

partially or completely insectivorous. The Hawaiian hoary bat and many arthropod species also depend upon insects and spiders as a food source. The exemption application indicates that another concern is that the rapid increase in populations of these frog species could provide a food source for and enhance the already large populations of introduced predators, such as rats and mongooses.

In 2002, EPA granted the Hawaii Department of Agriculture a section 18 emergency exemption for the use of caffeine to control the *Eleutherodactylus* frogs. However, there was minimal usage of that section 18 program for caffeine.

In this request, the Applicant proposes to make a maximum of twelve applications per year at a rate of 250 pounds of product per acre (242.5 lbs. a.i. per acre) for foliar applications and 500 pounds per acre (485 lbs. a.i. per acre) for dust and soil drench applications. The projected acreage for 2004 through 2006 is 4,000 acres on outdoor plant nurseries, residential areas, resorts and hotels, parks, forest habitats, and natural areas throughout the entire state of Hawaii. Therefore, a maximum of 36,000,000 lbs. of calcium hydroxide could be applied using foliar applications and a maximum of 72,000,000 pounds of calcium hydroxide could be applied using dust and soil drench applications.

This notice does not constitute a decision by EPA on the application itself. Section 166.24 of the regulations governing section 18 of FIFRA indicates categories of exemption applications for which a notice of receipt should be published. An analogous exemption program intended to control introduced frogs in Hawaii involving the chemical caffeine drew significant public interest. Thus, EPA has determined that publication of this notice of receipt under 40 CFR 166.24(a)(7) is appropriate.

The notice provides a 15-day opportunity for public comment on the section 18 application for the use of calcium hydroxide against introduced frogs in Hawaii.

The Agency, will review and consider all comments received during the comment period in determining whether to issue the quarantine exemption requested by the Hawaii Department of Agriculture.

**List of Subjects**

Environmental protection, Pesticides and pests.

Dated: September 17, 2004.

**Betty Shackelford,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

[FR Doc. 04-21508 Filed 9-23-04; 8:45 am]

**BILLING CODE 6560-50-S**

**ENVIRONMENTAL PROTECTION AGENCY**

**[FRL-7817-4]**

**Connecticut Marine Sanitation Device Standard; Notice of Determination**

Coastal waters between Wamphassuc Point and Eastern Point, including portions of Fishers Island Sound, Pine Island Bay, Baker Cove, Mumford Cove, West Cove, Mystic Harbor, Mystic River, Quiambog Cove, lower portions of the Poquonnock River and lower portions of the Palmer Cove in Connecticut.

On April 16, 2004 notice was published that the State of Connecticut had petitioned the Regional Administrator, Environmental Protection Agency, to determine that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for all waters between Wamphassuc Point and Eastern Point, including portions of Fishers Island Sound, Pine Island Bay, Baker Cove, Mumford Cove, West Cove, Mystic Harbor, Mystic River, Quiambog Cove, lower portions of the Poquonnock River and lower portions of Palmer Cove. The petition was filed pursuant to Section 312(f)(3) of Public Law 92-500, as amended by Public Laws 95-217 and 100-4, for the purpose of declaring these waters a "No Discharge Area" (NDA).

Section 312(f)(3) states: After the effective date of the initial standards and regulations promulgated under this section, if any State determines that the protection and enhancement of the quality of some or all of the waters within such States require greater environmental protection, such State may completely prohibit the discharge from all vessels of any sewage, whether treated or not, into such waters, except that no such prohibition shall apply until the Administrator determines that adequate facilities for the safe and

sanitary removal and treatment of sewage from all vessels are reasonably available for such water to which such prohibition would apply.

The information submitted to me by the State of Connecticut certified that there are eleven disposal facilities available to service vessels operating in the Groton/Mystic portions of Connecticut waters. A list of the facilities, phone numbers, locations, and hours of operation is appended at the end of the determination.

Based on the examination of the petition and its supporting information, which included site visits by EPA New England staff, I have determined that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels are reasonably available for the area covered under this determination.

The area covered under this determination extends from Eastern Point, Groton at (41°19'08.94" N by 72°04'31.09" W) due south to the boundary between Connecticut and New York at (41°15'54.55" N by 72°04'31.09" W), then northeasterly following the boundary between Connecticut and New York to (41°17'26.34" N by 72°01'10.94" W) then continuing northeasterly following the boundary between Connecticut and New York to (41°18'37.84" N by 71°55'47.63" W) then south east following the boundary between Connecticut and New York to a point due south of Wamphassuc Point at (41°18'28.99" N by 71°55'15.75" W), then due north past Noyes shoal to Wamphassuc Point (41°19'40.63" N by 71°55'15.75" W), and following the boundary between Connecticut and Rhode Island to U. S. Route 1 over the Pawcatuck River and including all Connecticut waters seaward of U.S. Route 1.

This determination is made pursuant to Section 312(f)(3) of Public Law 92-500, as amended by Public Laws 95-217 and 100-4.

EPA has prepared a response to the one written comment it received during the 45-day comment period, and it may be requested from EPA by writing to: Ann Rodney, U.S. EPA New England, 1 Congress Street, Suite 1100, CWQ, Boston, MA 02114-2023.

Dated: September 13, 2004.

**Robert Varney,**

*Regional Administrator.*

Name	Location	Contact information	Hours of operation	Mean low water depth	Fee
Shennecosset Yacht Club.	Pine Island Bay .....	VHF CH 68; 860-445-7892.	June-Sept, 9 a.m.-6 p.m.	7 feet .....	Members Free, \$5 for non-members.

Name	Location	Contact information	Hours of operation	Mean low water depth	Fee
Pine Island Marina	Pine Island .....	VHF CH 68; 860-445-9729.	Apr-Nov, 9 a.m.-5 p.m.	8 feet .....	Free (portable cart).
Spicer's Noank Marina.	Mystic Harbor West Cove.	VHF CH 68; 860-536-4978.	Apr-Nov, 9 a.m.-5 p.m.	6 feet .....	Free self service portable cart; \$20 Service by marina staff with portable cart; (free dump station).
Noank Shipyard .....	Mystic Harbor .....	VHF CH 9; 860-536-9651	Year round, 8 a.m.-4:30 p.m.	15 feet .....	\$5, free for customers.
Noank Village Boatyard.	Mystic River, Noank.	VHF CH 68; 860-536-1770.	May-Dec, 8:30 a.m.-5 p.m.	8 feet .....	\$5 token for self service at stationary; \$30 mobile service, (1 stationary 1 portable).
Mystic Shipyard .....	Mystic Harbor .....	VHF CH 9, 68; 860-536-6588.	June-Sept, 8 a.m.-5 p.m.; May-Oct M-F 8 a.m.-5 p.m.	10 feet .....	Free.
Mystic Seaport Pumpouts.	Mystic River .....	VHF CH 68; 860-572-0711.	July-Aug, 8 a.m.-7 p.m.; May, June, Sept, & Oct, 8 a.m.-4 p.m.	15 feet .....	Free, (2 pumpouts).
Mystic Shipyard East.	Mystic River .....	VHF CH 9, 68; 860-536-4882.	May-Oct, 8 a.m.-4 p.m.	3 feet .....	\$5, free for customers.
Brewer Yacht Yard at Mystic.	Mystic River .....	860-536-2293 .....	May-Nov, Sun-Thur, 8 a.m.-5 p.m.; Fri-Sat, 8 a.m.-8 p.m.	11 feet .....	\$5, free for customers.
Brower's Cove Marina.	Mystic River .....	860-536-8864 .....	Year Round, 9 a.m.-5 p.m.	N/A (dump station only) ...	Free.
Mystic River Marina	Mystic River .....	VHF CH 9; 860-536-3123	May-Sept, 8 a.m.-5 p.m.	9 feet .....	\$5.
Groton, Noank, Mystic Pumpout boat.	Mystic River .....	VHF CH 68; 860-460-7336, 860-448-4084.	Memorial Day-Oct, Sat, Sun & Mon; holidays, 10 a.m.-6 p.m.	N/A (boat) .....	Free.

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## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92-237; FCC 04-203]

### North American Numbering Plan, NeuStar, Inc., Request To Allow Certain Transactions Without Prior Commission Approval and To Transfer Ownership

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Commission makes minor modifications to the conditions placed on NeuStar, Inc. (NeuStar) in its role as the North American Numbering Plan Administrator (NANPA) in the *Warburg Transfer Order*. The Commission grants, in part, NeuStar's request to perform certain changes and transactions that do not affect its neutrality, without prior Commission approval.

**FOR FURTHER INFORMATION CONTACT:** Pam Slipakoff, Attorney, Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-7400, TTY (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order in CC Docket No. 92-237 released on August 26, 2004. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 12th Street, SW., Washington, DC 20554.

#### I. Introduction

1. We grant, in part, NeuStar's request to perform certain changes and transactions that do not affect its neutrality, without prior Commission approval.

2. Since the regulation of NeuStar as a privately held company would differ in some respects from the regulation of NeuStar as a publicly owned company, our review distinguishes the effects of and the limitations placed on NeuStar's requests under its current organizational

structure and after an initial public offering (IPO). We find that prior approval is no longer required under NeuStar's current organizational structure or after an IPO, subject to the conditions listed herein, for changes to: (1) The structure or size of NeuStar's Board; (2) NeuStar's bylaws, charter or securities; and (3) NeuStar's corporate structure. Under its current organizational structure, however, NeuStar must continue to seek prior approval for: (1) The acquisition of equity interests in NeuStar by a telecommunications service provider (TSP) or TSP affiliate; and (2) any transaction that would increase Warburg, Pincus & Co.'s (Warburg's) percentage equity interest in NeuStar. We also conclude that prior approval will not be required once NeuStar becomes a public company for: (1) Transactions that dilute or do not increase any interests of a TSP or TSP affiliate in NeuStar; (2) NeuStar to issue indebtedness to any entity that is not a TSP or TSP affiliate; (3) NeuStar to acquire an equity interest in any entity that is not a TSP or TSP affiliate.