

## **Application to Reorganize/Expand an Existing Zone under the Traditional Site Framework (TSF)**

### **Instruction Sheet**

This collection of information contains Paperwork Reduction Act (PRA) requirements approved by the Office of Management and Budget (OMB). Notwithstanding any other provision of law, no person is required to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 99 hours, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons wishing to comment on the burden estimate or any aspect of this collection of information, or offer suggestions for reducing this burden, should send their comments to the ITA Reports Clearance Officer, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> and Constitution Avenue, NW, Washington, DC 20230.

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](#).

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, who can provide comments and technical assistance in interpreting the Board's regulations.

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

FTZ Staff  
March 2013

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

## **APPLICATION TO REORGANIZE/EXPAND AN EXISTING ZONE UNDER THE TRADITIONAL SITE FRAMEWORK (TSF)**

**General:** Leave the language of each question in place (including its number) and provide your response directly below each question.

The application format is comprised of two parts:

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

**Adjacency Requirement:** Each zone site is required to be within or adjacent to a U.S. Customs and Border Protection (CBP) port of entry (as listed in the CBP Regulations at 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.

**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 a port facility, airport facility or industrial park. If parcels do not meet that definition, they must be treated as separate sites.

### **SUBMISSION OF APPLICATIONS**

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

Final Submission: Submit the final application by email ([ftz@trade.gov](mailto: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. The application must be submitted by or copied (CC'd) to the grantee.

Filing Fees: The FTZ Regulations (§400.29(b)(3)) require a \$1,600 filing fee for an "Expansion application". Your regional representative will issue an invoice via pay.gov when the completed application has been received, payable by credit card or ACH (eCheck) transaction.

Timeframe for FTZ Board to process requests: Under the FTZ Board's regulations, the ordinary timeframe to process an application to reorganize or expand a zone is ten months from the date of docketing.

Publication: When an application has been docketed, the FTZ staff will publish a notice in the *Federal Register* opening a public comment period. The applicant also must publish notice in a local newspaper describing the proposal, at least 15 days prior to the close of the public comment period.

**APPLICATION FOR REORGANIZATION/EXPANSION OF EXISTING FTZ  
(Traditional Site Framework)**

**PART ONE: GENERAL INFORMATION**

**APPLICATION LETTER**

1. The application should include a letter from the grantee that summarizes 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 and signed within six months prior to the submission of the application and signed by an authorized officer of the grantee corporation (see item number 14 under “Legal Authority for the Application” below).

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

## **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 the 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 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).
8. Attach specific expressions of interest from potential zone users for the proposed new or expanded site(s). (Note that Part Two of the format has a separate requirement for letters of intent specific to each site being proposed.) 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 regulations?
9. Explain the anticipated economic impact, direct and indirect, of each modified/new zone site. Address how each modified/new site is tied to local/state/regional economic development plans (including specific characteristics like 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 following the format below. 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 exists in your zone and the proposal is 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.

Table 1 Modified or New Sites

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. (Part Two of the application requires site specific information.)

11. For the proposed modified/new site(s) of the zone, confirm that the grantee commits 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. Confirm 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 a map showing the modified/new sites in relation to your existing FTZ sites. Any map should be no larger than letter-sized (8 ½” x 11”) and clearly labeled, with legends provided for any markings.

### OTHER APPLICATION REQUIREMENTS

Legal Authority for the Application:

14. After the text of Part One of your application and the “General Maps” attachment, include a copy of the following documents:
  - a) the state’s current enabling legislation regarding FTZs;
  - b) the sections of the grantee’s charter or organization papers pertinent to FTZ sponsorship. For grantees that are non-public, also 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 months prior to the submission of the application and should indicate the nature of the application.

Information on Local Tax Impacts:

15. If your state (such as TX, KY, AZ) has one or more taxes for which collections will be affected by any new site (or site modification) proposed in your application, please include a stand-alone letter (in other words, a letter separate from the application letter) that:

- a) Lists all of the affected parties;
- b) 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,
- c) Is signed by an official of the grantee organization.

**APPLICATION FOR REORGANIZATION/EXPANSION OF EXISTING FTZ  
(Traditional Site Framework)**

**PART TWO: SITE-SPECIFIC INFORMATION FOR A MODIFIED/NEW SITE**

This section must be completed separately for each modified/new site. For existing sites where acreage is only being removed, please answer Items A through C and Item O.

**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, and zip code).
- C. Indicate the acreage of the proposed site.
- 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 or airport facility, 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: Areas with inappropriate zoning – such as agricultural, retail, or residential – are not eligible for FTZ status and should not be proposed in any application.)
- G. Address the degree to which the site duplicates types of facilities at other proposed or existing sites in the zone.
- H. 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.
- I. List the companies that currently occupy the site.
- J. Briefly describe the transportation infrastructure serving the site, including its ties to the broader regional/national transportation system.



- K. Briefly describe the physical security measures that will be used for the proposed site (or expanded portion) in order to meet CBP requirements.
- L. Explain how the site for which you are proposing designation will accommodate multiple companies' use.
- M. Is FTZ designation or the use of FTZ procedures a requirement or a precondition for future activity or construction at the site?

\_\_\_\_\_Yes      \_\_\_\_\_No

- N. List the owner(s) of the property. If not owned by the grantee, then provide a "Site Ownership" attachment with a letter(s) of concurrence from the property owner(s).)

## ATTACHMENTS

Attach each of the documents listed for Items O and P (and Q, if applicable) below, with the document labeled appropriately (including the letter of the required item, such as "Item O"). 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.

- O. 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.
- P. Signed letters of intent to use the proposed FTZ site in question on letterhead from firms considered prime prospects for use of the site (or expanded portion).
- Q. 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.