

Bur. of Industry and Security, Comm.**Pt. 754, Supp. No. 1**

processes, produces or exports the metallic materials which are the subject of a petition.

(d) *Address.* Submit petitions pursuant to section 7(c) of the EAA, via courier, to: Bureau of Industry and Secu-

rity, U.S. Department of Commerce, 14th and Pennsylvania Ave., NW., Room 2099B, Washington, DC 20230.

[61 FR 12844, Mar. 25, 1996, as amended at 62 FR 25467, May 9, 1997; 73 FR 38, Jan. 2, 2008; 78 FR 13470, Feb. 28, 2013]

SUPPLEMENT NO. 1 TO PART 754—CRUDE PETROLEUM AND PETROLEUM PRODUCTS

This Supplement provides relevant Schedule B numbers and commodity descriptions for crude oil (EAR99) and for petroleum products other than crude oil that are controlled by ECCN 1C980, 1C982, 1C983, or 1C984. The 10-digit Harmonized System-based Schedule B commodity numbers and descriptions below are drawn from *Chapter 27 of the Schedule B 2014* found at and the *AES 2014 Export Concordance* (December 30, 2013) <http://www.census.gov/foreign-trade/aes/documentlibrary/expaes.txt>. If there are any discrepancies between the information in this supplement and the information in the most current Schedule B, use the most current Schedule B commodity number on your Electronic Export Information filing on the Automated Export System.

Schedule B No.	Commodity description
CRUDE OIL	
2709001000	Petroleum oils and oils obtained from bituminous minerals, crude.
2709002010	Petroleum oils and oils obtained from bituminous minerals, testing 25 degrees API or more, condensate derived wholly from natural gas, crude.
2709002090	Petroleum oils and oils obtained from bituminous minerals, testing 25 degrees API or more, crude, NESOI.
2714100000	Bituminous or oil shale and tar sands.

PETROLEUM PRODUCTS	
2707999010	Carbon black feedstock.
2710121510	Leaded gasoline.
2710121514	Unleaded gasoline, reformulated.
2710121519	Unleaded gasoline, NESOI.
2710121520	Jet fuel, naphtha-type.
2710121550	Motor fuels, NESOI.
2710121805	Motor fuel blending stock, Reformulated Blendstock for Oxygenate Blending (RBOB).
2710121890	Motor fuel blending stock, except Reformulated Blendstock for Oxygenate Blending (RBOB).
2710122500	Naphthas, except motor fuel or motor fuel blending stock.
2710124500	Light oil and preparation, mixtures of hydrocarbons containing by weight not over 50 percent of any single hydrocarbon compound, NESOI.
2710129000	Light oils and preparations obtained from bituminous minerals containing by weight 70 percent or more of petroleum oils, NESOI.
2710190605	No. 4-type fuel oils, API 1° 25 degrees, having a saybolt universal viscosity at 37.8 degrees C of 45–125 seconds, with not over 500 ppm of sulfur.
2710190615	No. 4-type fuel oils under 25 degrees API having a saybolt universal viscosity at 37.8 degrees C of 45–125 seconds, having over 500 ppm sulfur.
2710190620	Heavy fuel oils under 25 degrees API having saybolt universal viscosity at 37.8 degrees C of more than 125 seconds.
2710190650	Distillate and residual fuel oils (including blended fuel oils), testing under 25 degrees API, NESOI.
2710191106	Light fuel oils testing 25 degrees API or more, containing not more than 15 ppm of sulfur.
2710191109	Light fuel oils testing 25 degrees API or more, containing more than 15 ppm but not more than 500 ppm of sulfur.
2710191112	Light fuel oils 25 degrees API or more having a saybolt universal viscosity at 37.8 degrees C of less than 45 seconds, containing over 500 ppm sulfur.
2710191115	No. 4-type fuel oils containing not more than 500 ppm of sulfur.
2710191125	No. 4-type fuel oils containing more than 500 ppm of sulfur.
2710191150	Heavy fuel oils 25 degrees API or more with a saybolt universal viscosity at 37.8 degrees C of more than 125 seconds.
2710191600	Kerosene-type jet fuel, NESOI.
2710192400	Kerosene motor fuel.
2710192500	Kerosene motor fuel blending stock.
2710192600	Kerosene, except motor fuel or motor fuel blending stock, NESOI.
2710193010	Aviation engine lubricating oils (except jet engine lubricating oils).
2710193020	Automotive, diesel or marine engine (except turbine) lubricating oils.
2710193030	Turbine lubricating oil, including marine.
2710193040	Automotive gear oils.
2710193050	Steam cylinder oils.
2710193070	Quenching or cutting oils.
2710193080	Lubricating oils with or without additives, NESOI.

Pt. 754, Supp. No. 2

15 CFR Ch. VII (1-1-25 Edition)

Schedule B No.	Commodity description
2710193750	Lubricating greases with or w/out additives.
2710194530	White mineral oils, medicinal grade.
2710194540	White mineral oils, except medicinal grade.
2710194545	Insulating or transformer oils, NESOI.
2710194590	Mixtures of hydrocarbons NESOI, containing by weight not over 50 percent of any single hydrocarbon compound.
2710199000	Petroleum oils or oils obtained from bituminous minerals, other than crude, containing by weight 70% or more of petroleum oils, NESOI.
2710200000	Petroleum oils or oils obtained from bituminous minerals, other than crude, containing by weight 70% or more of petroleum oils, containing biodiesel.
2710910000	Waste oils containing Polychlorinated Biphenyls (PCBs), Polychlorinated Terphenyls (PCTs), or Polybrominated Biphenyls (PBBs).
2710990000	Waste oils, not elsewhere specified or included.
2711110000	Natural gas, liquefied.
2711120000	Propane, liquefied.
2711130000	Butanes, liquefied.
2711140000	Ethylene, propylene, butylene and butadiene liquefied.
2711190000	Petroleum gases and other gaseous hydrocarbons, liquefied, NESOI.
2712200000	Paraffin wax containing less than 0.75 percent oil.
2712900000	Microcrystalline petroleum wax, slack wax, ozokerite, lignite wax, peat wax, other mineral waxes, and similar products, NESOI.
2713110000	Petroleum coke, not calcined.
2713120000	Petroleum coke, calcined.
2713200000	Petroleum bitumen.
2713900000	Residues of petroleum oils or of oils obtained from bituminous materials, NESOI.
2714900000	Bitumen and asphalt, natural; asphalts and asphaltic rocks.
2715000000	Bituminous mixtures based on natural asphalt, natural bitumen, petroleum bitumen, mineral tar or mineral tar pitch.
2804100000	Hydrogen.
2804290010	Helium.
2811210000	Carbon dioxide.
2811299000	Carbon monoxide.
2814100000	Anhydrous ammonia.
2814200000	Ammonia in aqueous solution.
3819000000	Hydraulic brake fluids and other prepared liquids for hydraulic transmission, not containing or containing less than 70 percent by weight of petroleum oils or oils obtained from bituminous minerals.

[79 FR 34411, June 17, 2014, as amended at 81 FR 29486, May 12, 2016]

SUPPLEMENT NO. 2 TO PART 754—UNPROCESSED WESTERN RED CEDAR

This table is a non-exhaustive list of 10-digit Harmonized System-based Schedule B commodity numbers that may apply to unprocessed western red cedar products subject to license requirements of §754.4 of this part. The 10-digit Harmonized System-based Schedule B commodity numbers and descriptions below are drawn from *Chapter 44 of the Schedule B 2014* found at <http://www.census.gov/foreign-trade/schedules/b/2014/c44.html> and the *AES 2014 Export Concordance* (December 30, 2013) <http://www.census.gov/foreign-trade/aes/documentlibrary/expaes.txt>. If there are any discrepancies between the information in this supplement and the information in the most current Schedule B, use the most current Schedule B commodity number on your Electronic Export Information filing in the Automated Export System.

Schedule B commodity No.	Description
Wood in the rough	
4403100030	Poles, piles and posts; 'treated'.
4403100060	Wood in the rough; 'treated'.
4403200010	Not 'treated'; coniferous; poles, piles and posts.
4403200055	Not 'treated'; coniferous; logs and timber; Western Red Cedar (<i>Thuja Plicata</i>).
'Lumber'	
4407100101	Coniferous; finger-jointed.
4407100102	Coniferous; except finger-jointed; 'treated'.
4407100168	Coniferous; except finger-jointed; not 'treated'; Western Red Cedar (<i>Thuja Plicata</i>); 'rough'.
4407100169	Coniferous; except finger-jointed; not 'treated'; Western Red Cedar (<i>Thuja Plicata</i>); not 'rough'.

Bur. of Industry and Security, Comm.**§ 756.2**

NOTE 1: 4403 heading in the Schedule B 2014 pertains to "wood in the rough, whether or not stripped of bark or sapwood, or roughly squared (not including lumber of heading 4407)."

NOTE 2: The 6-digit Harmonized System sub-heading 4403.10 and the 10-digit Harmonized System code 4407.10.0102 in Schedule B 2014 state that 'treated' means "treated with paint, stain, creosote or other preservatives."

NOTE 3: The 4407 heading in the Schedule B 2014 refers to 'lumber' as "wood sawn or

chipped lengthwise, sliced or peeled, whether or not planed, sanded or end-jointed, of a thickness exceeding 6mm (.236 inch)."

NOTE 4: Section IX—Chapter 44 of Schedule B 2014, Statistical Note 3 states, "for the purpose of heading 4407, the term "rough" includes wood that has been edged, resawn, crosscut or trimmed to smaller sizes but it does not include wood that has been dressed or surfaced by planing on one or more edges or faces or has been edge-glued or end-glued."

[79 FR 34412, June 17, 2014]

**SUPPLEMENT NO. 3 TO PART 754
[RESERVED]****PART 756—APPEALS AND JUDICIAL REVIEW****Sec.**

756.1 Introduction.

756.2 Appeal from an administrative action.

756.3 Judicial review of agency action.

AUTHORITY: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783.

SOURCE: 61 FR 12851, Mar. 25, 1996, unless otherwise noted.

§ 756.1 Scope.

Section 756.2 describes the procedures applicable to appeals from administrative actions taken under the Export Administration Act (EAA) or the Export Administration Regulations (EAR). (In this part, references to the EAR are references to 15 CFR chapter VII, subchapter C). Section 756.3 describes the procedures under which the Bureau of Industry and Security (BIS) can safeguard national security information when agency action is under judicial review.

[85 FR 63012, Oct. 6, 2020]

§ 756.2 Appeal from an administrative action.

(a) *Scope.* Any person directly and adversely affected by an administrative action taken by BIS may appeal to the Under Secretary for reconsideration of that administrative action. The following types of administrative actions are not subject to the appeals procedures described in this part:

(1) Issuance, amendment, revocation, or appeal of a regulation. (These re-

quests may be submitted to BIS at any time.)

(2) Denial or probation orders, civil penalties, sanctions, or other actions under parts 764 and 766 of the EAR, except that, any appeal from an action taken under § 766.25 and any appeal from an action taken in accordance with § 766.23 to make an action taken under § 766.25 applicable to a related person shall be subject to the appeals procedures described in this part.

(3) A decision on a request to remove or modify an Entity List entry made pursuant to § 744.16 of the EAR, a decision on a request to remove or modify an Unverified List entry made pursuant to § 744.15 of the EAR, or a request to remove or modify a Military End User entry made pursuant to § 744.21(b) of the EAR.

(4) A decision on whether License Exception Strategic Trade Authorization (STA) is available for "600 series" "end items" pursuant to § 740.20(g) of the EAR.

(b) *Review and appeal officials.* The Under Secretary may delegate to the Deputy Under Secretary for Industry and Security or to another BIS official the authority to review and decide the appeal. In addition, the Under Secretary may designate any employee of the Department of Commerce to be an appeals coordinator to assist in the review and processing of an appeal under this part. If such employee is not an employee of BIS, such designation may be made only with the concurrence of the head of the operating unit in which that employee is employed. The responsibilities of an appeals coordinator may include presiding over informal hearings.