DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board
[Order No. 1984]

Grant of Authority; Establishment of a Foreign-Trade Zone Under the Alternative Site Framework Western Kentucky

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Foreign-Trade Zones Act provides for “. . . the establishment . . . of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board adopted the alternative site framework (ASF) (15 CFR 400.2(c)) as an option for the establishment or reorganization of zones;

Whereas, the Paducah McCracken County Riverport Authority (the Grantee), has made application to the Board (B–21–2015, docketed April 10, 2015, requesting the establishment of a foreign-trade zone under the ASF with a service area comprised of portions of McCracken and Livingston Counties, Kentucky, adjacent to the Evansville, Indiana Customs and Border Protection port of entry, and proposed Site 1 would be categorized as a magnet site;

Whereas, notice inviting public comment has been given in the Federal Register (80 FR 20469, April 16, 2015) and the application has been processed pursuant to the FTZ Act and the Board’s regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner’s report, and finds that the requirements of the FTZ Act and the Board’s regulations are satisfied;

Now, therefore, the Board hereby grants to the Grantee the privilege of establishing a foreign-trade zone, designated on the records of the Board as Foreign-Trade Zone No. 294, as described in the application, and subject to the FTZ Act and the Board’s regulations, including Section 400.13, to the Board’s standard 2,000-acre activation limit, and to an ASF sunset provision for magnet sites that would terminate authority for Site 1 if not activated within five years from the month of approval.

Signed at Washington, DC, this 13th day of November 2015.

Penny Pritzker,
Secretary of Commerce, Chairman and Executive Officer, Foreign-Trade Zones Board.

Andrew McGilvray,
Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board
[B–80–2015]

Foreign-Trade Zone 38—Spartanburg County, South Carolina; Application for Reorganization (Expansion of Service Area) Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the South Carolina State Ports Authority, grantee of FTZ 38, requesting authority to expand its service area under the alternative site framework (ASF) adopted by the Board (15 CFR Sec. 400.2(c)). The ASF is an option for grantees for the establishment or reorganization of general-purpose zones and can permit significantly greater flexibility in the designation of new subzones or “usage-driven” FTZ sites for operators/users located within a grantees’s “service area” in the context of the Board’s standard 2,000-acre activation limit for a zone. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on November 18, 2015.

FTZ 38 was approved by the Board on May 4, 1987 (Board Order 131, 43 FR 20526, May 12, 1978) and reorganized under the ASF on October 7, 2010 (Board Order 1710, 75 FR 65304, October 22, 2010). The zone currently has a service area that includes the Counties of Greenville, Spartanburg, Cherokee, Oconee, Union, Anderson and Laurens, South Carolina.

The applicant is requesting authority to expand the service area of the zone to include Pickens, Greenwood and Abbeville Counties, as described in the application. If approved, the grantee would be able to serve sites throughout the expanded service area based on companies’ needs for FTZ designation. The application indicates that the proposed expanded service area is adjacent to the Greenville/Spartanburg Customs and Border Protection port of entry.