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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 772]

Grant of Authority For Subzone Status; Fina Oil Company (Oil Refinery), Jefferson 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, by an Act of Congress approved June 18, 1934, an Act ''To provide 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,'' as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized 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;

WHEREAS, an application from the Foreign-Trade Zone of Southeast Texas, Inc., grantee of Foreign-Trade Zone 116, for authority to establish special-purpose subzone status at the oil refinery complex of Fina Oil Company, in Jefferson County (Port Arthur area), Texas, was filed by the Board on December 13, 1994, and notice inviting public comment was given in the Federal Register (FTZ Docket 40–94, 59 FR 65752, 12–21–94); and,

WHEREAS, the Board has found 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 authorizes the establishment of a subzone (Subzone 116B) at the Fina Oil Company refinery complex, in Jefferson County, Texas, 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 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 # 2709.00.1000–# 2710.00.1050 and # 2710.00.2500 which are used in the production of:

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

—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, 2000, subject to extension.

Signed at Washington, DC, this 18th day of September 1995.

Susan G. Esserman,

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

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 95–23888 Filed 9–25–95; 8:45 am]

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