OMB Control No. 0625-0139
Expiration Date: 12/31/2028

Application for Subzone or Usage-Driven Designation ("Minor Boundary Modification") Under the Alternative Site Framework (ASF)

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 3.5 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, 14th 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

Alternative Site Framework

APPLICATION FOR SUBZONE OR USAGE-DRIVEN DESIGNATION ("MINOR BOUNDARY MODIFICATION")

NOTE: This format is only for a Minor Boundary Modification (MBM) to propose a "Subzone" or "Usage-Driven" site(s) under the Alternative Site Framework (ASF).

INSTRUCTIONS

General: The request should include a cover letter from the grantee identifying the specific company for which it is requesting a Subzone or Usage-Driven site and a document answering the questions using the template below. Leave each question in place (including its number) and provide your response directly below each question.

Subzone versus Usage-Driven Designation: Both usage-driven sites and subzone sites designated under this process, are subject to the standard three-year sunset provision. There is no substantive difference between selecting the "subzone" or "usage-driven site" option. However, if a company anticipates needing more than one site, subzone designation is recommended to facilitate CBP paperwork for movement between sites.

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.

Submitted Request Must Be Complete: Submitted MBM requests must be complete – with the sole allowable exception of any comments from U.S. Customs and Border Protection (CBP). Requests must be submitted as a single document; the FTZ Staff cannot assemble requests from individual documents submitted separately.

If a letter from CBP is not included, a copy of your request must be provided to CBP no later than when the request is submitted to our office (see section 400.38(a) of the FTZ Board's regulations), and noting the regulations provide CBP with 20 days to submit comments.

Submission of Completed Application: Submit the final 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. The application must be submitted by or copied (CC'd) to the grantee.

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, including receipt of CBP's comments on the request.

Alternative Site Framework

APPLICATION FOR SUBZONE OR USAGE-DRIVEN DESIGNATION ("MINOR BOUNDARY MODIFICATION")

QUESTIONS

1. Please mark the appropriate space below to indicate whether you are requesting "Subzone" or "Usage-Driven" designation for the proposed site(s):

   _____Subzone _____Usage-Driven

2. List the full address of the site(s), including the jurisdiction in which the site(s) falls (town, city, county, and zip code).

3. State the grantee's approved ASF service area and explain how the proposed site(s) is within that ASF service area.

4. State the acreage of the proposed site(s).

5. Indicate the company for which the site(s) will be designated.

6. Provide a summary of the company's planned activities.

7. Indicate the current zoning and the existing and planned buildings (including square footage) for the site(s). (Note: Areas with inappropriate zoning – such as agricultural, retail, or residential – are not eligible for FTZ status and should not be proposed in any MBM request.)

8. Is FTZ designation or the use of FTZ procedures a requirement or a precondition for future activity or construction at the site(s)?

   _____Yes _____No

9. List the owner(s) of the property. If not owned by the grantee or the company for which the site(s) will be designated, then provide a "Right to Use" letter: either a signed letter from the company on its letterhead attesting to its right to use the property or a letter from the owner of the proposed site(s) attesting to the company's right to use the property.

ATTACHMENTS

Provide the documents listed below (items 10 and 11, plus item 12 if applicable) as attachments at the end of the application.

10. A clear and detailed site map showing existing and planned structures. The proposed 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 1/2" x 11") and clearly labeled, with legends provided for any markings.

11. Comments from U.S. Customs and Border Protection (CBP): The application should include comments from CBP. Alternatively, the grantee may provide a copy of its request to CBP for comments at the time the application 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.

12. 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.