

examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now Therefore, the Board hereby approves the request, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC this 17th day of 2003.

James J. Jochum,

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

[FR Doc. 03-25161 Filed 10-2-03; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1301]

Grant of Authority for Subzone Status; Lion Oil Company (Oil Refinery Complex), El Dorado, AR

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 Foreign-Trade Zones Act provides 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," and authorizes the Foreign-Trade Zones Board 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, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the Arkansas Department of Economic Development, grantee of Foreign-Trade Zone 14, has made application to the Board for authority to establish special-purpose subzone status at the oil refinery complex of Lion Oil Company, located in El Dorado, Arkansas (FTZ Docket 2-2003, filed 1/15/03);

Whereas, notice inviting public comment was given in the **Federal Register** (68 FR 4167, 1/28/03); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds 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 grants authority for subzone status at the oil refinery complex of Lion Oil Company, located in El Dorado, Arkansas (Subzone 14D), 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 petrochemical complex 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 (examiners report, Appendix "C");
- products for export;
- and, products eligible for entry under HTSUS # 9808.00.30 and #9808.00.40 (U.S. Government purchases).

Signed at Washington, DC this 17th day of September 2003.

James J. Jochum,

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

Attest:

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 03-25162 Filed 10-2-03; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 47-2003]

Foreign-Trade Zone 37—Orange County, New York; Request for Manufacturing Authority, Minolta Advance Technology, Inc. (Toner Products)

An application has been submitted to the Foreign-Trade Zones Board (the Board) by Orange County, New York, grantee of FTZ 37, on behalf of Minolta Advance Technology, Inc. (Minolta), requesting authority to manufacture bulk toner and toner cartridges under FTZ procedures within FTZ 37—Site 7. The application was formally filed on September 23, 2003.

The Minolta facility is located at (1 bldg., 88,039 sq. ft. (with a possible 125,000 sq. ft. to be added in the future) on 19.2 acres). The plant (40 employees) produces bulk toner (HTSUS 3707, 6.5%), toner cartridges for computer printers (HTSUS 8473, duty-free) and photocopiers (HTSUS 9009, duty-free to 3.7%), and remanufactures toner cartridges (HTSUS 8473 and HTSUS 9009, duty-free to 3.7%).

Foreign-sourced materials will account for some 40-80 percent of finished product value, and may include items from the following general categories: inorganic acids; artificial corundum; aluminum oxide; iron oxides; silicates; organo-sulfur compounds; heterocyclic compounds; other organic compounds; artificial and prepared waxes; chemical preparations for photographic uses, propylene/styrene/acrylic polymers; polyacetals; self-adhesive sheets/plates of plastics; other sheets/plates of plastics; plastic lids/stoppers; articles of vulcanized rubber, belts; paper and paperboard; cartons; paper; printed booklets and leaflets; seals and tapes for cartridges; aluminum foils; records, tapes and other recorded media; parts and accessories (other than carrying cases) for use with machines under HTSUS 8469 to 8472; parts suitable for use with apparatus of HTSUS 8525 or 8528; electrical apparatus for switching or protecting electrical circuits.

Zone procedures would exempt Minolta from Customs duty payments on foreign materials used in production for export. Some 12 percent of the plant's shipments are currently exported and are projected to increase to some 30 percent in the future. On domestic sales, the company would be able to choose the duty rates that apply to the finished products (primarily duty-free, and some up to 6.5%), rather than the duty rates that would otherwise apply to the foreign-sourced materials noted above (duty-free to 8 percent, weighted average 6.5%). At the outset, the company is requesting to manufacture toner cartridges for multi-function printers (HTSUS 8473.40.8000, duty-free) from bulk toner (HTSUS 3707.90.3290, 6.5%) sourced abroad. The application indicates that the savings from zone procedures will help improve the plant'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 December 2, 2003. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to December 17, 2003).

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, 707 Westchester Avenue, Suite 209, White Plains, New York 10604.

Dated: September 23, 2003.

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 03-25163 Filed 10-2-03; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 49-2003]

Foreign-Trade Zone 171—Liberty County, TX, Area; Application for Expansion

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Liberty County Economic Development Corporation, grantee of Foreign-Trade Zone 171, requesting authority to expand FTZ 171, in the Liberty County, Texas, area, adjacent to the Houston 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 September 24, 2003.

FTZ 171 was approved on January 4, 1991 (Board Order 501, 56 FR 1166, 1/11/91) and was expanded on August 9, 1999 (Board Order 1049, 64 FR 46181, 8/24/99) and April 15, 2002 (Board Order 1225, 67 FR 20087, 4/24/02). The zone project currently consists of the following sites: *Site 1* (150 acres)—City of Cleveland's International Industrial Park, on Highway FM 2025, west of U.S.

Highway 59; *Site 2* (45 acres)—Port of Liberty County Industrial Park, located on the Trinity River; *Site 3* (27 acres)—industrial park on the Trinity River, some 2 miles south of U.S. Highway 90, City of Liberty; *Site 4* (24 acres)—within the Cleveland Municipal Airport facility, Highway FM 787, Liberty County; *Site 5* (583 acres)—Sjolander Plastics Storage Railyard facility, adjacent to Highway 146, approximately 2 miles south of Dayton (Liberty County); and, *Site 6* (200 acres, 3 parcels)—located between West Bay Road and FM 1405, within the western portion of the 15,000-acre Cedar Crossing Industrial Park in the City of Baytown (Chambers County).

The applicant is now requesting authority to expand the general-purpose zone to include three additional sites (306 acres) in Huntsville (Walker County), Texas: *Proposed Site 7* (200 acres)—75 South Industrial Park, adjacent to Highway 75 and Interstate 45, Huntsville; *Proposed Site 8* (103 acres)—75 North Industrial Park, adjacent to Highway 75 and Interstate 45, Huntsville; and, *Proposed Site 9* (3 acres)—M&M Designs Industrial Park, 1981 Quality Boulevard, Huntsville. All three sites are located within a State-sponsored Enterprise Zone. No specific manufacturing authority is being requested 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 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 the U.S. Postal Service*: Foreign-Trade Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Avenue, NW., Washington, DC 20230.

The closing period for their receipt is December 2, 2003. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to December 17, 2003).

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 the first address listed above, and at the U.S. Department of Commerce Export Assistance Center, 15600 John F. Kennedy Boulevard, Suite 530, Houston, Texas 77032.

Dated: September 24, 2003.

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 03-25164 Filed 10-2-03; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 02-BXA-02]

In the Matter of: Abdulmir Mahdi, aka Amir Mahdi and aka Jasin Khafaf, 20 Huntingwood Drive, Carborough, Ontario, Canada, M1W1A2 and Ots Refining Equipment Corporation, 7030 Woodbine Avenue, NE., Suite 500, Markham, Ontario, Canada L3R 6G2, Respondents

Decision and Order

On November 22, 2002, the Bureau of Industry and Security (BIS)¹ issued an amended charging letter against the respondents, Abdulmir Mahdi, also known as Amir Mahdi and Jasin Khafaf ("Mahdi"), and Ots Refining Equipment Corporation (OTS), that alleged six violations of the Export Administration Regulations (EAR).² The charges are related to the export of U.S.-origin oil field equipment to Iran through Canada. The specific charges as amended were: (1) One charge under section 764.2(d) of the EAR of conspiring to export the equipment to Iran without the required authorization from the U.S. Government; (2) two charges under § 764.2(a) of the EAR of making such unauthorized exports to Iran; (3) one charge under § 764.2(c) of the EAR of soliciting or attempting an unauthorized export to Iran; (4) one charge under § 764.2(g) of the EAR of making a false statement on a Shipper's Export Declaration; and (5) one charge under § 764.2(e) of the EAR of transferring and forwarding goods to Iran with knowledge that the items were exported from the United States in violation of the EAR. See BIS Amended Charging Letter of November 22, 2002.

On September 6, 2002, the ALJ issued an order that granted in part BIS's motion for summary decision. That

¹ The Bureau of Industry and Security was formerly known as the Bureau of Export Administration. The name of the Bureau was changed pursuant to an order assigned by the Secretary of Commerce on April 16, 2002.

² The Export Administration Regulations are codified at 15 CFR 730-799.