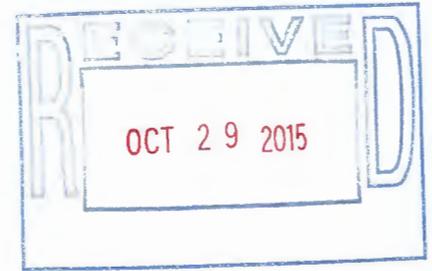




BRIDGEPORT

PORT

AUTHORITY®



October 23, 2015

Mr. Andrew McGilvray
Executive Secretary
Foreign-Trade Zones Board
1401 Constitution Avenue, NW – Room 21013
Washington, D.C. 20230

Dear Mr. McGilvray,

The Bridgeport Port Authority, as Grantee of Foreign-Trade Zone No. 76 hereby requests a grant of authority to establish a new Foreign-Trade Subzone for the exclusive use of MannKind, Corporation as outlined herein. This Application for Subzone contains information about the company, the planned import activity, and the economic justification for foreign-trade zone usage. The Subzone proposed consists of approximately 17.5 acres at two contiguous locations; Mannkind intends to request Production Authorization at this location concurrent with this Subzone designation request.

Foreign-Trade Zone No. 76 is organized under the Traditional Site Framework; the Grantee agrees that acreage requested in this Subzone application would be offset by the same acreage at a previously designated site within FTZ No. 76.

Expedited consideration is requested for this Application. The support and assistance by you and your staff to complete the Application process and award this designation as soon as possible is appreciated.

Sincerely,

Martha L. Klimas
FTZ Administrator
FTZ No. 76
(203) 576-7090



FTZ #76 – Bridgeport Port Authority
APPLICATION FOR SUBZONE DESIGNATION
(Traditional Site Framework)

QUESTIONS

1. Please mark the appropriate space below to indicate whether you are requesting that the proposed subzone be subject to your zone's activation limit. (See instructions above for further explanation.)

Subject to zone's activation limit (3-month process)

Not subject to zone's activation limit (5-month process)

2. List the address of the site(s), including the jurisdiction in which the site falls (town, city, county).

The subzone will consist of two sites:

Site 1 – 40 Taylor St.
Danbury, CT 06810

Site 2 – 1 Casper St.
Danbury, CT 06810

3. State the proposed acreage of the site(s).

Site 1 is located at 40 Taylor St., Danbury, CT 06810 consisting of 12.5 acres that includes one existing building (Building 1 – 263,900 square feet).

Site 2 is located at 1 Casper St., Danbury, CT 06810, consisting of 5 acres that includes one existing building (Building 8 - 64,600 square feet).

4. Indicate the company for which the site(s) will be designated.

The sites will be designated for MannKind Corporation, 1 Casper St., Danbury, CT 06810.

5. Provide a summary of the company's planned activities.

MannKind Corporation develops patient-friendly inhalation systems for self-administration of medicines through a proprietary developed platform. MannKind's patented dry powder formulations are based on FDKP, which is an excipient facilitating the delivery of inhaled drug therapy.

Planned activity at the zone includes the importation and storage of FDKP, a pharmaceutical intermediate that is a component in the manufacture of Technosphere Insulin®. The imported FDKP will be combined with domestic materials in the zone to produce an inhalable form of human insulin. A production notification is being filed concurrently with this application to request production authority from the U.S. Foreign-Trade Zones Board.

6. Indicate the current zoning and the existing and planned buildings (including square footage) for the site(s). (Note: Sites (or areas within a site) with inappropriate zoning – such as agricultural, retail, or residential – are not eligible for FTZ status and should not be proposed in any subzone application.)

Zoning at the site is IL-40 (Light Industrial District).

7. Confirm that FTZ designation or the use of FTZ procedures is not a requirement or a precondition for future activity or construction at the site(s).

FTZ designation or use of FTZ procedures is not a requirement or precondition for future activity or construction at the sites.

8. List the owner(s) of the site(s). (If a site(s) is not owned by the grantee or the company planning to use the site(s) – as named in response to Question 4 above – then provide a "Right to Use" attachment with documentation demonstrating the right to use the site. Such evidence could be a signed letter from the proposed operator on its letterhead attesting to its right to use the property or a letter of concurrence from the owner of the new site.)

MannKind Corporation is the property owner of both sites. A copy of the property owner concurrence letter is included as Attachment A.

9. Do you commit to work with U.S. Customs & Border Protection (CBP), as appropriate, to meet current and future CBP requirements for its automated systems (such as ACE) and to meet any CBP security requirements related to activation?

MannKind commits to working with CBP to meet current and future CBP automation requirements and all CBP security requirements related to activation.

ATTACHMENTS

Attach the documents listed below (items 10 and 11, plus 12 if applicable) directly behind the text of your request.

10. In an attachment called "Legal Authority for Application," include a copy of: 1) the state's current enabling legislation regarding FTZs and 2) the section(s) of the zone grantee's charter or organization papers pertinent to FTZ sponsorship. (For grantees that are non-public, also provide evidence of the organization's current legal standing with the state. This can include a letter or documentation from an appropriate state official or from the state's official website.)

A copy of the Connecticut General Assembly ordinance Sec. 7-136d enabling the establishment of foreign-trade zones is included as Attachment B.

A copy of the ordinance supporting Grantee's authority for sponsorship of foreign-trade zones is included as Attachment C.

11. Attach a clear and detailed site map showing existing and planned structures. The site boundaries must be outlined clearly in red.

Attachment D

12. If your state (such as TX, KY, AZ) has one or more taxes for which collections will be affected by the proposed FTZ designation of the new site(s), please attach all of the following:

- A. An explanation of the specific local taxes that will be affected;
- B. A stand-alone letter that:
 - Lists all of the affected parties;
 - Includes a statement below the list certifying that this is a complete list of all parties that would be affected by this particular request; and,
 - Is signed by an official of the grantee organization.
- C. Correspondence from all of the affected parties (such as a local school board) indicating their concurrence (or non-objection) regarding the proposed FTZ designation.

Not Applicable

Attachment A



One Casper Street
Danbury, CT 06810
Main: 203-798-8000
Fax: 203-798-7740
www.mannkindcorp.com

September 24, 2015

Mr. Andrew McGilvray
Executive Secretary
Foreign-Trade Zones Board
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Room 21013
Washington, D.C. 20230

Re: Property Ownership

Dear Mr. McGilvray:

MannKind Corporation ("MannKind") is the property owner of the proposed foreign-trade subzone sites located respectively at 1 Casper Street (5 acres) and 40 Taylor Street (12.5 acres) in Danbury, Connecticut. The combined total acreage of the two subzone sites is approximately 18+/- acres.

MannKind requests FTZ subzone designation of the 18 +/- acre sites.

MannKind is aware of the requirement in the Foreign-Trade Zones Act that a foreign-trade zone grant may not be sold, conveyed, transferred, set over, or assigned. MannKind acknowledges that it has no vested rights in zone status.

MannKind understands that the Grantee (Bridgeport Port Authority) may request that the foreign-trade zone boundaries be altered, moved or terminated as will meet the particular requirements of the site. MannKind agrees it will not interfere with the regulation of the zone by the Grantee or the United States, or interfere with or complicate the revocation of the grant by the United States. In the event of the United States or the Grantee desiring to acquire the property, MannKind understands that no good will shall be considered as accruing from the privilege granted to the zone.

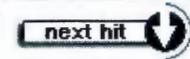
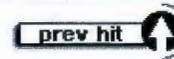
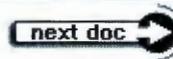
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bruce Lemieux", is written over a horizontal line.

Bruce Lemieux
Sr. Manager Logistics
MannKind Corporation

Attachment B

Connecticut General Assembly



7-329d Section text
1 of 1 document(s) retrieved

Sec. 7-329d. Regulations by port authority. Each port authority may make and enforce any reasonable regulations that it may determine to be necessary for the proper development, maintenance and use of the port facilities, relating to the construction, equipment, repair, maintenance, use and rental of any dock, wharf, slip, bus or air terminal, rail tracks or terminal or warehouse or other port authority owned or leased by any individual or corporation within the port facility and may operate and maintain a foreign trade zone, as permitted pursuant to the federal Foreign-Trade Zone Act of 1934, 19 USC Sections 81a to 81u, inclusive, as from time to time amended.

Attachment C

U.S. DEPARTMENT OF COMMERCE
FOREIGN-TRADE ZONES BOARD

ORDER NO. 1174

DESIGNATION OF NEW GRANTEE FOR
FOREIGN-TRADE ZONE 76, BRIDGEPORT, CONNECTICUT

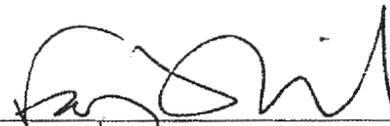
RESOLUTION AND ORDER

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), and the Foreign-Trade Zones Board Regulations (15 CFR Part 400), the Foreign-Trade Zones Board (the Board) adopts the following Order:

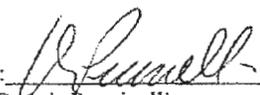
The Foreign-Trade Zones (FTZ) Board (the Board) has considered the application (filed 12/12/2000) submitted by the City of Bridgeport, Connecticut, grantee of FTZ 76, Bridgeport, Connecticut, requesting reissuance of the grant of authority for said zone to the Bridgeport Authority, a municipal corporation, which has accepted such reissuance subject to approval of the FTZ Board. Upon review, the Board finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the request and recognizes the Bridgeport Port Authority as the new grantee of Foreign-Trade Zone 76.

The approval is subject to the FTZ Act and the FTZ Board's regulations, including Section 400.28.

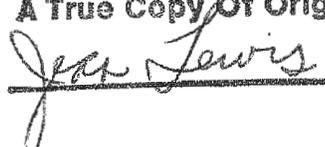
Signed at Washington, DC, this 9th day of July 2001.



Faryar Shitzad
Assistant Secretary of Commerce
for Import Administration
Alternate Chairman
Foreign-Trade Zones Board

ATTEST: 

Dennis Puccinelli
Executive Secretary

A True Copy Of Original


Jean Lewis

ORDINANCE TO CREATE PORT AUTHORITY
AND PORT DISTRICT

(LAID-OVER-UNDER-THE-RULES)

Rules suspended July 6/92.
Not Laid over. Approved.
(with amendments incorporated
in this copy!)

REPORT
OF
Committee
ON

ORDINANCES

Submitted JULY 6, 1992

Adopted

Fleeta B. Hudson

Attest,
City Clerk

Approved

[Signature] July 10, 92
Mayor

Notified: CT POST 7/16/92

Notified: 7/16/92
MAYOR
CITY ATTY
STATE ATTY
LIBRARY
CCM
P. Holecz, HARBOUR COMM
J. Savino, HARBOUR MASTER
J. Byrne, Mayor's office
M. FRSIMUTH, OP & ED

Not Notified -
Waiting for
Council to
Make minor
technical
amendments 9/16/92

Letters released: 10/30/1992
(amendments not made)



City of Bridgeport, Connecticut

To the Common Council of the City of Bridgeport:

The Committee onORDINANCES..... begs leave to report;
and recommends for adoption the following resolution:

314-91

CHAPTER 31, ARTICLE III THE BRIDGEPORT PORT AUTHORITY AND PORT DISTRICT

Sec. 31. Purpose and Intent.

In accordance with Chapter 105, Sec. 7-329a to 7-329f of the Connecticut General Statutes, the City of Bridgeport hereby establishes the Bridgeport Port Authority within its confines, to be created and operated according to procedures set forth in Chapter 105, Sec. 7-329a to 7-329f. The purpose of the Authority shall be: to foster and stimulate the shipment of freight and commerce through the ports of Bridgeport, Connecticut; to develop and promote port facilities with the District in order to create jobs, increase the City's tax base and provide special revenues to the City of Bridgeport; to work with the government of the City of Bridgeport to maximize the usefulness of available public funding by consolidating and coordinating private efforts to assist the City's waterfront and industrial development program, to cooperate with the State and Federal Agencies in the maintenance, development, improvement and use of District harbors, waterways and industrially zoned properties.

Sec. 31-31. Definitions.

In the interpretation hereof the following words and terms shall be taken to include the following meanings when context shall require or permit:

(a) The term "Authority" shall mean the body politic and corporate created by this ordinance known as the Bridgeport Port Authority;

(b) The term "District" shall mean the Port District as outlined in Schedule A map and approved by the Common Council of the City of Bridgeport; map will exclude residential and recreationally zoned properties from Port Authority jurisdiction except those that are water related or water dependent.



City of Bridgeport, Connecticut

To the Common Council of the City of Bridgeport:

The Committee onORDINANCES..... begs leave to report;
and recommends for adoption the following resolution:

314-91

(c) The term "Port Facilities" shall mean wharves, docks, piers, air or bus terminals, railroad tracks or warehouses, elevators, freight handling of freight, passengers and vehicles, and the establishment and operation of a port and any other works, properties, buildings, structures or other facilities necessary or desirable in connection with the development and operation of port facilities;

(d) The term "City" shall mean the City of Bridgeport;

(e) "Connecticut General Statutes" shall mean the revision of 1958, as amended;

(f) The term "Board" shall mean the Board of Commissioners, the five (5) members of the executive body appointed by the Mayor of the City of Bridgeport;

(g) The term "Commissioner" shall mean any single member of the Board of Commissioners;

(h) The term "Ex-officio" shall mean non-voting member;

(i) The term "State Agency" shall mean the State of Connecticut, and any department of, or corporation, agency or instrumentality thereof or hereafter created, designated, or established by the State of Connecticut;

(j) The term "Federal Agency" shall mean the United States of America, and any department of, or corporation, agency, or instrumentality thereof, heretofore, or hereafter created, designated, or established by the United States of America.

(k) The term "City Officials" shall mean the Mayor of the City of Bridgeport, the President of the Common Council of the City of Bridgeport, the Director of Economic and Community Development of the City of Bridgeport, the Chairman of the Harbor Commission of the City of Bridgeport, and the Harbormaster for the City of Bridgeport, or his designee, who is an official appointed by a State Agency.



City of Bridgeport, Connecticut

To the Common Council of the City of Bridgeport:

The Committee onORDINANCES..... begs leave to report;
and recommends for adoption the following resolution:

314-91

Sec. 31-32. Board of Commissioners.

(a) The Board of Commissioners of the Bridgeport Port Authority shall consist of five (5) voting members. The voting members shall include two (2) City Officials, the Director of Economic Development and the Harbormaster, and three (3) At-Large members who shall be electors of the City of Bridgeport and who shall be appointed by the Mayor and approved by the Common Council. There shall be three (3) Ex-officio City Official members, the Mayor, Common Council President, and Harbor Commission Chairman. The commissioners shall serve without compensation, except for reasonable and necessary expenses.

(b) City Officials who are members of the Board of Commissioners shall retain this responsibility through their tenure as City Officials. At-Large members of the Board of Commissioners shall be appointed for terms of three (3) years, except that of those first appointed, one shall be appointed for a term ending December 31, 1993, one for a term ending December 31, 1994 and one for a term ending December 31, 1995.

Sec. 31-33. Board Officers, Committees and Voting Procedures.

The Board shall elect one of their number Chairman, and one Vice-Chairman. The Secretary and Treasurer does not necessarily have to be a Commissioner. The Board shall meet upon the call of the Chairman and a majority of its members shall constitute a quorum. Any action of the Board must have at least three votes in favor or against in order to be considered valid. The Chairman shall appoint Committee Chairman from its ranks. Except for the Committee Chairman, Committee Members do not necessarily have to be Commissioners, but must be approved by the Chairman of the Board. Committees shall only serve as an advisory role to the Board.

Sec. 31-34. Power and Duties of the Authority.

The powers and duties of the Authority as those set forth in Connecticut General Statutes Chapter 105, Sec. 7-329c.



City of Bridgeport, Connecticut

To the Common Council of the City of Bridgeport:

The Committee onORDINANCES..... begs leave to report;
and recommends for adoption the following resolution:

314-91

Sec. 31-35. District Properties.

The properties included with the District shall be bounded and described as set forth in Schedule A map annexed hereto and made part hereof. The boundaries should include the the attached Schedule A and exclude all residentially zoned and recreationally zoned areas except those that are water dependent, and industrially zoned sites deemed necessary to support the Port facilities.

Sec. 31-36. Regulations by the Authority.

The Authority may make and enforce any reasonable regulations which it may determine to be necessary relating to the construction, equipment repair, maintenance, use and rental of any dock, wharf, slip, bus or air terminal, rail tracks or terminal or warehouse owned or leased by any individual or corporation within the District.

Sec. 31-37. Investigations.

The Authority may make any investigation which it may deem necessary to enable it to effectively carry out the provisions of Connecticut General Statutes Chapter 105, Sec. 7-329a to 7-329f, inclusive. The authority may enter upon any lands as in its judgement may be necessary for the purpose of making surveys and examinations to accomplish any purpose authorized by said section.

Sec. 31-38. Acquisition of Property.

The Authority may lease or acquire title to real or personal property and may condemn real property located within the District which it deems necessary for the development of port facilities in the District, subject to the provisions of Connecticut General Statutes, Sec. 48-12.



City of Bridgeport, Connecticut

To the Common Council of the City of Bridgeport:

The Committee on ORDINANCES begs leave to report;
and recommends for adoption the following resolution:

314-91

Sec. 31-39. By-Laws, Rules and Regulations.

The Authority shall have the power to adopt, alter or repeal its own by-laws, rules and regulations governing the manner in which its business may be transacted in which the power granted to it may be enjoyed, and may provide for the appointment of such committees, and the functions thereof, as the Authority may deem necessary or expedient in facilitating its business.

Sec. 31-40. Financial Restriction.

No indebtedness of any kind incurred or created by the Authority shall constitute an indebtedness of the City of Bridgeport, or any political subdivision thereof, and no such indebtedness shall involve or be secured faith, credit, or taxing of the City of Bridgeport, or any political subdivision thereof.

Sec. 31-41. Reporting Requirement.

The Authority shall issue a report to the Common Council of the City of Bridgeport within six (6) months at which time the Authority shall request the transfer of City asset(s) deemed necessary for the purpose of developing port facilities and to recommend the method of payment for said asset(s).

Sec. 31-42. Effective Date.

This ordinance shall be in full force and effect upon the approval of the Common Council and the signing of the Mayor of the City of Bridgeport. The Mayor shall appoint the Commissioners within thirty (30) days of the signing of this ordinance. The Commissioners shall occupy the terms which are deemed vacant.



City of Bridgeport, Connecticut

To the Common Council of the City of Bridgeport:

The Committee on ORDINANCES begs leave to report;
and recommends for adoption the following resolution:

314-91

Sec. 31-43. Miscellaneous.

If any section, sub-section, paragraph, subparagraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid in conformance by Federal Law and State Statutes, such holding shall not affect the validity of the remaining portions.

Sec. 31-44 through 31-60 reserved for future use.

Respectfully submitted,

THE COMMITTEE ON ORDINANCES

Auden Grogins
Thomas J. White
Thomas J. White

M. Evette Brentley

Peter Niles

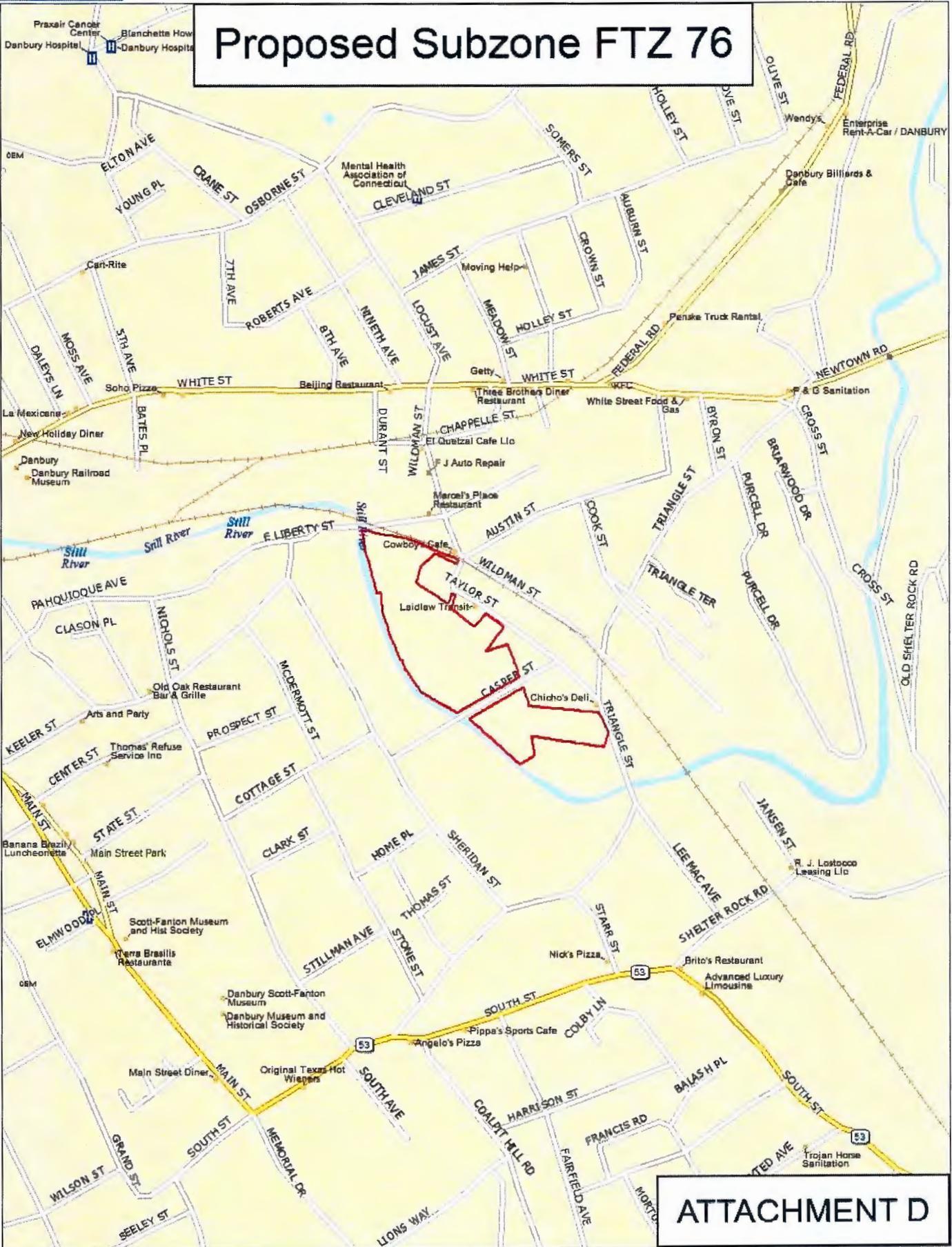
John Brannelly, Jr.

Rafael Iriarray

James P. McBinnie

Attachment D

Proposed Subzone FTZ 76

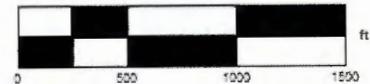


ATTACHMENT D

Data use subject to license.

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www.delorme.com



Data Zoom 14-3