

(31) *Hazardous substances containing low-viscosity hydrocarbons.* All prepackaged nonemulsion-type liquid household chemical products that are hazardous substances as defined in the Federal Hazardous Substances Act (FHSA) (15 U.S.C. 1261(f)), 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 where the pump or trigger mechanism has either a child-resistant or permanent attachment to the package).

(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 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 hydrocarbons in the product is the sum of the percentages by weight of the individual hydrocarbon components.

(32) *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 where the pump or trigger mechanism has either a child-resistant or permanent attachment to the package).

(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 hydrocarbons in the product is the sum of the percentages by weight of the individual hydrocarbon components.

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Dated: October 19, 2001.

**Todd A. Stevenson,**

*Acting Secretary, Consumer Product Safety Commission.*

#### List of Relevant Documents

1. Briefing memorandum from Suzanne Barone, Ph.D., EH, to the Commission, "Final Rule to Require Special Packaging for Hydrocarbons of Low Viscosity," September 12, 2001.

2. Memorandum from Robert L. Franklin, EC to Suzanne Barone, Ph.D., EH, "Economic Considerations Regarding the Final Rule to Require CR Packaging for Products Containing Low Viscosity Hydrocarbons," August 24, 2001.

3. "Pediatric Potential Aspirations of Cosmetic Products: 1998 Data," C. Craig Morris, Ph.D., U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis, March 2001.

4. "Pediatric Hydrocarbon Exposures and Potential Aspirations," C. Craig Morris, Ph.D., U.S. Consumer Product Safety Commission, Directorate for Epidemiology, Division of Hazard Analysis, February 2001.

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

**32 CFR Parts 40, 42, 46, 51, 55, 62, 63, 65, 72, 76, 79, 89, 98, 102, 103, 111, 114, 115, 132, 157, 159, 159a, 171, 186, 188, and 194**

### Removal of Regulatory Parts

**AGENCY:** Department of Defense.

**ACTION:** Final rule.

**SUMMARY:** The Department of Defense is removing various parts from chapter I, Office of the Secretary of Defense. This administrative action removes obsolete information from the Code of Federal Regulations and notifies readers of the availability of the current DoD documents that contain the information being removed.

**DATES:** This rule is effective October 25, 2001.

**FOR FURTHER INFORMATION CONTACT:** L. Bynum or P. Toppings, 703-601-4722.

**SUPPLEMENTARY INFORMATION:** The chart below identifies the status of the parts being removed. All documents with a current date status may be found as a DoD Directive (D), DoD Instruction (I), or DoD Publication on the Washington Headquarters Services Web site at <http://www.dtic.mil/whs/directives>.

Part No.	Document No.	Status
40 .....	Standard of Conduct Cross-Reference .....	No replacement.
42 .....	D5200.24 .....	Canceled by D5505.9, 4/20/95.
46 .....	D1000.4 .....	Current date 9/4/96.
51 .....	D1350.2 .....	Current date 8/18/95.
55 .....	D1205.9 .....	Completely canceled 9/19/97.
62 .....	D1010.4 .....	Current date 9/3/97.
63 .....	D1340.16 .....	Current date 9/20/97.
65 .....	D1304.19 .....	Current date 9/18/93.
72 .....	I1322.9 .....	Current date 10/5/95.
76 .....	D1235.10 .....	Current date 7/1/95.
79 .....	D1412.2 .....	Completely canceled 4/3/97.
89 .....	D1418.4 .....	Completely canceled 4/3/97.
98 .....	D7050.1 .....	Current date 12/4/98.
102 .....	D1215.6 .....	Current date 3/14/97.
103 .....	D1205.14 .....	Current date 5/24/74.
111 .....	I1205.13 .....	Current date 12/26/95.
114 .....	I7730.54 .....	Current date 3/15/99.
115 .....	I1200.15 .....	Current date 9/18/97.
132 .....	D1215.9 .....	Completely canceled 2/7/97.
157 .....	I5200.21 .....	Canceled by I3200.14, 5/13/97.
159 .....	D5200.1 .....	Current date 12/13/96.
159a .....	5200.1-R .....	Current date 1/14/97.

Part No.	Document No.	Status
171 .....	None .....	Rule expired 9/30/2000.
186 .....	D6055.9 .....	Current date 7/29/96.
188 .....	D6050.1 .....	Completely canceled 9/10/98.
194 .....	D2000.9 .....	Current date 1/23/74.

**List of Subjects***32 CFR Part 40*

Conflict of Interests.

*32 CFR Part 42*

Law enforcement, National defense, Wiretapping and electronic surveillance.

*32 CFR Part 46*

Elections, Government employees, Military personnel, Seamen.

*32 CFR Part 51*

Aged, Civil rights, Education, Equal employment opportunity, Individuals with disabilities, Military personnel, Religious discrimination, Sex discrimination.

*32 CFR Part 55*

Armed forces reserves, Health care.

*32 CFR Part 62*

Alcohol abuse, Drug abuse, Government employees, Military personnel.

*32 CFR Part 63*

Alimony, Child support, Military personnel, Pensions, Reporting and recordkeeping requirements.

*32 CFR Part 65*

Armed forces, Chaplains.

*32 CFR Part 72*

Armed forces, Colleges and universities.

*32 CFR Part 76*

Armed forces reserves.

*32 CFR Part 79*

Armed forces reserves, Disability benefits, Government employees, Intergovernmental relations, Pensions.

*32 CFR Part 89*

Government employees, Wages.

*32 CFR Part 98*

Armed forces, Fraud, Investigations.

*32 CFR Part 102*

Armed forces reserves.

*32 CFR Part 103*

Armed forces reserves.

*32 CFR Part 111*

Armed forces, Elementary and secondary education.

*32 CFR Part 114*

Archives and records, Armed forces reserves.

*32 CFR Part 115*

Armed forces reserves.

*32 CFR Part 132*

Armed forces reserves.

*32 CFR Part 157*

Classified information.

*32 CFR Part 159*

Classified information.

*32 CFR Part 159a*

Classified information.

*32 CFR Part 171*

Aircraft, Fire prevention.

*32 CFR Part 186*

Arms and munitions, Civil defense, Hazardous substances, Organization and functions (Government agencies).

*32 CFR Part 188*

Environmental impact statements.

*32 CFR Part 194*

Armed forces, Arms and munitions, Defense communications, Foreign relations, International organizations.

**PARTS 40, 42, 46, 51, 55, 62, 63, 65, 72, 76, 79, 89, 98, 102, 103, 111, 114, 115, 132, 157, 159, 159a, 171, 186, 188, and 194—[REMOVED]**

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR parts 40, 42, 46, 51, 55, 62, 63, 65, 72, 76, 79, 89, 98, 102, 103, 111, 114, 115, 132, 157, 159, 159a, 171, 186, 188, and 194 are removed.

Dated: October 19, 2001.

**L.M. Bynum,**

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 01-26845 Filed 10-24-01; 8:45 am]

**BILLING CODE 5001-08-M****DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 165****[CGD09-01-142]****RIN 2115-AA97****Safety Zone; Lake Michigan, Chicago, IL****AGENCY:** Coast Guard, DOT.**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the Navy Pier fireworks in Chicago, IL. This safety zone is necessary to protect vessels and spectators from potential airborne hazards during a planned fireworks display over Lake Michigan. The safety zone is intended to restrict vessels from a portion of Lake Michigan off Chicago, Illinois.

**DATES:** This rule is effective from 8 p.m. (local) October 13, 2001 to 11 p.m. (local) October 27, 2001.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD10-01-142] and are available for inspection or copying at Marine Safety Office Chicago, 215 W. 83rd Street, Suite D, Burr Ridge, Illinois 60521, between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** MST2 Mike Hogan, U.S. Coast Guard Marine Safety Office, 215 W. 83rd Street, Suite D, Burr Ridge, IL 60521. The telephone number is (630) 986-2175.

**SUPPLEMENTARY INFORMATION:****Regulatory Information**

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM, and under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. The permit application was not received in time to publish an NPRM followed by a final rule before the necessary effective date. Delaying