

Application for Minor Boundary Modification Under the Traditional Site Framework (TSF)

Instruction Sheet

A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with an information collection subject to the requirements of the Paperwork Reduction Act of 1995 unless the information collection has a currently valid OMB Control Number. The approved OMB Control Number for this information collection is 0625-0139. Without this approval, we could not conduct this information collection. Public reporting for this information collection is estimated to be approximately 3.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the information collection. All responses to this information collection are required to obtain benefits. Send comments regarding this burden estimate or any other aspect of this information collection, including suggestions for reducing this burden, to the International Trade Administration, Attn: FTZ Board Executive Secretary, U. S. Department of Commerce, 14th and Constitution Avenue NW, Room 21013, Washington, DC 20230 or ftz@trade.gov.

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
March 2022

Foreign-Trade Zones Board
U.S. Department of Commerce
1401 Constitution Avenue, N.W., Room 21013
Washington, D.C. 20230
(202) 482-2862

Traditional Site Framework

REQUEST FOR MINOR BOUNDARY MODIFICATION

NOTE: This format is only for requesting a Minor Boundary Modification under the Traditional Site Framework (TSF). For a modification under the Alternative Site Framework (ASF), there is a separate, simpler format.

INSTRUCTIONS

General: This format consists of a limited number of questions to answer and, for ease of use, is provided as a MS Word document. The actual submitted request may take the form of a letter from the grantee requesting approval and answering each question listed below. Alternatively, the request may include a cover letter from the grantee identifying the specific MBM for which it is requesting approval and then a separate document answering the questions below. Leave each question in place (including its number) and provide your response directly below each question.

A MBM is a tool for minor adjustments to FTZ space based on immediate need. The FTZ Board's regulations require evaluation of each proposed MBM relative to the scope and layout of the FTZ site structure as most recently authorized by a FTZ Board Order (rather than by FTZ Staff action on MBM request(s)). Consequently, this format includes questions related to the cumulative effect of other MBMs approved since the most recent FTZ Board Order for the zone.

Sites versus Parcels: A "site" is comprised 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 meet that definition, 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.

Submitted Request Must Be Complete: Submitted MBM requests must be complete – with the sole allowable exception of any comments from CBP, if necessary. Incomplete submitted requests or documents submitted separately will be returned to the sender. The FTZ Staff cannot assemble complete requests from individual elements submitted separately.

Submission of Completed Application: Submit the application by email (ftz@trade.gov) (Adobe PDF format preferred; you may use MS Word format if you are unable to submit PDF). The application must include color maps and signed versions of all letters.

Timing: Under the FTZ Board's regulations, the ordinary timeframe to process MBM requests is within 30 days of the FTZ Staff having received a complete request. Timing will depend on receipt of CBP's comments on the request.

Traditional Site Framework

REQUEST FOR MINOR BOUNDARY MODIFICATION**QUESTIONS**Proposed FTZ Space:

1. List the site's address, including the jurisdiction in which the site falls (town, city, county).
2. State the proposed acreage of the site.

Reason for MBM:

3. Explain the primary reason for the proposed modification, including the name(s) of the company(ies) that will operate in the proposed new space and a summary of the company(ies)'s planned activities.
4. Explain why there is an **immediate need** for the proposed change.

Nature of Proposed MBM:

5. Explain how the FTZ space for which there is an immediate need will accommodate multiple companies' use (in other words, why "subzone" designation is not appropriate).

Existing FTZ Space to Be Removed (as a "Swap" for the New Space):

6. Describe the existing FTZ space (building(s)/parcel(s)) for which you propose to remove FTZ designation in exchange for designation of new space.

Other MBMs Since Your Zone's Most Recent FTZ Board Order:

7. In the table below, list each of the sites or parcels of your FTZ approved by MBM since the last general-purpose Board Order for your FTZ (add rows to the table as needed):

Site Number	Site Name and Address	Size of Site (in Acres)	Month/Year of MBM Approving Site

Other Site Qualifications:

8. Indicate the closest CBP port of entry. State whether the site is within – or within 60 miles from the boundaries of – the CBP port of entry. If the site is beyond 60 miles from the port of entry boundaries, state the driving time from the outer limits of the port of entry to the site.
9. Indicate the current zoning and existing and planned buildings (including square footage) for the site. (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 MBM request.)
10. 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.
11. List the owner(s). (If the site is not owned by the grantee or the company(ies) planning to use the site – as named in response to Question 3 above – then provide a "Right to Use" attachment with documentation demonstrating the right to use the site. Such evidence could be a signed letter from the proposed operator on its letterhead attesting to its right to use the property or a letter of concurrence from the owner of the new site.)

REQUIRED ATTACHMENTS

Attach the documents listed below (items 12 through 14, plus 16 if applicable) directly behind the text of your request.

12. Provide one or more maps showing the new site in relation to your existing FTZ sites (specifically identify the site where acreage is being removed). All documents must be legible and letter-sized (8 ½” x 11”).
13. For the new site proposed for FTZ designation, attach 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 plan, you will also need to provide a detailed street map with the proposed site's boundaries **in red**. Any site map should be no larger than letter-sized (8 ½” x 11”) and clearly labeled, with legends provided for any markings.
14. For the parcel/building proposed for removal from the FTZ (as a “swap” for the new site), you will only need to provide a map if the parcel/building constitutes just a portion of an existing site, in which case provide a letter-sized (8 ½” x 11”) detailed site plan showing both:
 - the overall boundaries clearly outlined **in red** of the entire area of the site which would continue to have FTZ designation after approval of the MBM request; and,
 - the boundaries of the area to be removed clearly outlined **in blue**.

Note: If the overall site map you provide for the site from which a portion is being removed does not clearly show the precise boundaries of the removed portion (for example, if the overall site is large and the portion removed is only a small portion), you will also need to

provide a separate detailed map clearly showing the boundaries of the portion being removed (again, with the removed portion's boundaries outlined [in blue](#)).

15. Comments from U.S. Customs and Border Protection (CBP): The grantee generally should provide comments from CBP with the submitted request. Alternatively, the grantee may provide a copy of the request to CBP at the time the request is submitted to the FTZ Board, in which case the grantee should also communicate with CBP regarding the 20-day timeframe in the FTZ Board's regulations for CBP to provide comments to the FTZ Board.

16. 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(s), please attach all of the following:

- A. An explanation of the specific local taxes that will be affected;
- B. A stand-alone letter that:
 - Lists all of the affected parties;
 - Includes a statement below the list certifying that this is a complete list of all parties that would be affected by this particular request; and,
 - Is signed by an official of the grantee organization.
- C. Correspondence from all of the affected parties (such as a local school board) indicating their concurrence (or non-objection) regarding the proposed FTZ designation.