

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.

FOREIGN-TRADE ZONE #185



Grantee Zone Schedule

Culpeper County, Virginia



**FOREIGN TRADE ZONE #185
ZONE SCHEDULE
Effective March 1, 2011**

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Policy statement:

Culpeper County, as grantee of Foreign Trade Zone #185, is committed to maintaining the foreign trade zone in a manner of public utility to best supports economic development, as well as to providing ongoing operations supports to all foreign trade zone and Customs approved activities in the Foreign Trade Zone. All fees shall be fair and reasonable, and should be applied in a uniform manner under like conditions.

All activities and correspondences of Foreign Trade Zone #185 must be in compliance with the (a) Foreign Trade Zone Act, as amended; (b) all rules and regulations and procedures established by the Foreign Trade Zones Board as published by 15 CFR Part 400 (c) all Customs Rules and Regulation under 19 CFR Part 146; (d) all lawful regulations of other Federal, State and municipal agencies (insofar as they do not conflict with the Foreign Trade Zones Act).

Site Description:

Foreign Trade Zone #185, under the Grant of Authority of Culpeper County, Virginia, was established on May 22, 1992 by Foreign Trade Zone Board Order No. 578. Currently Foreign Trade Zone #185 is comprised of three General purpose sites and three subzone sites.

General Purpose sites:

Site 1: 78-acre Culpeper Business and Office Park located on Rout 29 at Route 666 (Montanus) in Culpeper County, Virginia.
Contact: Carl Sachs, Director, Economic Development, Culpeper County
(540) 727-3410
csachs@culpepercounty.gov

Site 2: 104-acre site at the Culpeper County Industrial Airpark located adjacent to the Culpeper Regional Airport.
Contact: Carl Sachs, Director, Economic Development, Culpeper County
(540) 727-3410
csachs@culpepercounty.gov

Site 3: 65-acre site at the REO Distribution, Augusta
Activated County (Waynesboro), Virginia
Contact: Thomas D. Sikes, Director of Global Logistics, REO Distribution
(540)943-7736
tsikes@reodistribution.com

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Subzone sites:

In accordance with the Foreign-Trade Zones Board Regulations at 15 C.F.R. Part 400, Culpeper County, as Grantee, must make application to the Foreign-Trade Zones Board for any and all requests to modify, in any form, the existing structure of Foreign-Trade Zone No.185. This includes applications for the establishment of a subzone, as well as applications for expansions and minor boundary Modifications. In addition, the Culpeper County, as grantee, must sponsor applications for other revisions, such as restriction modifications and requests for processing and manufacturing authority.

Subzone 185A: Continental Teves, Inc.
(Lapsed)

Subzone 185B: Rochester Corporation
(Lapsed)

Subzone 185C: Merck & Co., Inc.
Activated PO Box 007, Elkton, Virginia 22827
Contact: Ms. Christine Shenk
(540) 298-4059
Christine.Shenk@merck.com

Subzone fees:

Subzone application fee: **\$2,500.00**

The subzone fee covers the cost associated with the Grantee's review of the prepared application (fee does not cover the development of the application), as well as the preparation of the Grantee required documentation for the filing of a foreign trade subzone application.

This fee does not include the fees to the Foreign Trade Zones Board (a check from the subzone applicant must be attached with the application for the final filing of the application by the Grantee).

The Subzone application fee must be paid in full prior to the Grantee's submission of the final application to the Foreign Trade Zones Board.

Application forms and format may be viewed and obtained at:
<http://ia.ita.doc.gov/ftzpage/applications>. Incomplete or inaccurate applications will be returned for correction.

If the proposed subzone is not within the political boundaries of Culpeper County, the Grantee requires that elected body of the political jurisdiction in which the proposed

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subzone is located be notified in writing by certified mail (return receipt required) of such proposal and offered opportunity to comment within thirty (30) days of such notification on the approval of said subzone proposal.

Subzone activation fee: **\$1,000.00**

This fee is required if a foreign trade subzone site is not activated within 6 months of approval From the Foreign Trade Zones Board

The fee must be paid in full prior to the issuance of a letter of concurrence by the Grantee.

Subzone Annual Fee: **Activated: \$10,000.00**
Non-activated: \$500.00

This fee covers the expenses associated with the ongoing oversight of the foreign trade subzone by the Grantee, as well as preparation and coordination of the annual report to the Foreign Trade Zones Board.

This fee is due August 1 every year, and is prorated when the activation occurs after August 1.

The fee must be paid within 30 days of request (or by August 1)

General Purpose Zone Fees:

The Grantee of Foreign Trade Zone #185 recognizes that the foreign trade zone program is an economic development tool, whose use must be driven by activity.

The Grantee of Foreign Trade Zone #185 will make every effort to be supportive of expansion efforts, and is committed to maintaining Foreign Trade Zone #185 as a public utility, available to any organization which exhibits a strong business case for foreign trade zone activity and is committed to becoming an activated site.

Determination of support for a proposed foreign trade zone site will be made on the basis of:

- 1) The site being within 60 miles or 90 minutes driving time from the out limits of the Customs port of Front Royal, VA.
- 2) A need for foreign trade zone services is demonstrated through:
 - a) A lack of convenient sites existing in the proposed county,
 - b) The commitment of an incoming or existing business to distribution through Foreign trade zone operations,
 - c) the proximity of the site to major transportation corridors,
 - d) the consent of the property owner to the foreign trade zone designation of the site and

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e) the property owner completes a Property Owner Agreement with the Grantee.

If the proposed General Purpose Zone is not within the political boundaries of Culpeper County, the Grantee requires that elected body of the political jurisdiction in which the proposed General Purpose Zone is located be notified in writing by certified mail (return receipt required) of such proposal and offered opportunity to comment within thirty (30) days of such notification on the approval of said General Purpose Zone proposal.

The Grantee of Foreign Trade Zone #185 reserves the right to determine the filing of an Application based on the mentioned criteria, as well as the overall impact a proposed project will have with the goals of this zone.

General Purpose Application Fee: **\$2,500.00**

The general purpose application fee covers the cost associated with the Grantee's review of the prepared application (fee does not cover the development of the application), as well as the preparation of the Grantee required documentation for the filing of a foreign trade subzone application.

This fee does not include the fees to the Foreign Trade Zones Board (a check from the general purpose applicant must be attached with the application for the final filing of the application by the Grantee).

The General purpose application fee must be paid in full prior to the Grantee's submission of the final application to the Foreign Trade Zones Board.

Application forms and format may be viewed and obtained at:
<http://ia.ita.doc.gov/ftzpage/applications>. Incomplete or inaccurate applications will be returned for correction.

General Purpose Zone Activation Fee: **\$1,000.00**

This fee is required if a foreign trade subzone site is not activated within 6 months of approval from the Foreign Trade Zones Board, or if an existing site is being activated.

The fee must be paid in full prior to the issuance of a letter of concurrence by the Grantee.

General Purpose Annual Fee **Activated: \$5,000.00**

Non-activated: \$500.00

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This fee covers the expenses associated with the ongoing oversight of the foreign trade subzone by the Grantee, as well as preparation and coordination of the annual report to the Foreign Trade Zones Board.

This fee is due August 1 every year, and is prorated when the activation occurs after August 1.

Manufacturing/Processing Request: **\$2,500.00**

The general purpose application fee covers the cost associated with the Grantee's review of the prepared application (fee does not cover the development of the application), along with an application for T/IM if needed. The fee also covers the preparation of the Grantee required documentation for the filing of a foreign trade subzone application.

This fee does not include the fees to the Foreign Trade Zones Board (a check from the general purpose manufacturing applicant must be attached with the application for the final filing of the application by the Grantee).

The application fee must be paid in full prior to the Grantee's submission of the final application for manufacturing/processing to the Foreign Trade Zones Board.

Minor Boundary Modification: **\$2,500.00**

The fee covers the preparation and filing of a minor boundary modification for the inclusion of a new general purpose site into the boundaries of Foreign Trade Zone #20. A minor boundary modification will only be filed with the presentation of a firm plan of activation and foreign trade zone operations by the property owner.

Late Fee: **\$100/ calendar day**

The Grantee is legally required to annually provide to the Foreign Trade Zones Board an Annual Report within sixty (60) days after the close of the federal government fiscal year (which runs October 1 through September 30). In the event that the Grantee does not file the Foreign Trade Zones Board Annual report in the prescribed time frame, the Grantee may be subject to a fine for the late filing, or the incomplete filing of their annual report.

Every activated operator is required to provide to the Grantee an annual report of foreign trade zone activity in the format required by the Foreign Trade Zones Board, no later than December 15 of each year, in order to enable the Grantee to fulfill their legal obligations to the Foreign Trade Zones Board. The data to be provided by the operator will encompass all foreign activity for the time period of October 1 through September 30 of each year.

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An additional fee of \$100 per calendar day will be invoiced if the data is not provided by the December 15 deadline. In addition, should the Grantee be fined for the late or incomplete filing of the Foreign Trade Zone Annual report due to the un-timeliness of data received from an operator, those fines will be invoiced in addition to the late fees.

Payment of late fees and/or accommodating penalties is expected within thirty (30) days of invoice date. Failure of payment may result in the suspension by the Grantee of foreign trade zone activity for the operator.

Administrative Information:

Please direct any inquiries regarding Foreign Trade Zone #185 to:

Carl B. Sachs
Director, Culpeper Economic Development
233 East Davis Street, Suite 300
Culpeper, Va 22701

Phone: 540-727-3410 F

Fax: 540-727-3448

Email: csachs@culpepercounty.gov