

contents is by a spray device (e.g., aerosols or pump- or trigger-actuated sprays) that expels the product solely as a mist. This exemption includes products that expel the product as a mist in their as-sold condition, but that can be modified by adding a tube to expel the product as a stream.

(ii) Writing markers and ballpoint pens exempted from labeling requirements under the FHSA by 16 CFR 1500.83.

(iii) Products from which the liquid cannot flow freely, including but not limited to paint markers and battery terminal cleaners. For the purposes of this requirement, hydrocarbons are defined as substances that consist solely of carbon and hydrogen. For products that contain multiple hydrocarbons, the total percentage of hydrocarbon in the product is calculated by adding the percentage by weight of the individual hydrocarbon components.

(31) *Drugs and cosmetics containing low-viscosity hydrocarbons.* All prepackaged nonemulsion-type liquid household chemical products that are drugs or cosmetics as defined in the Federal Food, Drug, and Cosmetics Act (FDCA) (21 U.S.C. 321(a)), and that contain 10 percent or more hydrocarbons by weight and have a viscosity of less than 100 SUS at 100° F, shall be packaged in accordance with the provisions of § 1700.15(a), (b), and (c), except for the following:

(i) Products in packages in which the only non-child-resistant access to the contents is by a spray device (e.g., aerosols or pump- or trigger-actuated sprays) that expels the product solely as a mist. This exemption includes products that expel the product as a mist in their as-sold condition, but that can be modified by adding a tube to expel the product as a stream.

(ii) Products from which the liquid cannot flow freely, including but not limited to makeup removal pads. For the purposes of this requirement, hydrocarbons are defined as substances that consist solely of carbon and hydrogen. For products that contain multiple hydrocarbons, the total percentage of hydrocarbon in the product is calculated by adding the percentage by weight of the individual hydrocarbon components.

\* \* \* \* \*

Dated: December 23, 1999.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[IL177-1b; FRL-6506-4]

#### Approval and Promulgation of Implementation Plan: Illinois

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve an Illinois' State Implementation Plan (SIP) revision request affecting air permit rules, submitted on July 23, 1998. In the final rules section of this **Federal Register**, the EPA is approving the State's request as a direct final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's request is set forth in the direct final rule. The direct final rule will become effective without further notice unless the Agency receives relevant adverse written comment on this action. Should the Agency receive such comment, it will publish a withdrawal of the final rule informing the public that the direct final rule will not take effect and such public comment received will be addressed in a subsequent final rule based on this proposed rule. If no adverse written comments are received, the direct final rule will take effect on the date stated in that document and no further activity will be taken on this action. EPA does not plan to institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Written comments on this proposed rule must be received on or before February 2, 2000.

**ADDRESSES:** Written comments should be mailed to:

J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal are available for inspection at: Regulation Development Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Lauren Steele, Environmental Engineer, Permits and Grants Section, Air Programs Branch (AR-18J), Environmental Protection Agency,

Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-5069.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the final rules section of this **Federal Register**.

Dated: December 1, 1999.

**Jo Lynn Traub,**

*Acting Regional Administrator, Region 5.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MT-001-0016b; FRL-6505-9]

#### Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for Montana; Revisions to the Missoula County Air Quality Rules

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State implementation plan (SIP) revisions submitted by the Governor of Montana with a letter dated November 14, 1997. This submittal consists of several revisions to Missoula County Air Quality Control Program regulations, which were adopted by the Montana Board of Environmental Review (MBER) on October 31, 1997. These rules include regulations regarding general definitions, open burning, and criminal penalties. This submittal also includes revisions to regulations regarding national standards of performance for new stationary sources (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPs), which will be handled separately.

In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial SIP revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.