

Application to Reorganize/Expand an Existing Foreign-Trade Zone under Traditional Site Framework (TSF) – Instruction Sheet

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No zone, subzone, zone expansion/reorganization/modification, or production authority may be approved unless a completed application/notification/request has been received (19 U.S.C. 81a-81u; 15 CFR Part 400). The Foreign-Trade Zones Board has no authority to finance zone projects. Its approval is in the form of a grant of authority (license) for operating a facility under foreign-trade zone procedures. The basic requirements for foreign-trade zone applications are found in the regulations of the Foreign-Trade Zones Board (15 CFR Part 400), including Sections 400.21 through 400.25. Application formats are available on the FTZ Board web site: <http://www.trade.gov/ftz>.

Corporations submitting applications must be qualified to apply under the laws of the state in which the zone is to be located. Applicants may submit drafts of their applications to the FTZ Staff, which can provide comments and technical assistance in interpreting the Board's regulations.

Applicants should note that conduct of their proposed activity under FTZ procedures would result in an additional, ongoing information-collection burden associated with the Annual Report from Foreign-Trade Zones (OMB Control No. 0625-0109).

FTZ Staff
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Foreign-Trade Zones Board
U.S. Department of Commerce
1401 Constitution Avenue, N.W., Room 21013
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(202) 482-2862

Application to Reorganize/Expand an Existing Foreign-Trade Zone under Traditional Site Framework (TSF)

General: The application formats consists of a series of questions to answer. (For ease of use, each part of the formats is provided as a MS Word document.) Leave each question in place in the document (including its identifying number) and provide your response directly below each question.

The standard format for an application to expand or reorganize an existing FTZ under the traditional site framework is comprised of two parts:

- Part One - General Information Section. This section contains questions for any reorganization or expansion under the traditional site framework.
- Part Two - Site-Specific Section for a Modified/New Site. The site-specific Part Two will need to be completed separately for each new or modified site (with required attachments immediately following each site).

Confirm Your Existing Sites: All applicants should contact the FTZ Staff at an early stage in the process of drafting an application to confirm that the grantee's records regarding existing FTZ sites match the FTZ Board's records (including the descriptions of the individual sites).

Sites versus Parcels: A "site" is composed of one or more generally contiguous parcels of land organized and functioning as an integrated unit, such as all or part of an industrial park or airport facility. If parcels do not share an identity, then they must be treated as separate sites.

Adjacency Requirement: The FTZ Act and Regulations require each zone site to be within or adjacent to a U.S. Customs and Border Protection (CBP) port of entry (as listed and defined in part 101 of the CBP Regulations - 19 CFR 101.3). That requirement can be satisfied if the zone site is: 1) within the limits of a CBP port of entry or 2) within 60 statute miles or within 90 minutes' driving time from the outer limits of the boundaries of a CBP port of entry, as determined or concurred upon by CBP.

Site Numbering: Use new numbers for wholly new sites. For example, if your FTZ no longer has a Site 2, do not use number 2 for a new site - use the next number in the sequence of unused numbers. However, modification of an existing site can use the number the site has already been assigned.

SUBMISSION OF APPLICATIONS

Pre-Docketing Submission. Applicants shall submit a single complete copy of an application for pre-docketing review. The complete copy must include all required answers and documents, including the application letter and resolution. The application can be submitted via e-mail (ftz@trade.gov). The FTZ Board's staff will review the pre-docketing submission within 30 days and will notify the applicant either to submit the final application or to correct deficiencies.

Format of Final Version of Application. Hard copies of the final version of your application can be stapled or - if the application is too thick to be stapled - submitted in a three-ring binder (not spiral-bound). Use of a three-ring binder greatly facilitates replacement of pages, when necessary.

Final Submission. Please submit the original and one paper copy of the application plus an electronic copy (Adobe PDF format preferred). If you cannot submit a PDF-format copy, you may submit a MS Word-format copy. Note that, in either case, the electronic copy must include color maps and scans of the signed versions of all letters.

Filing Fees. The FTZ Regulations (§400.29(b)(3)) require a \$1,600 filing fee for an “Expansion application”. The currently dated check should be made payable to "U.S. Department of Commerce ITA." The Federal Tax ID number is 91-2014781.

Timeframe for FTZ Board to process request. The ordinary timeframe under the FTZ Board’s regulations is ten (10) months from the time of docketing.

If you have questions on any aspect of the application process, do not hesitate to contact the FTZ Staff at (202) 482-2862.

Application for Reorganization/Expansion of Existing FTZ under the Traditional Site Framework

PART ONE: General Information Section

This document constitutes Part One of the format for reorganization/expansion applications under the FTZ Board’s traditional site framework. The questions in Part One pertain to General Information needed for a reorganization/expansion. The separate document for Part Two contains site-specific questions for any proposed modified or new site.

IMPORTANT: For each question below that is not limited to requiring attachment of one or more separate documents, type your answer to the question directly below the question (leaving the words of the question - including its identifying number or letter - in place).

APPLICATION LETTER

- 1. The core of the application is a letter from the grantee that summarizes the application and transmits the full application (the completed application format for Part One and Part Two plus required attachments) to the FTZ Board. The letter should summarize the authority being requested, the proposed zone sites and facilities, and how the proposed sites would meet a demonstrated need for FTZ services. The letter should be dated within six months prior to the submission of the application and signed by an authorized officer of the grantee corporation (see item number 12 under “Legal Authority for the Application” below).

[Attach your Application Letter at the front of your application page.]

STATUS OF ZONE and PROPOSED MODIFICATIONS TO EXISTING SITES

- 2. For each current FTZ site, provide the information below on a site-by-site basis, including whether the site - in part or whole - no longer requires FTZ status. For each current site that you are modifying (rather than deleting), also complete Part Two of the application format ("Site Specific Information for a Modified/New Site").

For each of your current sites, complete a separate copy of the following table (instructions on duplicating the table are immediately below the table). Your answer to a given question may extend beyond a single line if necessary – the affected “cell” of the table should expand automatically to accommodate one or more additional lines of text.

a. Site Number:	b. Site’s current FTZ-designated acreage:	c. Number of site’s acres currently used for activity under FTZ procedures:
d. Describe the site’s current activity (incl. role of FTZ status) and/or activation plans:		
e. When was the site approved? Does it have a time limit (if yes, explain)?		
f. Do you wish to delete or modify the site through this request? If yes, explain.		

Note on how to duplicate the table (as needed): You can duplicate the table above by highlighting the entire table with your computer mouse, then clicking “Copy”, and the positioning your mouse at a blank line below the original table and clicking “Paste.”

JUSTIFICATION FOR MODIFIED/NEW SITES (IF PROPOSED)

Only complete this section if you are proposing to modify (rather than delete) existing FTZ sites or proposing to add new sites.

3. If your zone was not the first FTZ established for your CBP port of entry (entitlement zone), explain why the existing zone(s) is not adequately serving the “convenience of commerce” (needs of potential users) for the proposed service area/proposed expansion sites. Cite evidence to support all assertions.
4. In general, describe the need for the reorganization/expansion of the zone. Explain why the current configuration of your zone is unable to meet businesses' needs for FTZ services. Explain the link between the need for FTZ services at the proposed sites and the level of international trade in the community.
5. Describe the local economy's strengths and weaknesses, in general, including established and emerging industries and particular challenges.
6. Describe in detail the grantee's process for selecting each site proposed. Discuss the criteria applied in that process and how those criteria relate to the local economic development plans. Indicate the public entities involved in the site-selection process.
7. Explain in detail why each site is needed to provide FTZ services to your community(ies). Address the degree to which each site may duplicate types of facilities at the zone’s existing sites (and other proposed sites, where applicable).
8. Attach specific expressions of interest from potential zone users for each proposed site. To serve such users, why is each additional site you are proposing needed even though “subzone” designation for individual operators/users is available through simple three-month or five-month processes under the FTZ Board’s 2012 regulations?
9. Explain the anticipated economic impact, direct and indirect, of each modified/new zone sites. Address how each modified/new sites are tied to local/state/regional economic development plans (including military base conversion, enterprise zone, empowerment zone, brownfield re-use).

TABLE ON MODIFIED/NEW SITES (IF PROPOSED)

10. For any modified or new sites, provide a table with the information below. (Your answer to a given question may extend beyond a single line if necessary -- the affected “cell” of the table should expand automatically to accommodate one or more additional lines of text. You also may add rows to the table as necessary.)

- Site Number – For any new site, the proposed number will be the next available number for the zone. For a modification to an existing site, this will be the number already assigned to the site by the FTZ Board (as reflected in the FTZ Board’s documents to you).
- Change to Site – Fill in field as follows:
 - If the site being proposed will be entirely new, indicate “New”.
 - If the site already existing in your zone and you propose to retain the site but with modified site boundaries, indicate “Modify”.
- Basic Description of Site and Address – This will include the name of industrial park and the street address of the site that is the primary indication of the site’s physical location.
- Proposed Acreage – Indicate the number of acres within the proposed boundaries of the site.

Site Number	Change to Site	Basic Description of Site and Address	Proposed Acreage

GENERAL INFORMATION FOR MODIFIED/NEW SITES (IF PROPOSED)

These questions request certain general information about modified/new sites you may be proposing. (There is also Part Two of the application format – "Site Specific Information (for a Modified/New Site)" – to complete for each modified/new site.)

11. CBP Automated Systems and Security Requirements: For the proposed modified/new sites of your zone, confirm that you commit to working with U.S. Customs and Border Protection (CBP), as appropriate, to meet current and future CBP automated-systems requirements (such as ACE) and to meet any CBP security requirements related to activation?
12. Please state that the applicant is aware that FTZ status would not exempt any site or party (e.g., operators or users) from any Federal, state or local environmental requirements.
13. In a "General Map(s)" attachment after the text of Part One of your application, provide one or more maps showing the modified/new sites in relation to your existing FTZ sites. All documents must be legible and letter-sized (8 ½” x 11”).

OTHER APPLICATION REQUIREMENTS

Legal Authority for the Application:

14. In an attachment called "Legal Authority for Application" after the text of Part One of your application and the “General Maps” attachment, submit:
 - a) A current copy of the state enabling legislation regarding FTZs.
 - b) A copy of the relevant sections of the grantee’s charter or organization papers. For grantees that are non-public, please provide evidence of the organization’s current legal standing with

the state. This can include a letter or documentation from an appropriate state official or from the state's official website.

- c) A certified copy of a resolution of the applicant's governing body specific to the application authorizing the official signing the application letter. The resolution must be dated no more than six (6) months prior to the submission of the application. The resolution should indicate the nature of the application.

Application for Reorganization/Expansion of Existing FTZ under the Traditional Site Framework

PART TWO: Site-Specific Section for a Modified/New Site

This document constitutes Part Two of the format for reorganization/expansion applications under the FTZ Board's traditional site framework. Part Two is only needed for a modified/new site and must be completed separately for each modified/new site. Complete a separate copy of Part Two for each site – attach documents needed for Items M and N (and O, if applicable) directly behind the completed text for the site in question. For existing sites where acreage is only being removed, please answer Items A through C and Item M.

IMPORTANT: For each question below that is not limited to requiring attachment of one or more separate documents, type your answer to the question directly below the question (leaving the words of the question - including its identifying number or letter - in place). Also make sure that you have read and understood the separate instructions document pertaining to this format.

SITE-SPECIFIC QUESTIONS

- A. Site Number: _____. Indicate the site's distinct identifying number (which must tie to your table for Question 2 or Question 10 in Part One of this application.)
- B. Site Address: Provide the site's address, including the jurisdiction in which the site falls (town, city, county).
- C. Indicate the site's proposed acreage.
- D. If applicable, explain how the site will incorporate part of an existing permanent or temporary site.
- E. Indicate the closest CBP port of entry. Explain if the site is within the boundaries of the CBP port of entry. If not, indicate how many miles the site is from the outer limits of the CBP port of entry. If the site is beyond 60 miles from the outer limits of the CBP port of entry, provide the driving time from the outer limits of the port of entry to the site.
- F. Indicate the type of site (port, industrial park, warehouse complex) and its current zoning. Where applicable, provide a summary description of the larger project of which the site is a part, including type, size, location and address. (Note: Sites (or areas within a site) with inappropriate zoning – such as agricultural, retail, or residential – are not eligible for FTZ status and should not be proposed in any application.)

- G. Describe the site's:
- existing and planned buildings (including square footage)
 - existing and planned activities
 - whether the site is master planned
 - projected timetable for construction and activation
 - possibilities and plans for future expansion
- H. List the companies that currently occupy the site.
- I. Briefly describe the transportation infrastructure serving the site, including its ties to the broader regional/national transportation system:
- J. Explain how the site for which you are proposing will be general purpose in nature (in other words, will accommodate multiple companies' use).
- K. Confirm that FTZ designation or the use of FTZ procedures is not a requirement or a precondition for future activity or construction at the site.
- L. List the owner(s). (If the site is not owned by the grantee, then provide a "Site Ownership" attachment with a letter of concurrence from the property owner(s).)

REQUIRED DOCUMENTS TO ATTACH

Attach each of the documents listed for Items M and N (and O, if applicable) below, with the document labeled appropriately (including the letter of the required item, such as "Item M"). Your maps for the site must show sufficient detail to enable the FTZ Board and your local CBP port officials to understand the exact boundaries of the proposed site.

- M. A clear and detailed site map showing existing and planned structures. The site boundaries must be outlined clearly **in red**. Note that if streets or similar landmarks are not legible on the site map, you will also need to provide a detailed street map with the proposed site's boundaries **in red**. Any map should be no larger than letter-sized (8 ½" x 11") and clearly labeled, with legends provided for any markings.
- N. Signed letters of intent on letterhead from firms considered prime prospects for use of this particular site.
- O. If your state (such as TX, KY, AZ) has one or more taxes for which collections will be affected by the proposed FTZ designation of the new site:
- attach an explanation of the specific local taxes that will be affected; and,
 - attach correspondence from all affected parties (such as a local school board) indicating their concurrence (or non-objection) regarding the proposed FTZ designation.