

## **IMPORTANT INFORMATION ABOUT ZONE SCHEDULES**

This zone schedule is being made available pursuant to 15 CFR 400.44(e), which states: “The Board shall make copies of zone schedules available on its Web site.”

Availability of this zone schedule on the FTZ Board’s website does not imply that the FTZ Board has approved any rate/charge, policy or other content of this zone schedule. In particular, while the FTZ Board staff intends to conduct spot checks over time, zone schedules are not reviewed for compliance with the public utility requirement (19 U.S.C. 81n, 15 CFR 400.42) prior to making the zone schedules available via the Board’s website.

Pursuant to 15 CFR 400.44(b)(4), a grantee may not assess any specific rate or charge for which the amount – or formula for calculating the amount – does not appear in the zone schedule that the grantee has submitted to the FTZ Board.

Complaints about a grantee’s compliance with statutory and regulatory requirements related to public utility and uniform treatment – including rate or charge amounts/formulas, a grantee assessing a rate or charge amount/formula that does not appear in its zone schedule, and a grantee not affording uniform treatment under like conditions – may be presented to the FTZ Board under 15 CFR 400.45 (which also allows for complaints to be made on a confidential basis, if necessary).

Questions or concerns may be addressed to the FTZ Board staff at (202) 482-2862 or [ftz@trade.gov](mailto:ftz@trade.gov).

**ZONE SCHEDULE**  
**FOR THE**  
**ORLANDO FOREIGN-TRADE ZONE, FTZ No. 42**

This Zone Schedule has been prepared by the Greater Orlando Aviation Authority (GOAA), in its capacity as the Grantee for FTZ No. 42. Any questions concerning the contents of this Zone Schedule should be addressed to:

Raymond D. Anderson, Esq.  
Senior Director, Properties & Concessions  
FTZ No. 42 Administrator  
Greater Orlando Aviation Authority  
Orlando International Airport  
Jeff Fuqua Boulevard  
Orlando, FL. 32827-4399

This Zone Schedule has been prepared in accordance with 15 C.F.R. 400.44 and is on file with the Foreign-Trade Zones Board and the United States Customs and Border Protection in Orlando.

**ORLANDO FOREIGN-TRADE ZONE, FTZ NO. 42 ZONE SCHEDULE**  
**EFFECTIVE FEBRUARY 17, 2016**

**I. Foreign-Trade Zones in General**

Foreign-trade zones (FTZs) were created by the Foreign-Trade Zones Act of 1934 ("the FTZ Act") for the purpose of expediting and encouraging foreign commerce. Changes to the FTZ Act in 1950 that permitted manufacturing and exhibiting in FTZs have broadened the objectives of the program. FTZs are secured areas under U.S. Customs supervision that are considered outside the customs territory of the United States. Merchandise may be moved into an FTZ for storage, exhibition, manufacture, or other operations not otherwise prohibited by law. Customs duties on foreign merchandise are not collected until the merchandise is entered into the U.S. Customs territory.

**II. The Orlando Foreign-Trade Zone, FTZ No. 42**

The Orlando Foreign-Trade Zone, FTZ No. 42, was initially established by Board Order 137 (September 29, 1978). It was reorganized under the Alternative Site Framework (ASF) by Board Order No. 1979 on June 26, 2015. The GOAA is the Grantee of FTZ No. 42 and the Service Area encompasses all of Orange County. FTZ No. 42 presently consists of two (2) Magnet Sites and one (1) Subzone – see Exhibit A. As new Usage Driven Sites, subzones and Magnet Sites are added, Exhibit A will be updated.

The Orlando Foreign-Trade Zone is open for business during normal business hours. Those legal holidays\* during which the Zone is closed for regular business are as follows:

New Year's Day	1st day of January
Martin Luther King Day	3 <sup>rd</sup> Monday of January
Memorial Day	Last Monday in May
Independence Day	4th day of July
Labor Day	1st Monday in September
Thanksgiving Holidays	4th Thursday and Friday in November
Christmas Holidays	24 <sup>th</sup> and 25th day of December

\*If a holiday falls on Saturday, the day immediately preceding such Saturday will be observed; and if a holiday falls on Sunday, the following day will be observed. The Zone office will close at 4 P.M. on election days.

### III. Glossary of Terms

1. **Foreign-Trade Zones Board (FTZB)** -- comprised of the Secretary of Commerce and the Secretary of Treasury. These officials or their designee are empowered to issue to appropriate applicants the grant of authority to establish, maintain and operate a Foreign Trade Zone project 19 U.S.C. 81a(b); 15 C.F.R. 400.2(d).
2. **Foreign-Trade Zones Board (FTZB) staff** -- Officials in the Department of Commerce, International Trade Administration responsible for overseeing the administration of Foreign Trade Zones. The Executive Secretary heads up this office 15 C.F.R. 400.2(g).
3. **Port Director of Customs and Border Protection (CBP)** – CBP official with responsibility for overseeing the activation and operations of zone projects within his customs port of entry.
4. **Grantee** -- Corporation to which the privilege of establishing, operating, and maintaining a foreign-trade zone has been granted. 19 U.S.C. 81a(h); 15 C.F.R. 400.2(v). The GOAA is the Grantee of FTZ No. 42.
5. **Operator** -- Corporation, partnership, or person that operates a zone or subzone under the terms of an Agreement with the Grantee. 15 C.F.R. 400.2(w).
6. **User** -- A person or firm using a zone or subzone for storage, handling, or processing of merchandise. 15 C.F.R. 400.2(aa).
7. **FTZ Eligibility** – A site becomes eligible to be used as an FTZ upon receipt of designation from the FTZB in response to a request from the Grantee.
8. **Activation** -- Filing of an application with CBP by the Operator, with Grantee's concurrence, results in the actual utilization of an FTZ eligible site as an FTZ. 19 C.F.R. 146.1.
9. **Subzone** -- A site (or group of sites) established for a specific use. 15 C.F.R. 400.2(s).
10. **Alternative Site Framework (ASF)** -- An optional approach to FTZ designation and management that provides Grantees with greater flexibility and responsiveness in serving FTZ Users. 15 C.F.R. 400.2(c). FTZ No. 42 was reorganized under ASF through Board Order No. 1979 on June 26, 2015.

11. **Service Area** -- Jurisdiction within which a Grantee proposes to be able to designate sites via minor boundary modifications under the ASF. 15 C.F.R. 400.2(q). The Service Area for FTZ No. 42 encompasses all of Orange County
12. **Magnet Site** -- A site intended to serve or attract multiple operators or users under the ASF. 15 C.F.R. 400.2(j).
13. **Usage Driven Site** -- A site tied to a single Operator or User under the ASF. 15 C.F.R. 400.2(t).
14. **Zone Project** -- All of the Zone sites (General Purpose, Magnet, Usage Driven and subzone) established by the Board under a single Grantee.
15. **Production** -- Activity involving the substantial transformation of a foreign article resulting in a new and different article having a different name, character, and use or activity involving a change in the condition of the customs classification of the article or its eligibility for entry for consumption. 15 C.F.R. 400.2(o)
16. **Domestic Status Merchandise** -- Merchandise produced in the United States or imported merchandise for which customs duties have already been paid. 19 C.F.R. 146.43.
17. **Privileged Foreign Status Merchandise** -- Imported merchandise that has not cleared Customs and for which the User wishes said merchandise to retain its identity, from a customs classification standpoint, regardless of its condition when it ultimately enters the customs territory of the United States. 19 C.F.R. 146.41.
18. **Non-Privileged Foreign Status Merchandise** -- Imported merchandise that has not cleared Customs and for which the User does not wish said merchandise to retain its identity, from a customs classification standpoint, so that if altered, it will become classifiable in its condition when it enters the customs territory of the United States. 19 C.F.R. 146.42.
19. **Zone Restricted Merchandise** -- Merchandise which cannot re-enter the U.S. customs territory. 19 C.F.R. 146.44
20. **CBPF 214** -- Document prepared on behalf of the User, signed by the Operator and approved by CBP, which authorizes the admission of merchandise into a FTZ and designates the status of the merchandise.

21. **CBPF 216** -- Document prepared by the Operator and approved by CBP, which authorizes the User to engage in certain activities within the FTZ such as manipulation, repair, destruction and manufacture.

22. **CBPF 3461** -- Document prepared on behalf of the User, which must be approved by CBP and furnished to the Operator prior to the physical removal of any merchandise from the FTZ into the customs territory of the United States.

23. **CBPF 7512** -- Document prepared on behalf of the User, which must be approved by CBP and furnished to the Operator prior to the physical removal of any merchandise from the FTZ for exportation of merchandise from the United States.

**IV. Role of Zone Grantee**

1. File all applications with the FTZB.
2. Assist in marketing of zone project.
3. Select Operators and enter into agreements with entities authorizing said entities to function as an Operator.
4. Insure maintenance of facilities. 19 U.S.C. 81l.
5. Insure zone is run as public utility. 19 U.S.C. 81n; 15 C.F.R. 400.42.
6. Insure all parties that apply to make use of or participate in the zone are provided uniform treatment under like conditions. 15 C.F.R. 400.43
7. Concur in all activation requests filed with Customs 19 C.F.R. 146.6.
8. Insure that the Annual Report is timely filed with the FTZ Board. 19 U.S.C. 81p(b); 15 C.F.R. 400.51(c).
9. Submit the Zone Schedule to the Executive Secretary. 15 C.F.R. 400.44.
10. Submit requests to the Executive Secretary of the FTZB with regard to whether an activity constitutes retail trade and can be conducted within the zone 15 C.F.R. 400.47.

**V. Role of Zone Operator**

1. Supervise all admissions, transfers, removals, recordkeeping, manipulations, manufacturing, destruction, exhibition, physical and procedural security and conditions of storage in zone as required by law and regulations. 19 C.F.R. 146.4.
2. Pay any applicable activation fee and annual fee. 19 C.F.R. 146.5.
3. Prepare written application to the Port Director for activation, alteration or deactivation of zone. 19 C.F.R. 146.6/146.7.
4. File the requisite CBPF 301 Foreign Trade Zone Operator's Bond with CBP. 19 C.F.R. 146.7.
5. Sign all CBPF 214s permitting merchandise to be admitted into the zone. 19 C.F.R. 146.9.
6. Prepare a Procedures Manual outlining the inventory control system and recordkeeping system to be followed at the zone. 19 C.F.R. 146.21.
7. Submit through the Online FTZ Information System account established for each Operator by the Grantee, the data and information required to complete the Annual Report for the FTZB.
8. Prepare a reconciliation report within 90 days after the end of the zone/subzone year. 19 C.F.R. 146.25.
9. Perform an annual internal review of the inventory control and recordkeeping system and report discrepancies to the Port Director. 19 C.F.R. 146.26.
10. Maintain admission documentation. 19 C.F.R. 146.37.
11. Collect all in-bond documentation. 19 C.F.R. 146.40.
12. File a CBPF 216 for permission to manipulate, manufacture, exhibit or destroy merchandise in a zone. 19 C.F.R. 146.52.
13. Report shortages and overages to CBP. 19 C.F.R. 146.53.

**VI. FTZ No. 42 Zone Policy**

1. This Zone Schedule is published in accordance with 15 C.F.R. 400.44. The Zone policy, rules, regulations, rates and charges of this schedule shall apply at Foreign-Trade Zone No. 42, unless otherwise provided for.

2. Pursuant to 15 C.F.R. 400.42 and 400.43, the rates and charges for services within the Zone shall be fair and reasonable, and the Grantee shall afford uniform treatment under like conditions to all users. The FTZB shall determine whether the rates and charges are fair and reasonable.

3. Pursuant to 15 C.F.R. 400.38, Usage Driven Sites can be established within 30 days of the filing of a minor boundary modification request by the Grantee. Pursuant to 15 C.F.R. 400.25, subzones can generally be established, if there is no objection encountered, within 5 months of the filing of the subzone request by the Grantee. All persons and entities who request the Grantee to apply for authority to establish a Usage Driven or subzone site must first enter into an agreement with the Grantee governing the proposed operations at the site. All requests for usage driven and/or subzone designation will be reviewed by the Grantee and all entities will be afforded uniform treatment with respect to the handling of the request by the Grantee. Should the Grantee determine to sponsor the Usage Driven or subzone site application, it will be the obligation of the applicant for the new site to prepare the application and bear all costs associated with the preparation and filing of the application, including any filing fees assessed by the FTZB.

Pursuant to 15 C.F.R. 400.24(b) Magnet Sites can be established provided that certain criteria are satisfied. All requests for the establishment of a new Magnet Site will be reviewed by the Grantee and all entities will be afforded uniform treatment with respect to the handling of the request by the Grantee. Should the Grantee determine to sponsor the expansion application, it will be the obligation of the applicant for the new Magnet Site to prepare the expansion application and bear all costs associated with the preparation and filing of the application, including any filing fees assessed by the FTZB.

Since the focus of the ASF is the expeditious and cost effective establishment of Usage Driven Sites for individual entities, any entity that seeks Magnet Site designation must demonstrate a compelling need for said designation and shall provide letters of commitment to activate parcels within the requested Magnet Site from multiple Operators.



4. All requests and applications to the FTZB by Operators and Users of FTZ No. 42 shall either be submitted by the Grantee or shall include a letter of transmittal or concurrence from the Grantee. Such requests include, but are not limited to, applications for production authority, subzone applications, minor boundary modifications, determinations of or expansions of previously approved scope of authority for Zone procedures. All requests to CBP by Operators of FTZ No. 42 shall include a letter of transmittal or concurrence from the Grantee. Such requests include, but are not limited to, activation, deactivation, or alteration of zone areas.

5. Pursuant to 19 U.S.C 81o(c), no merchandise, operation or process of treatment will be permitted in the Zone that is detrimental to the public interest, health and safety.

6. All persons conducting business within FTZ No. 42 and all operations moving merchandise into or out of FTZ No. 42 must strictly conform to the Foreign-Trade Zones Act (FTZA), FTZB Regulations, CBP Regulations, this Zone Schedule and all other applicable federal, state and local laws, rules, and regulations. This Zone Schedule may be modified, amended or replaced by the GOAA at any time if it is determined to be necessary or appropriate to do so. The GOAA shall, in its sole discretion, interpret the provisions of this Schedule and determine the applicability of any of its provisions.

7. The Grantee is responsible for preparing and filing with the FTZB an Annual Report summarizing all Zone activity from January 1 through December 30 of each year. The Report shall be filed by March 31 of each year pursuant to current requirements of the FTZB. By February 15 of each year, all Operators shall submit to the Grantee, through the Online FTZ Information System (OFIS) account established for each Operator by the Grantee, the data and information required to complete the Annual Report for the FTZB.

## **VII. Miscellaneous**

1. **Grantee Fee Schedule** -- There is a Grantee FTZ Establishment Fee Schedule for FTZ No. 42 (Exhibit B). There is also a Grantee FTZ Fee Schedule for Approved FTZ Sites (Exhibit C).

2. **Operator Fee Schedule** -- Each operator will be responsible for preparation of its own Fee Schedule listing its charges. All rates and charges for all FTZ services within FTZ No. 42 shall be fair and reasonable and the operators shall afford to all who may apply for the use of the FTZ and its facilities uniform treatment under like conditions.

**EXHIBIT A**

Site 1: **Orlando International Airport** 168 acres  
Permanent  
Magnet

Site 2: **Lincoln International Corporate Park, 8633 Transport Drive, Orlando, Florida** 27 acres  
Magnet

Subzone **Mitsubishi Power Systems Americas, Inc.**  
42A

**EXHIBIT B**

**GRANTEE'S FOREIGN-TRADE ZONE FEE SCHEDULE  
SPONSORSHIP FEES FOR FTZB INTERACTION  
Orlando Foreign-Trade Zone, FTZ No. 42  
Effective February 17, 2016**

- 1. Fee to Sponsor Minor Boundary Modification to Designate a new Usage Driven Site** **\$5,000.00**

*This non-refundable Sponsorship Fee is payable to Grantee by Company seeking the Usage Driven Site designation prior to filing of Minor Boundary Modification Request. The Company is responsible for the cost of preparing said request as well as any filing fees assessed by the FTZB with regard to the processing of said request.*

- 2. Fee to Sponsor Subzone Application** **\$5,000.00**

*This non-refundable Sponsorship Fee is payable to Grantee by Subzone Operator prior to filing of Subzone Application. The Subzone Operator is responsible for the cost of preparing said request as well as any filing fees assessed by the FTZB with regard to the processing of said request.*

- 3. Fee to Sponsor Expansion Application To Designate a New Magnet Site** **\$15,000.00**

*This non-refundable Sponsorship Fee is payable to Grantee by Owner of Magnet Site prior to filing of Expansion Application. The Property Owner is responsible for the cost of preparing said application as well as any filing fees assessed by the FTZB with regard to the processing of said application.*

4. **Fee to Sponsor Production Notification/  
Production Authorization Request**

**\$2,500.00**

*This non-refundable fee is payable by Operator to Grantee prior to submission of a production notification/authorization request to the FTZB. The Operator is responsible for the cost of preparing said request(s) as well as any filing fees assessed by the FTZB with regard to the processing of said request(s).*

**EXHIBIT C**

**GRANTEE'S FOREIGN-TRADE ZONE FEE SCHEDULE  
FOR APPROVED FTZ SITES  
Orlando Foreign-Trade Zone, FTZ No. 42  
Effective February 17, 2016**

- 1. Fee for Activation of Zone Site (whether a Magnet, Usage Driven or Subzone Site) \$1,500.00**

*This non-refundable fee is payable to Grantee by Operator prior to submission of activation application to United States Customs and Border Protection. Failure by Operator to pay such fee to Grantee will result in Grantee withholding its concurrence to activation.*

- 2. Fee for Alteration of Zone Site (whether a Magnet, Usage Driven or Subzone Site) for the Purpose of adding a New Site at which Operator is authorized to Provide FTZ Services \$1,500.00**

*This non-refundable fee is payable to Grantee by Operator prior to submission of alteration request to United States Customs and Border Protection. Failure by Operator to pay such fee to Grantee will result in Grantee withholding its concurrence to alteration. It is to be noted that an alteration request solely to expand or decrease the activated portion of an existing Site is not subject to this Fee.*

- 3. Annual Fee for Non-Activated Zone Site (whether a Magnet, Usage Driven or Subzone Site) \$1,000.00**

*This non-refundable Annual Fee is payable to Grantee by Property Owner of Magnet Site or Company operating Usage Driven or Subzone Site upon the site's receipt of FTZ designation. If FTZ designation is issued on a date other than January 1, this Annual Fee will be prorated for the remainder of that calendar*

year. This Annual Fee is to be paid on January 1 of each year thereafter that the Zone Site is non-activated. In the case of a Magnet Site this Annual Fee is suspended should a portion of the Magnet Site be activated and remains suspended until the entire Magnet Site is deactivated, at which time Property Owner will commence payment of this Annual Fee on a yearly basis as described above.

**4. Annual Fee For Activated Subzone, Usage Driven Zone Site or Single User Within Magnet Site**

**\$5,000.00**

*This non-refundable Annual Fee is payable to Grantee by Subzone Operator, Usage Driven Site Operator or Single User Operator within Magnet Site upon activation of the Zone Site. This Annual Fee applies separately to each site activated by Operator. If activation occurs on a date other than January 1, this Annual Fee will be prorated for the remainder of that calendar year and Operator will receive a prorated credit for the Annual Fee it paid for that calendar year pursuant to 3 above. This Annual Fee is to be paid on January 1 of each year thereafter that the Zone Site remains activated.*

**5. Annual Fee for General Purpose Operator at Activated Magnet Site**

**\$2,500.00**

*This non-refundable minimum Annual Fee is payable to Grantee upon activation of any Site within a Magnet Site by General Purpose Zone Site Operator. If activation occurs on a date other than January 1, this minimum Annual Fee will be prorated for the remainder of that calendar year. This minimum Annual Fee is to be paid on January 1 of each year thereafter that each Site within the Magnet Zone Site remains activated.*