

## **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

Foreign-Trade Zone No. 28

City of New Bedford, Massachusetts

Effective: October 1, 2014

Zone Administrator: Jeffrey D. Stieb  
Executive Director  
New Bedford Harbor Development Commission

Address: New Bedford Harbor Development Commission  
Fisherman's Wharf  
New Bedford, MA 02740  
Telephone: 508-961-3000

## Table of Contents

	Page No.
1. Rules and Policies of FTZ 28	1
2. Rates/Charges Assessed for FTZ 28	1

1. Rules and Policies of FTZ 28  
The rules and regulations of the Foreign Trade Zone Board and the U.S. Customs Service shall apply. Guidelines are available in the Foreign Trade Zone Manual. <http://www.cbp.gov/sites/default/files/documents/FTZmanual2011.pdf>
2. Rates/Charges Assessed for FTZ 28

## **SUBZONE APPLICATION AND ACTIVATION**

### **1. Application Processing Fee \$3,000**

(This fee does not include actual preparation of the Subzone Application)

The Application Processing Fee covers Grantee expenses for obtaining the necessary local approvals for the Subzone, review of the application and submission of the Application to the Foreign-Trade Zones Board, and any necessary support required in the Subzone Application process.

### **2. Activation Processing Fee \$2,000**

(This fee does not include actual preparation of the Activation Application to U.S. Customs)

The Activation Fee covers Grantee expenses for preparation and processing of the Operations Agreement, providing the Grantee concurrence letter to the U.S. Customs Service, preparation and/or assistance in preparing the Procedures Manual, and any necessary Grantee support required in the Customs activation process.

### **3. Annual Fee \$5,000**

An annual fee will be charged to the Operator or to the Owner, if serving as its own Operator. The fee will cover Grantee expenses for administration, which includes support, assistance and technical services with the standard Grantee/Operator Agreement. The fee also covers overhead, marketing, education, legal expenses, etc.

The Annual Fee will cover Grantee expenses for oversight of the Subzone project and submission of the Annual Report to the Foreign Trade Zones Board. The initial annual fee is payable as follows:

One-half (1/2) upon execution of the Grantee/Operator Agreement

One-half (1/2) upon Customs approval of activation

Then, annually on the anniversary date of activation by Customs, the fee is payable as described in the Grantee/Operators agreement and annually for each subsequent year the facility remains activated.

## **GENERAL PURPOSE ZONE APPLICATION AND ACTIVATION**

### **1. Application Processing Fee – New Zone or Expansion \$3,000**

(This fee does not include actual preparation of the Subzone Application)

The Application Processing Fee covers Grantee expenses for obtaining the necessary approvals for the General Purpose Zone, submission of the Application to the Foreign-Trade Zones Board, and any necessary support required in the General Purpose Zone Application process.

### **2. Activation Processing Fee \$2,000**

(This fee does not include actual preparation of the Activation Application to U.S. Customs)

The Activation Fee covers Grantee expenses for preparation and processing of the Operations Agreement, providing the Grantee concurrence letter to the U.S. Customs Service, preparation and/or assistance in preparing the Procedures Manual, and any necessary Grantee support required in the Customs activation process.

### **3. Manufacturing Authorization Request \$2,000**

(This fee does not include actual preparation of the Manufacturing Approval Request to the Foreign Trade Zones Board)

The fee will cover the Grantee expenses for processing the Manufacturing Approval Request, submission of the Request to the Foreign Trade Zones Board, and base support services required in the approval process.

### **4. Annual Fee \$5,000**

An annual fee will be charged to the Operator or to the Owner, if serving as its own Operator.

The fee will cover Grantee expenses for administration, which includes support, assistance and technical services with the standard Grantee/Operator Agreement. The fee also covers overhead, marketing, education, legal expenses, etc.

The initial annual fee is payable as follows:

One-half (1/2) upon execution of the Grantee/Operator Agreement

One-half (1/2) upon Customs approval of activation

Then, annually on the anniversary date of activation by Customs, the fee is payable as described in the Grantee/Operators agreement and annually for each subsequent year the facility remains activated.

## **EXPANSION APPLICATIONS**

(The following fees do not include actual preparation of the application)

1. Expansion Application to Foreign Trade Zones Board to expand the designated site area or the scope of operations in a Subzone. **\$2,000**

2. Amendment to Expansion Application to Foreign Trade Zones Board to expand the designated zone site area or the scope of operations in a subzone. **\$1,500**

3. Expansion Application to the U.S. Customs Service to expand the activated area of a particular subzone or general-purpose user area. **\$1,000**

4. Amendment to Expansion Application to the U.S. Customs Service on activated areas with a particular Subzone or the general purpose zone. **\$750**

**Late Payment Charge**

If any payment due is not received by the Grantee within fifteen (15) calendar days after its due date, the Operator shall pay a late payment charge, for each occurrence, equal to five percent (5%) of the amount then due. The existence of the right by the Grantee to receive a late payment charge shall not constitute a grace period or provide any right for the Operator to make a payment other than on its due date.

**Operator(s) fees**

Each individual Operator has set its own fees that are listed under Section XIV.

**U.S. Customs Fees**

At the time of issue of this Schedule, no fees are charged by Customs for normal Zone services. Should any fees or charges be imposed in the future, all such fees and charges shall be payable by the Operator of the affected Zone Site. However, Customs does charge for overtime and other special services provided at the request of an Operator. Such fees and charges shall be payable by the Operator of the affected Zone Site. Under no circumstances will the Grantee be liable or responsible for any such Customs fees or charges.

**FTZ Board (Washington, D.C.) Fees**

Any fees or charges imposed by the Foreign-Trade Zones Board shall be payable by the Operator of the affected Zone Site, or as apportioned by the Grantee among the Zone Sites when appropriate. Under no circumstances will the Grantee be liable or responsible for any FTZ Board fees or charges.

**Other Government Agency Fees**

Charges for services of other government agencies should be arranged for and paid by the Operator who requires the use of such services. Under no circumstances will the Grantee be liable or responsible for any other government agencies' fees or charges.

**Fines, Penalties and Liquidated Damages**

U.S. Customs Service fines, penalties, or liquidated damage claims affecting Zone merchandise or Zone activities will be paid by the Operator of the affected Zone Site. The same is true of any other fines, penalties, or liquidated damage claims by other government agencies concerning operations at the Zone Site. Under no circumstances will the Grantee be liable or responsible for any fines, penalties, forfeiture or liquidated damage claims.