

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[Docket 52-2004]

**Foreign-Trade Zone 141—Monroe County, NY; Application for Expansion**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the County of Monroe, New York, grantee of FTZ 141, requesting authority to expand FTZ 141, in Monroe County, New York, within the Rochester Customs port of entry. 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 November 17, 2004.

FTZ 141 was approved on April 2, 1987 (Board Order 355, 52 FR 12219, 4/15/87). The zone project currently consists of the following sites in the Monroe County, New York area: Site 1 (10 acres)—401 Pixley Road, Gates; Site 2 (8 acres)—39 Breck Street, Rochester; Site 3 (14 acres)—10 Carriage Street, Honoeye Falls; Site 4 (38 acres)—200 Carlson Road, Rochester; Site 5 (5 acres)—655-C Basket Road, Webster; Site 6 (5 acres)—111 Commerce Drive, Henrietta; Site 7 (3 acres)—10 Thruway Park Drive, Henrietta; Site 8 (2.2 acres)—1698 Lyell Avenue, Rochester; Site 9 (1 acre)—847 West Avenue, Building #10, Rochester; Site 10 (2 acres)—3025 Winton Road South, Rochester.

The applicant is requesting authority to expand the zone to include one additional site in Rochester: Proposed Site 11 (314 acres)—Rochester Technology Park, 789 Elmgrove Road, Rochester. The site is principally owned by Cohen Asset Management, Inc., and Continental Industrial Capital LLC. The new site is part of the former Site 4 (Elmgrove facility) subzone manufacturing site of FTZ 141A, Eastman Kodak Company, which is being converted to general industrial use. No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

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 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses below:

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

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

The closing period for their receipt is January 24, 2005. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to February 7, 2005).

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address No. 1 listed above and at the Office of the County Executive, Suite 8100, 39 West Main Street, Rochester, New York 14614.

**Dennis Puccinelli,***Executive Secretary.*

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**DEPARTMENT OF COMMERCE****Bureau of Industry and Security**

[Docket No. 041025291-4291-01]

**Impact of Implementation of the Chemical Weapons Convention on Commercial Activities Involving "Schedule 1" Chemicals Through Calendar Year 2004****AGENCY:** Bureau of Industry and Security, Commerce.**ACTION:** Notice of inquiry.

**SUMMARY:** The Bureau of Industry and Security (BIS) is seeking public comments on the impact that implementation of the Chemical Weapons Convention has had on commercial activities involving "Schedule 1" chemicals through calendar year 2004. This notice of inquiry is part of an effort to collect information to assist in the preparation of the annual certification required under Condition 9 of Senate Resolution 75, April 24, 1997, in which the Senate gave its advice and consent to the ratification of the Chemical Weapons Convention.

**DATES:** Comments are due December 21, 2004.**ADDRESSES:** You may submit comments by any of the following methods:

• *E-mail:* [wfisher@bis.doc.gov](mailto:wfisher@bis.doc.gov). Include the phrase "Schedule 1 Notice of Inquiry" in the subject line;

• *Fax:* (202) 482-3355 (Attn: Willard Fisher);

• *Mail or Hand Delivery/Courier:* Willard Fisher, U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th Street & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** For questions on the Chemical Weapons Convention requirements for "Schedule 1" chemicals, contact Larry Denyer, Treaty Compliance Division, Office of Nonproliferation and Treaty Compliance, Bureau of Industry and Security, U.S. Department of Commerce, Phone: (703) 605-4400. For questions on the submission of comments, contact Willard Fisher, Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, U.S. Department of Commerce, Phone: (202) 482-2440.

**SUPPLEMENTARY INFORMATION:****Background**

In its resolution to advise and consent to the ratification of the Chemical Weapons Convention (Convention) (S. Res. 75, April 24, 1997), the Senate included several conditions. Condition 9 of Senate Resolution 75, titled "Protection of Advanced Biotechnology," provides that the President shall certify to the Congress on an annual basis that "\* \* \* the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms in the United States are not being significantly harmed by the limitations of the Convention on access to, and production of, those chemicals and toxins listed in Schedule 1\* \* \*".

In 2000, 2001, 2002, and 2003, BIS solicited comments from the public on the commercial impact of the Convention's Schedule 1 limitations, and received no comments. In light of this, the President certified to Congress that firms were not significantly harmed by the Convention's Schedule 1 limitations. The Bureau of Industry and Security is collecting data to assist in determining the impact, if any, that the implementation of the Convention's requirements have had on commercial "Schedule 1" activities through calendar year 2004.

On July 8, 2004, President Bush, by Executive Order 13346, delegated his authority to make the annual certification to the Secretary of Commerce.