of proposed rulemaking (NPRM) addressing the Local Rail Freight Assistance Program. In its NPRM published on November 30, 1990, 55 FR 49648, FRA proposed to modify 49 CFR part 266, which implements the agency's Local Rail Freight Assistance Program. Since the Administration has not requested, and the Congress has not provided, any appropriations for that program since 1995, and no new appropriations are anticipated, the proposed amendments are no longer necessary.

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