

except that non-privileged foreign (NPF) status (19 CFR 146.42) may be elected on inputs covered under HTSUS Subheadings 2710.00.05–2710.00.10, 2710.00.25, and 2710.00.4510 which are used in the production of:

- Petrochemical feedstocks (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, 2004, subject to extension.

Signed at Washington, DC, this 18th day of April 2000.

Troy H. Cribb,

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

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1087]

Grant of Authority for Subzone Status; Equistar Chemicals, LP (Petrochemical Complex) 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, 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 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, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the Brazos River Harbor Navigation District, grantee of Foreign-Trade Zone 149, has made application to the Board for authority to establish special-purpose subzone status at the petrochemical complex of Equistar Chemicals, LP, located in Brazoria County, Texas (FTZ Docket 23–99, filed 5/11/99);

Whereas, notice inviting public comment was given in the **Federal Register** (64 FR 27959, 5/24/99); 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 grants authority for subzone status at the petrochemical complex of Equistar Chemicals, LP, located in Brazoria County, Texas (Subzone 149F), 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 petrochemical complex 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 inputs covered under HTSUS Subheadings 2710.00.05–2710.00.10, 2710.00.25, and 2710.00.4510 which are used in the production of:

- Petrochemical feedstocks (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, 2004, subject to extension.

Signed at Washington, DC, this 18th day of April 2000.

Troy H. Cribb,

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

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1088]

Grant of Authority for Subzone Status Dow Chemical Company; (Petrochemical Complex); Brazoria County, Texas

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 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, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the Brazos River Harbor Navigation District, grantee of Foreign-Trade Zone 149, has made application to the Board for authority to establish special-purpose subzone status at the petrochemical complex of the Dow Chemical Company, located in Brazoria County, Texas (FTZ Docket 31–99, filed 6/15/99);

Whereas, notice inviting public comment was given in the **Federal Register** (64 FR 34189, 6/25/99); 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 grants authority for subzone status at the petrochemical complex of Dow Chemical Company, located in Brazoria County, Texas (Subzone 149G), 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 petrochemical complex 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 inputs covered under HTSUS Subheadings #2710.00.05–#2710.00.10, #2710.00.25, and #2710.00.4510 which are used in the production of:
 - Petrochemical feedstocks (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