

Now, therefore, the Board hereby authorizes the establishment of a subzone (Subzone 82F) at the oil refinery complex of Coastal Mobile Refining Company, located in Mobile County, Alabama, at the locations described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28, and subject to the following conditions:

1. Foreign status (19 CFR 146.41, 146.42) products consumed as fuel for the refinery shall be subject to the applicable duty rate.

2. Privileged foreign status (19 CFR 146.41) shall be elected on all foreign merchandise admitted to the subzone, except that non-privileged foreign (NPF) status (19 CFR 146.42) may be elected on refinery inputs covered under HTSUS Subheadings #2709.00.1000 and # 2709.00.2000 which are used in the production of asphalt and certain intermediate fuel products (examiners report, Appendix C);

3. The authority with regard to the NPF option is initially granted until September 30, 2000, subject to extension.

Signed at Washington, DC, this 25th day of September 1997.

Robert S. LaRussa,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

John J. Da Ponte, Jr.,

Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 922]

Expansion of Foreign-Trade Zone 121 Albany, NY, Area and Approval for Manufacturing Authority (Eyeglass Frames)

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, an application from the Capital District Regional Planning Commission, grantee of Foreign-Trade Zone 121, Albany, New York, area, for authority to expand FTZ 121 to include an additional site in the Albany, New York, area, and for authority on behalf of Liberty Optical Manufacturing Company to manufacture eyeglass frames under FTZ procedures within FTZ 121, was filed by the Board on

September 3, 1996 (FTZ Docket 68-96, 61 FR 48665, 9/16/96);

Whereas, notice inviting public comment was given in **Federal Register** 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 Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 121 and for authority to manufacture eyeglass frames under FTZ procedures is approved, subject to the Act and the Board's regulations, including Section 400.28, and subject to a condition limiting the manufacturing authority to an initial five-year period, subject to extension upon review.

Signed at Washington, DC, this 25th day of September 1997.

Robert S. LaRussa,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

John J. Da Ponte, Jr.,

Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 920]

Grant of Authority for Subzone Status; Phillips Petroleum Company (Oil Refinery) Brazoria County, TX

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, by an Act of Congress approved June 18, 1934, an Act "To provide 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," as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR part 400) provide for the establishment of special-purpose

subzones when existing zone facilities cannot serve the specific use involved;

Whereas, an application from the Port of Freeport, grantee of Foreign-Trade Zone 149, for authority to establish special-purpose subzone status at the oil refinery complex of Phillips Petroleum Company, located in Brazoria County, Texas, was filed by the Board on January 2, 1997, and notice inviting public comment was given in the **Federal Register** (FTZ Docket 1-97, 62 FR 2646, 1/17/97); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations would be satisfied, and that approval of the application would be in the public interest if approval is subject to the conditions listed below;

Now, therefore, the Board hereby authorizes the establishment of a subzone (Subzone 149C) at the oil refinery complex of Phillips Petroleum Company, located in Brazoria County, Texas, at the locations described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28, and subject to the following conditions:

1. Foreign status (19 CFR 146.41, 146.42) products consumed as fuel for the refinery shall be subject to the applicable duty rate.

2. Privileged foreign status (19 CFR § 146.41) shall be elected on all foreign merchandise admitted to the subzone, except that non-privileged foreign (NPF) status (19 CFR § 146.42) may be elected on refinery inputs covered under HTSUS Subheadings #2709.00.1000-#2710.00.1050 and #2710.00.2500 which are used in the production of:

- Petrochemical feedstocks and refinery by-products (examiners report, Appendix C);
- products for export; and,
- products eligible for entry under HTSUS #9808.00.30 and 9808.00.40 (U.S. Government purchases).

3. The authority with regard to the NPF option is initially granted until September 30, 2000, subject to extension.

Signed at Washington, DC, this 25th day of September 1997.

Robert S. LaRussa,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

John J. Da Ponte, Jr.,

Executive Secretary.

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