

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 Dothan-Houston County Foreign Trade Zone, Inc. (the Grantee), an Alabama non-profit corporation, has made application to the Board (FTZ Docket 31-97, 62 FR 19545, 4-22-97), requesting the establishment of a foreign-trade zone at sites in the Dothan (Houston/Dale Counties), Alabama area, adjacent to the Panama City, Florida Customs port of entry;

Whereas, notice inviting public comment has been given in the **Federal Register**; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report and finds that the requirements of the Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

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. 233, at the sites described in the application, subject to the Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 23rd day of June 1998.

Foreign-Trade Zones Board.

**William M. Daley,**

*Secretary of Commerce, Chairman and Executive Officer.*

Attest:

**Dennis Puccinelli,**

*Acting Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 33-98]

#### **Foreign-Trade Zone 38 "Spartanburg, SC, Application for Subzone Status; Borg-Warner Automotive Powertrain Systems Corporation (Automotive Transfer Cases); Seneca, South Carolina**

An application has been submitted to the Foreign-Trade Zones Board (the

Board) by the South Carolina State Ports Authority, grantee of FTZ 38, requesting special-purpose subzone status for the automotive transfer case manufacturing plant of Borg-Warner Automotive Powertrain Systems Corporation (BWA), located in Seneca, South Carolina. The application was submitted pursuant to the provisions of 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 filed on June 23, 1998.

The BWA plant (78 acres, 211,000 sq.ft.), is located at 15545 Wells Highway in Seneca (Oconee County), South Carolina, about 40 miles southwest of Greenville. The facility (175 employees) is used to produce transfer cases for all-wheel drive passenger vehicles manufactured at the Mercedes-Benz motor vehicle assembly plant in Alabama, as well as for export. The application indicates that foreign-sourced parts and materials comprise some 27 percent of the finished transfer cases' value, including: chain, fasteners, steel belts/cable/wire, crown corks and seals, parts of engines, ball/roller bearings, oil seals, rubber gaskets/washers/seals, electromagnetic couplings and clutches, gear boxes, and automatic regulating and controlling instruments (duty rates: free-9.4%).

FTZ procedures would exempt BWA from Customs duty payments on the foreign items used in production for export. On domestic shipments transferred in-bond to the Mercedes-Benz plant (Subzone 98A, Board Order 803, 61 FR 8237, 3-4-96), no duties would be paid on foreign-origin components of the transfer cases until Mercedes enters the finished motor vehicles for domestic consumption, at which time, Mercedes could choose to apply the finished auto duty rate (2.5%), rather than the rate on the individual parts. Mercedes would pay no duties on its exports. For finished transfer cases withdrawn for Customs entry, BWA would be able to choose the automotive transfer case duty rate (2.6%) for the foreign-origin items noted above. The application indicates that the savings from FTZ procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and three copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their

receipt is August 31, 1998. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to September 15, 1998.)

A copy of the application and the accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce Export Assistance Center, Park Central Office Park, Building 1, Suite 109, 555 N. Pleasantburg Drive, Greenville, SC 29607.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 3716, 14th Street & Pennsylvania Avenue, NW, Washington, DC 20230.

Dated: June 23, 1998.

**Dennis Puccinelli,**

*Acting Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 062498C]

#### **Mid-Atlantic Fishery Management Council; Meeting**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Mid-Atlantic Fishery Management Council will hold a closed meeting.

**DATES:** The meeting will be held on July 22-23, 1998, from 8:00 a.m. until 5:00 p.m.

**ADDRESSES:** This meeting will be held at the Wilmington Hilton, I-95 and Naamans Road, Claymont, DE; telephone: 302-792-2700.

*Council address:* Mid-Atlantic Fishery Management Council, 300 S. New Street, Dover, DE 19904; telephone: 302-674-2331.

**FOR FURTHER INFORMATION CONTACT:** Christopher Moore, Ph.D., Acting Executive Director, Mid-Atlantic Fishery Management Council; telephone: 302-674-2331, ext. 16.

**SUPPLEMENTARY INFORMATION:** The purpose of this closed meeting is to interview candidates and select an Executive Director for the Mid-Atlantic Fishery Management Council.

Although other issues not contained in this agenda may come before this