

1 (623,000 sq. ft. on 35 acres) – located at 199 Planters Road, Sunnyvale; and, Site 2 (396,750 sq. ft. on 24 acres) – located at 510 N. Peachtree, Suite 200, Mesquite. The facilities will be used for quality control, shading, cleaning, repackaging, marking, warehousing and distribution of domestic and foreign-origin flooring and home furnishing products for both the U.S. market and for re-export. None of the activities which Dal-Tile is proposing to perform under zone procedures would constitute manufacturing or processing under the FTZ Board's regulations. The application indicates that FTZ procedures would be used to support Dal-Tile's Texas-based distribution activity in competition with facilities abroad.

FTZ procedures would exempt Dal-Tile from customs duty payments on foreign products that are re-exported (less than 5 percent of the facilities' shipments). On its domestic shipments, duty payments would be deferred until the products are entered for consumption. The company may also realize certain logistical benefits related to the use of direct delivery and weekly customs entry procedures. The application indicates that the savings from FTZ procedures would help improve the facilities' 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 the address below. The closing period for their receipt is May 19, 2008. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to June 2, 2008).

A copy of the application will be available for public inspection at each of the following locations: U.S. Department of Commerce, Export Assistance Center, 808 Throckmorton St., Fort Worth, TX 76102-6315; and, Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, D.C. 20230-0002. For further information, contact Diane Finver at Diane_Finver@ita.doc.gov or (202) 482-1367.

Dated: March 7, 2008.

Andrew McGilvray,

Executive Secretary.

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

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Foreign-Trade Zones Board

[Order No. 1549]

Approval for Expansion of Manufacturing Authority for Subzone 86D; Tesoro Refining and Marketing Company; (Oil Refinery) Anacortes, WA

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 Port of Tacoma, grantee of FTZ 86, has requested authority on behalf of Tesoro Refining and Marketing Company, to expand the scope of manufacturing activity conducted under zone procedures within Subzone 86D at the Tesoro Refining and Marketing Company oil refinery complex in Anacortes, Washington (FTZ Docket 22-2007, filed 07-10-2007);

Whereas, notice inviting public comment has been given in the **Federal Register** (72 FR 39051, 7/17/07); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the 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 approves the expansion of the scope of activity at Subzone 86D for the manufacture of petroleum products at the Tesoro Refining and Marketing Company oil refinery complex located in Anacortes, Washington, as described in the application and the **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including § 400.28, and further 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 #2709.00.10, #2709.00.20, #2710.11.25, #2710.11.45, #2710.19.05, #2710.19.10, #2710.19.45, #2710.91.00, #2710.99.05, #2710.99.10, #2710.99.16, #2710.99.21 and #2710.99.45 which are used in the production of:

—petrochemical feedstocks and refinery by-products (examiners report, Appendix "C");

—products for export;

The application to expand the scope of manufacturing authority under zone procedures within Subzone 103A, is approved, subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 7th day of March 2008.

David M. Spooner,

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

Attest:

Andrew McGilvray,

Executive Secretary.

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