

Form ED-900A, Research and National Technical Assistance, OMB Control Number 0610-0094. There is no guarantee that successful proponents will receive funding. The projects selected for funding should expect to receive funding by September 30, 2004. Proposals that were not recommended for funding will be retained by EDA for no longer than three years from the date of receipt.

#### The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements

The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of October 1, 2001 (66 FR 49917), as amended by the **Federal Register** notice published on October 30, 2002 (67 FR 66109), are applicable to this solicitation.

#### Paperwork Reduction Act

This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Form ED-900A has been approved by OMB under the control number 0610-0094. Notwithstanding any other provision of law, no person is required to respond 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.

#### Executive Order 12866

This notice has been determined not to be significant for purposes of Executive Order 12866.

#### Executive Order 13132 (Federalism)

It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

#### Administrative Procedure Act/Regulatory Flexibility Act

Prior notice and an opportunity for public comments are not required by the Administrative Procedure Act or any other law for this notice concerning grants, benefits and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: July 20, 2004.

**David Bearden,**

*Deputy Assistant Secretary for Economic Development.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 28-2004]

#### Foreign-Trade Zone 227, Durant, OK, Proposed Foreign-Trade Subzone, TPI Petroleum, Inc. (Oil Refinery Complex), Ardmore, OK

An application has been submitted to the Foreign-Trade Zones Board (the Board) by Rural Enterprises of Oklahoma, Inc., grantee of FTZ 227, requesting special-purpose subzone status for the oil refinery complex of TPI Petroleum, Inc. (TPI), a subsidiary of Valero Energy Corporation, located at three sites in the Ardmore, Oklahoma, area. 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 July 13, 2004.

The TPI refinery complex is located at 3 sites in the Ardmore, Oklahoma, area, some 100 miles south of Oklahoma City: *Site 1* (85,000 BPD capacity, 2,730,000 barrel storage capacity, 737.45 acres)—main refinery complex, located at Highway 142 Bypass and E. Cameron Road (Carter County); *Site 2* (20.03 acres, 2 tanks, 184,000 barrel total crude storage capacity)—Wesson Storage Terminal, located at 13798 Prairie Valley Road, (Carter County), some 13 miles west of the refinery; and, *Site 3* (22.25 acres, 2 tanks, 160,000 barrel total finished product storage capacity)—Wynnewood Storage Terminal, State Highway 17A and Froman Lane (Murray County), some 35 miles north of the refinery. The refinery complex is adjacent to the Dallas/Fort Worth Customs port of entry.

TPI's Ardmore refinery (260 employees) is used to produce fuels and other petroleum products. Products include gasoline, jet fuel, distillates, residual fuels, naphthas, motor fuel blendstocks, LPGs, petroleum coke and sulfur. Some 80 percent of the crude oil (75 percent of inputs) is sourced abroad. The company is also requesting to import certain intermediate inputs (naphthas and gas oils) under FTZ procedures.

Zone procedures would exempt the refinery from Customs duty payments on the foreign products used in its

exports. On domestic sales, the company would be able to choose the Customs duty rates that apply to certain petrochemical products and refinery by-products (duty-free) by admitting incoming foreign inputs (crude oil, natural gas condensate, gas oil, naphtha) in non-privileged foreign status. The duty rates on inputs range from 5.25¢/barrel to 10.5¢/barrel. The application indicates that the savings from zone procedures would help improve the refinery'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 is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses:

1. *Submissions Via Express/Package Delivery Services:* Foreign-Trade-Zones Board, U.S. Department of Commerce, Franklin Court Building—Suite 4100W, 1099 14th St. NW., Washington, DC 20005; or

2. *Submissions Via the U.S. Postal Service:* Foreign-Trade-Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Ave. NW., Washington, DC 20230.

The closing period for their receipt is September 24, 2004. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period until October 12, 2004.

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address Number 1 listed above, and at the U.S. Department of Commerce Export Assistance Center, 301 NW., 63rd Street, Suite 330, Oklahoma City, Oklahoma 73116.

Dated: July 15, 2004.

**Dennis Puccinelli,**

*Executive Secretary.*

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