



FOREIGN-TRADE ZONE NO. 79
ZONE SCHEDULE

CHARGES, RATES, RULES, AND REGULATIONS

APPLICABLE AT

FOREIGN-TRADE ZONE NO. 79
TAMPA, FLORIDA

OPERATING UNDER GRANTED AUTHORITY
OF THE UNITED STATES FOREIGN-TRADE ZONES BOARD

TO THE

CITY OF TAMPA

Issued by:

Foreign-Trade Zone No. 79 Board, Inc.
1101 Channelside Drive
Fourth Floor
Tampa, FL 33602

Prepared by Torrey Chambliss
Date: 05/01/2016

ADMINISTRATION

CITY OF TAMPA
(Grantee)

FOREIGN-TRADE ZONE NO.79 BOARD, INC.
(Administrator)

BOARD MEMBERS

Wade Elliott
Chairman & President
Port Tampa Bay

Neil McManus
Vice President
Private Sector Board Member

Jeanette Fenton
Treasurer
City of Tampa

Vacant
Secretary

Lorrie Belovich
Tampa Hillsborough EDC

Randy Forister
Tampa International Airport

David Petr
Central Florida Development Council

Jaksa Petrovic
Hillsborough County

OFFICE LOCATION & CONTACT INFORMATION

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DEFINITIONS

Act -- The Foreign Trade Zones Act of 1934, as amended (19 U.S.C. 81a-81u).

Activated – Approved by the Zone Grantee and the Port Director of the Area Port of Tampa for the admission and handling of merchandise in Zone Status.

Alternative Site Framework (ASF) -- The approach to foreign-trade zone designation and management of foreign-trade zone sites that are located within Hillsborough County or Polk County. The Alternative Site Framework was adopted by the U.S. Foreign-Trade Zones Board as a matter of practice in December 2008 (74 FR 1170, January 12, 2009; correction 74 FR 3987, January 22, 2009) and modified by the U.S. Foreign-Trade Zones Board in November 2010 (75 FR 71069, November 22, 2010) and as may be amended or modified in the future.

Approved Adjacent Areas -- The geographical area that is located within a 60-mile radius or 90-minutes driving time from the U.S. Customs and Border Protection Port of Entry of Tampa, which address is listed as 1624 East Seventh Avenue; Suite 101; Tampa; Florida 33605, or a geographical location in which U.S. Customs and Border Protection deems that proper oversight can be accomplished with physical and electronic means.

ASF Service Area -- Hillsborough County and Polk County.

Foreign-Trade Zone (FTZ) – One or more restricted-access sites (i.e. Magnet Sites, General Purpose Sites, Usage-Driven Sites, and Subzones) in or adjacent (as defined by 15CFR §400.11(b)(2)) to a CBP port of entry, operated as a public utility (within the meaning of 15CFR §400.42) under the sponsorship of a Zone Grantee authorized by the Foreign-trade Zones Board, with zone operations under CBP’s supervision.

FTZ No. 79 Board -- Foreign Trade Zone No. 79 Board, Inc.

General-Purpose Site – A Zone Site intended to serve multiple Zone Operators or Zone Users under the TSF.

Grantee – See Zone Grantee.

Lapse Provision -- For Zone Sites located within the Approved Adjacent Areas under the Traditional Site Framework, authority shall lapse unless the Zone Sites are activated, pursuant to 19 CFR §146, and in operation not later than five years from the authorization of the Zone Sites, subject to the provisions of Board Order 849 (61 FR 53305, October 11, 1996).

Magnet Site -- A Zone Site intended to serve multiple Zone Operators and/or Zone Users under the ASF.

Operating Agreement -- The contractual agreement between the Grantee/FTZ No. 79 and the indicated person that grants authority to serve as the Zone Operator of the indicated Zone Site.

Person -- Any individual, corporation, or entity.

Procedures Manual -- The document that delineates the Zone Operator's inventory control and record keeping systems for those activities that relate to all activity within the Zone Site.

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 article which results in a change in the customs classification of the article or in its eligibility for entry for consumption.

Subzone -- A Zone Site (or group of Zone Sites) tied to a single Zone Operator or Zone User under the TSF.

Sunset Provision -- For Zone Sites located within the Approved Adjacent Areas under the Alternative Site Framework, FTZ designation will self-remove from a Zone Site if there is not within three years of FTZ designation approval admission into the Zone Site of foreign non-duty paid material for a bona fide customs purpose. This provision is subject to "resetting" whereby activation at a Zone Site during the Zone Site's initial sunset period would serve to push back the sunset date by another three years, at which point the sunset test would again apply.

Traditional Site Framework (TSF) -- The approach to foreign-trade zone designation and management of Zone Sites that are within approved adjacent areas of Foreign-Trade Zone No. 79 and not located within either Hillsborough County or Polk County.

U.S. Customs and Border Protection (CBP) -- The federal authority responsible for enforcement of customs laws relating to merchandise and records pertaining to admission and removal of merchandise from Zone Sites and responsible for approval of Zone Operator's bonds and activation and deactivation of Zone Sites.

U.S. Foreign-Trade Zones Board (FTZB) -- The federal regulatory authority that supervises the Foreign-Trade Zones program of the United States of America.

Usage-Driven Site -- A Zone Site (or group of Zone Sites) tied to a single Zone Operator or Zone User under the ASF.

Zone -- Foreign Trade Zone No. 79.

Zone Grantee -- the City of Tampa, Grantee of Foreign Trade Zone No. 79 pursuant to Foreign-Trade Zones Board Order No. 192, subsequent Board Orders relating to Foreign Trade Zone No. 79 through Board Order 1902, and all Board Orders entered subsequent to the date of this agreement. Where used in this Zone Schedule, the term "Grantee" means "Zone Grantee" unless otherwise indicated.

Zone Operator -- A person that operates within a Zone Site under the terms of an Operating Agreement with the Zone Grantee (or third party on behalf of the Zone Grantee), with the concurrence of CBP.

Zone Site -- The physical location of a facility with FTZ No. 79 zone designation. A Zone Site is composed of one or more generally contiguous parcels of land organized and functioning as an integrated unit, such as all or part of an industrial park or airport facility.

Zone Status -- The customs status of merchandise admitted into designated Zone Sites, i.e. nonprivileged foreign, privileged foreign, zone restricted, or domestic.

Zone User – A person using a Zone Site under agreement with a Zone Operator.

AUTHORITY

Grantee Authority:

The following zone schedule (Tariff) of the City of Tampa (hereinafter “Grantee”) and Foreign-Trade Zone No. 79 Board, Inc. (hereinafter “FTZ No. 79 Board”) has been prepared pursuant to Foreign-Trade Zone (FTZ) regulations 15CFR §400.41 and sets forth (1) Internal Rules and Regulations of the FTZ and (2) A statement of the rates and charges (fees) applicable to Zone Operators and Zone Users.

U.S. Customs and Border Protection Authority:

The rules, rates, and regulations provided in this zone schedule (Tariff) do not supersede U.S. Customs and Border Protection (hereinafter “CBP”) Rules and Regulations. Any new measures, rulings, or determinations made by CBP will apply.

Applicable Authority:

Foreign-Trade Zone Act – 19 U.S.C. 81(a) – 81(u)

Foreign-Trade Zone Regulations – 15CFR §400

U.S. Customs Regulations – 19CFR §146

Florida Statutes – Chapter 288, Sections 288.35 through 288.38

LIABILITY

Grantee Liability:

A Grantee is a public or private corporation to which the privilege of establishing, operating and maintaining a FTZ has been granted. The grant shall not be sold, conveyed, transferred, set over, or assigned (15CFR §400.13(a)(7)). CBP holds the Zone Operator and surety responsible for compliance with the conditions of the Foreign-Trade Zone Operators Bond (19CFR §113.73). However, the execution of the bond by the Zone Operator does not lessen the liability of the Grantee to comply with the Foreign-Trade Zones Act (Act) and the implementing regulations, the Act and CFR (19CFR §146.6(e)). The Grantee is not automatically absolved of all liability when delegating its authority to operate and maintain a Zone Site to another person and does not operate the Zone Site itself. (Hq.Ltr. FOR-1-CO:R:CD:D 218985 dated August 15, 1986, and TD 86-16, 51 FR 5048).

Zone Operator Liability:

Zone Operators agree to terms and conditions set forth within the Zone Operator's agreement that covers the development and exclusive operational management of foreign-trade zone activities at their given Zone Site. Operations will be consistent with the Act and implementing regulations and in accordance with standards of operation required by CBP, the U.S. Foreign-Trade Zones Board, and the Grantee, including matters related to occupancy and use. Zone Operators also agree that operations within Zone Sites will be consistent with the laws of the State of Florida, the rules of the Florida Department of Citrus applicable to citrus fruit and processed citrus products, and applicable laws and regulations regarding security.

AUTHORITY GRANTED/ACCEPTED

Authority Granted:

The Zone Grantee grants Zone Operators and Zone Users the exclusive authority to utilize the Zone Sites as a Foreign-Trade Zone subject to terms, conditions, agreements, and restrictions set within the zone schedule (Tariff), the Zone Operator's Procedure Manual, the Zone Operator's Tariff, and the Operating Agreement between the Zone Grantee and the Zone Operator.

Authority Accepted:

The Zone Operators and Zone Users assume responsibility for the operation and management of Zone Sites in accordance with the terms and conditions of their Operating Agreements during the term set within individual Operating Agreements and any extensions thereof.

Authority for Production Activity:

Production Activity at any Zone Site requires the prior approval of the U.S. Foreign-Trade Zones Board pursuant to 15CFR §400.14 et seq.

FTZ NO. 79 ZONE HISTORY

Foreign-Trade Zone No. 79 received its Grant of Authority from the U.S. Foreign-Trade Zones Board in 1982. The City of Tampa is the Grantee. In 1989 the City of Tampa sponsored the formation of the Tampa Foreign-Trade Zone Board, Inc., now known as Foreign-Trade Zone No. 79 Board, Inc., a non-profit corporation created to administer and promote the FTZ No. 79 project. Foreign-Trade Zone Board No. 79, Inc. is made up of members representing the City of Tampa, the Central Florida Development Council, Hillsborough County, Port Tampa Bay, the Tampa Hillsborough Economic Development Corporation, Tampa International Airport, and the private sector.

In 1993, the FTZ No. 79 Project was expanded to add general-purpose sites, including the site at Tampa International Airport. In 1994, two subzones (79A & 79B) were added. In 2000, the FTZ No. 79 project was again expanded to add a Zone Site that included locations on Hookers Point--located at Port Tampa Bay, at Tampa International Airport, and a pipeline from Port Tampa Bay to Tampa International Airport. All locations of that Zone Site are involved in handling jet fuel used at Tampa International Airport or transferred to other foreign-trade zones for use at international airports. In 2013, FTZ No. 79 was approved to restructure under the Alternative Site Framework and Subzone 79C was added. In 2015, Subzone 79D was added.

Currently, FTZ No. 79 has seven Magnet Sites and four Usage-Driven/Subzone Sites within the approved adjacent area of FTZ No. 79. There is activity at three of the seven Magnet Sites and activity at one of the four subzones. The Grantee has contracted with Air General, Inc. to act as a Zone Operator at their Zone Site, which is located at Tampa International Airport. The activated portions of the Zone Site at Hookers Point are operated by Ports America, Inc. and Tampa Ship, LLC. An additional Zone Site is comprised of three Zone Operators at separate locations that handle jet fuel. Aircraft Service International Group is located at Tampa International Airport. Kinder Morgan is located at the Port Tampa Bay. Motiva, LLC is located at Port Tampa. Subzone 79D is located in New Port Richey, Florida and is managed by Swisscosmet Corporation.

BOARD ORDERS – FOREIGN-TRADE ZONE NO. 79

Order No. 192, May 29, 1982 (Docket No. 2-82)

Grant of authority to the City of Tampa to establish Foreign-Trade Zone 79 in Tampa, Florida. Signed by Malcolm Baldrige, Secretary of Commerce, Chairman of the Board (47 FR 24760; June 8, 1982).

Order No. 676, December 29, 1993 (Docket No. 12-92)

Approved the application of the City of Tampa, Florida, Grantee of Foreign-Trade Zone 79, to expand its general-purpose zone in Tampa, Florida. Signed by Barbara R. Stafford, Acting Assistant Secretary for Import Administration, Chairman of the (59 FR 1371; January 10, 1994).

Order No. 696, August 11, 1994 (Docket No. 38-93)

Approved the application of the City of Tampa, Florida, Grantee of Foreign-Trade Zone 79, to establish 79A (for export activity) at the dairy products manufacturing plant of the Reilly Dairy & Food Company in Tampa, Florida. Signed by Susan G. Esserman, Assistant Secretary for Import Administration, Chairman of the Committee of Alternates (59 FR 43092; August 22, 1994).

Order No. 716, November 9, 1994 (Docket No. 35-93)

Approved the application of the City of Tampa, Florida, Grantee of Foreign-Trade Zone 79, to establish Subzone 79B at the electronic/computer/telecommunication equipment manufacturing plant of Group Technologies Corporation in Tampa, Florida. Signed by Susan G. Esserman, Assistant Secretary for Import Administration, Alternate Chairman of the Foreign-Trade Zones Board (59 FR 59992; November 21, 1994).

Order No. 1128, November 21, 2000 (Docket No. 12-2000)

Approved the application of the City of Tampa, Florida, Grantee of Foreign-Trade Zone 79, to expand its general-purpose zone in Tampa, Florida. Signed by Troy H. Cribb, Assistant Secretary for Import Administration, Alternate Chairman of the Board (65 FR 76217; December 6, 2000).

Order No. 1656, December 18, 2009 (Docket No. 1-2009)

Approved, with restrictions, the application of the City of Tampa, grantee of Foreign-Trade Zone 79, requesting manufacturing authority within FTZ 79 on behalf of Tampa Ship, LLC. Signed by Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, Alternate Chairman of the Board (74 F.R. 69067-69068; December 30, 2009).

Order No. 1902, June 10, 2013 (Docket No. 24-2012)

Approved the application of the City of Tampa, grantee of Foreign-Trade Zone 79, to reorganize under the ASF with a service area of Hillsborough and Polk Counties and the City of Tampa, Florida. Signed by Paul Piquado, Assistant Secretary of Commerce for Import Administration, Alternate Chairman of the Board (78 F.R. 36165-36166; June 17, 2013).

LIST OF FOREIGN-TRADE ZONE NO. 79 DESIGNATED SITES

Site No. 2 (33 acres) is a Magnet Site at Tampa International Airport that includes two separate locations. The first is the Air Cargo Facility (2.6 acres). Air General, Inc. is the Zone Operator within this area. This portion of Site No. 2 is activated. The second location, the Ben Atkins Foreign Trade Zone location (30.4 acres), which consists of both occupied and vacant land, is located on the eastern side of Tampa International Airport. This portion of the Site No. 2 is not activated.

Site No. 4 (14 acres) is a Magnet Site located at the Tampa Convention Center at 333 South Franklin Street. This Zone Site is made up of several large meeting rooms and exhibit halls totaling 600,000 square feet. This Zone Site is not activated.

Site No. 5 (295 acres) is a Magnet Site located on Port Tampa Bay's owned waterfront property known as Hookers Point. This Zone Site is located in the vicinity of the waterfront along Sparkman Channel, Cut "D", East Bay Channel, and East Bay. The area includes warehouse buildings, shipbuilding facilities, cargo terminals, container terminals, and vacant land. Most of this Zone Site is not activated at this time. However, Berths 203 and 209 and related warehouse facilities, on the East Bay side of Hookers Point, are activated and are operated by Ports America Florida, Inc. A warehouse located in the area of Sparkman Channel on Hookers Point is activated and is operated by Tampa Ship, LLC.

Site No. 6 (33 acres) is a Magnet Site located at the Tampa Port Authority George B. Howell terminal facility, now known as Port Ybor, located at 20th and Thrace Streets, which includes waterfront areas along Ybor Channel and the Ybor Turning Basin. This Zone Site is not activated.

Site No. 7 (100 acres) is a Magnet Site that consists of an agglomeration of locations at Tampa International Airport, the Port Tampa Bay, and in the City of Tampa. The first location is the jet fuel storage farm and the hydrant system (combined 52 acres) located at 4720 North Westshore Boulevard at Tampa International Airport. This portion of Site No. 7 is operated by Aircraft Service International Group and is activated. The second location (31 acres) is the GATX petroleum products storage terminal, now known as the Kinder Morgan terminal, located at 2101 GATX Drive on Hookers Point in the Port Tampa Bay. The Zone Operator is Kinder Morgan and this portion of Site No. 7 is activated. The third location (16.2 acres) is the Motiva petroleum products terminal located at 6500 W. Commerce Street in the Port Tampa section of the City of Tampa. This portion of Site No. 7 is operated by Motiva Enterprises, LLC and is activated. The fourth location (26.8 acres) is the Tampa Pipeline, used for transportation of jet fuel from the Port of Tampa to Tampa International Airport. This portion of Site No. 7 is not activated.

Site No. 9 (113 acres) is a Magnet Site located at 3401 Old Polk City Road, Lakeland, Florida 33809. This site has not been developed and is not activated.

Site No. 10 (60 acres) is a Usage-Driven Site located at 2302 Henderson Way, Plant City, Florida 33563. Star Distribution System, Inc. has received authorization to serve as the Zone Operator. This Zone Site is not activated.

Subzone 79A is located at 6603 S. Trask Street, Tampa, Florida 33616. Reilly Dairy & Food Company received authorization to serve as Zone Operator. This Zone Site is not activated.

Subzone 79B is located at 10901 Malcolm McKinley Drive, Tampa, Florida 33612. Sypris Electronics, LLC, formerly known as Group Technologies, received authorization to serve as the Zone Operator. This Zone Site is not activated.

Subzone 79C is comprised of three individual Zone Sites--one in the ASF Service Area and two located outside the ASF Service Area. Site 79C-1 is located at 602 McKean Street, Auburndale, Florida 33823. Site 79C-2 is located at 38000 Cargill Way, Dade City, Florida 33523. Site 79C-3 is located at 11 Cloud Street, Leesburg, Florida 34748 (Lake County). Cutrale Citrus Juices USA, Inc. received authorization to serve as the Zone Operator. This Zone Site is not activated.

Subzone 79D is located at 5540 Rowan Road, New Port Ritchey, Florida 34653. Swisscosmet Corporation received authorization to serve as the Zone Operator. This Zone Site is activated.

ACTIVATED FTZ NO. 79 ZONE OPERATORS

OPERATOR & ADDRESS	SITE NUMBER	TYPE OF ZONE SITE
Air General, Inc. 4662 Air Cargo Road, Suite 1600 Air Cargo Facility Tampa International Airport Tampa, Florida 33614	Site No. 2	Magnet Site
Aircraft Service International Group Marriott INTL Hotel, Suite 2510 Tampa International Airport 4200 George J. Bean Parkway Tampa, Florida 33607	Site No. 7	Magnet Site
Kinder Morgan 2101 GATX Drive Tampa, Florida 33605	Site No. 7	Magnet Site
Motiva Enterprises, LLC 6500 W. Commerce Street Tampa, Florida 33616	Site No. 7	Magnet Site
Ports America, Inc. 2510 Guy N. Verger Boulevard Tampa, Florida 33605	Site No. 5	Magnet Site
Swisscosmet Corporation 5540 Rowan Road New Port Richey, Florida 34653	Subzone 79D	Subzone
Tampa Ship, LLC 1130 McCloskey Boulevard Tampa, Florida 33605	Site No. 5	Magnet Site

STATEMENT OF ZONE OPERATING POLICY

The operating policy of Foreign-Trade Zone No. 79 is as follows:

FTZ No. 79 Board, Inc. administers FTZ No. 79, pursuant to a contract with the City of Tampa, as Grantee.

All contracts with Zone Operators will be approved first by the FTZ No. 79 Board and thereafter by the City of Tampa.

FTZ No. 79 Board maintains the services of an Administrator to handle day-to-day administrative functions of the FTZ No. 79 Board and FTZ No. 79. The Administrator provides general information to present and potential Zone Operators and Zone Users and collects information for and prepares the Annual Report. At the direction of the FTZ No. 79 Board, the Administrator or other designee may also inspect active FTZ locations for compliance with FTZ regulations and maintain a file on each Zone Operator, including copies of Zone Operator contracts, concurrence letters, insurance certificates, Customs Bonds, Zone Operator Procedure Manuals and any other relevant documentation.

To acquaint the Tampa Bay/I-4 Corridor regional business community with the benefits of FTZ No. 79, other importing options, and general importing procedures, the FTZ No. 79 Board maintains a web site with links to its member entities and works with the multiple regional partners to sponsor international trade workshops or seminars.

In regards to the development of the Zone Project, the FTZ No. 79 Board will periodically hold seminars to promote the benefits of the FTZ No. 79 Program, participate in community events to provide information about FTZ No. 79 and will periodically hold educational seminars specifically for its Zone Operators.

All operations within FTZ No. 79 Zone Sites are supervised and handled by respective Zone Site Operators.

INTERNAL RULES AND REGULATIONS

All potential FTZ No. 79 Zone Operators must demonstrate that they are qualified to handle necessary inventory control, customs documentation, and reporting requirements. Each qualified Zone Operator must submit the applicable application, be approved by the FTZ No. 79 Board and the Grantee, and execute an Operating Agreement with the FTZ No. 79 Board and the Grantee. Zone Operating Agreements will be renewed pursuant to the terms of the individual Operating Agreement, provided the Zone Operator is current in any payments to the FTZ No. 79 Board, has reported to the FTZ No. 79 Board as required, has maintained sufficient security and inventory control, has maintained the necessary customs bond, and has complied with all applicable FTZ regulations and state laws and regulations.

Any new prospective Zone Site Operator must have a sound financial standing and must have all required local, state, and federal licenses and permits before being considered by the FTZ No. 79 Board.

The FTZ No. 79 Board will approve or disapprove each proposed Zone Operator Agreement and request for modification or expansion of a Zone Site and will provide letters of concurrence to CBP as appropriate.

All Zone Operators under contract with the FTZ No. 79 Board and Grantee will be subject to inspection by the FTZ No. 79 Board for compliance with federal laws and regulations and state laws applicable to foreign-trade zones. This right of inspection does not relieve individual Zone Operators of their duty of compliance with all applicable laws, regulations, and reporting requirements. Neither the FTZ No. 79 Board nor the Grantee assume any liability arising from any inspection in the event a Zone Operator is found not in compliance with federal law, FTZ regulations, or state law is cited, suspended, or fined by federal or state authorities.

Each Zone Operator will be required to furnish the FTZ No. 79 Board with information sufficient for preparation for any reports, including the annual report required by the U.S. Foreign-Trade Zones Board.

Each Zone Operator shall be responsible for obtaining and maintaining security credentials that may be necessary pursuant to state and/or federal law for the purpose of entry to or employment at Zone Sites within the Port Tampa Bay or Tampa International Airport.

Each Zone Operator shall submit to CBP a bond to assure compliance with CBP regulations. Each Zone Operator shall provide a copy of the bond and each renewal to the FTZ No. 79 Board. The bond is submitted on Customs Form (CF) 301. The bond provisions are set forth at 19CFR § 113.73, Customs Regulations. A failure to comply with the regulations may be deemed a “default” by CBP and result in suspension of right to operate and/or assessment of liquidated damages under the bond.

Zone Operators are responsible and liable for payment of any and all duties or penalties due any agency of the federal, state, or local government arising from use of the FTZ, including liabilities on merchandise, which is not accounted for to the satisfaction of CBP.

Each Zone Operator shall prepare and maintain a Zone Site specific Zone Procedures Manual and shall provide a copy of the Zone Procedures Manual to the FTZ No. 79 Board and shall make the Procedures Manual available for inspection at the request of the FTZ No. 79 Board or CBP.

Each Zone Operator shall provide the FTZ No. 79 Board with a copy of its user fees, list of holidays observed, and contact information for key employees, and shall be responsible for updating all information as changes occur.

GRANTEE RATES AND CHARGES

Magnet Site/General Purpose Zone Site (MS/GPS)

Fees for each MS/GPZ Site and its respective MS/GPZ Operator that operates on their own behalf will be charged as depicted in the FTZ No. 79 Fee Table.

All fees, except for annual fees, for each MS/GPZ Site and its respective MS/GPZ Operator that operates under a contractual extension of the Zone Grantee and FTZ No. 79 Board will be charged as depicted in the FTZ No. 79 Fee Table; however, annual fees may include a combination of flat fee and sharing of Zone User fees or a combination of a minimum fee and supplemental fee based upon various levels of revenue from Zone Users and services provided by the FTZ No. 79 Board on behalf of the Grantee. The zone schedule for the MS/GPZ Site Operator that operates under a contractual extension of the Zone Grantee and FTZ No. 79 Board will be fully described in the individual Zone Operator's contract with the Grantee. Each MS/GPZ Operator that operates under a contractual extension of the Zone Grantee and FTZ No. 79 Board shall provide the FTZ No. 79 Board with an annual schedule of fees charged to individual Zone Users for use of the MS/GPZ, which will be included in the Zone Schedule for FTZ No. 79 and made available to the general public.

Usage-Driven Sites/Subzones (UDS/SZ)

Fees for each UDS/SZ will be charged to the respective UDS/SZ Operator as depicted in the FTZ No. 79 Fee Table.

Production Activity

The application for production activity or any amendment to an authorized production activity will be charged to the respective applicant as depicted in the FTZ No. 79 Fee Table.

Additional Fees

Annual fees for multiple active and inactive Zone Sites for individual Zone Operators will be allocated on a per Zone Site basis. For Zone Sites that are active, the primary and/or largest Zone Site will be allocated the largest annual fee; each subsequent Zone Site will be charged at fifty (50) percent of the indicated annual fee. For Zone Sites that are not active, each Zone Site will be charged at fifty (50) percent of the indicated annual fee.

Any modification or expansion of the current zone boundaries must be approved by the FTZ No. 79 Board. Costs related to any such modification or expansion will be the responsibility of the party or parties requesting the changes. Fees for each boundary modification application or expansion application will be charged as depicted in the FTZ No. 79 Fee Table.

FTZ No. 79 Board, on behalf of the Grantee, can provide both consultation and research services. Fees associated with both consultation and research services will be charged as depicted in the FTZ No. 79 Fee Table.

The Grantee does not access fees to Zone Users at this time. Fees for Zone Users are allocated, managed, and collected by the respective Zone Operator. Zone User fee schedules for individual Zone Operators are available from the Zone Operators of the various Zone Sites.

A fee may be charged for attendance at an FTZ No. 79 Board conducted workshops and seminars. The amount of the fee will be determined on a per workshop/seminar basis.

FTZ No. 79 Late Payment Charge

If any payment due is not received by the Grantee within fifteen (15) calendar days after its due date, the Zone Operator may be assessed a late payment fine in the amount of \$500.00 a day until the total annual fee plus the late charges are paid in full. 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 Zone Operator to make a payment other than on its due date.

U.S. Customs and Border Protection Fees

At the time of issue of this Zone Schedule, CBP does not charge any fees for normal FTZ services. Should any fees or charges be imposed in the future, all such fees and charges shall be payable by the Zone Operator of the affected FTZ No. 79 Zone Site. However, CBP does charge for overtime and other special services provided at the request of a Zone Operator. Such fees and charges shall be payable by the Zone Operator of the affected FTZ No. 79 Zone Site. Under no circumstances will the Grantee or FTZ No. 79 Board be liable for or responsible for any such CBP fees or charges levied against a Zone Operator or Zone User.

Harbor Maintenance Fee

The Water Resources Development Act of 1986 provides for a Harbor Maintenance Fee to be imposed for commercial use of Ports in the U.S. This fee is provided for in Title XIV (Revenue Provisions) of the Act and is cited as the Harbor Maintenance Revenue Act of 1986. The purpose of the fee is to provide the Army Corps of Engineers with a dedicated source of revenue for funding Army Corps of Engineers' Port Projects. CBP has been mandated to service as the collection agency for this fee. Date of implementation was April 1, 1987. The fee is assessed on water-borne cargo.

Merchandise received into the FTZ No. 79 will be assessed this fee upon entry when applicable. Payment is due from the importer of record upon filing of a consumption entry. The current rate of the Harbor Maintenance Fee is 0.125% of the value of the commercial cargo. It shall be the responsibility of each affected Zone Operator to see that the Harbor Maintenance Fee is collected and remitted when applicable.

Fines, Penalties and Liquidated Damages

CBP fines, penalties, or liquidated damage claims affecting FTZ merchandise or FTZ activities shall be paid by the Zone Operator of the affected Zone Site. The same is true of any other fines, penalties, or liquidated damage claims by other state or federal government agencies concerning operations at the Zone Sites. Under no circumstances will the Grantee or the FTZ No. 79 Board be liable for or responsible for any fines, penalties, forfeiture, or liquidated damage claims.

The Tariff Schedule commencing on the next page is subject to the foregoing general rules.

FTZ NO. 79 FEES

APPLICABLE FRAMEWORK	ASF	TSF
Application fees		
--Magnet Site	\$1,000	
--General Purpose Site		\$1,500
--Usage-Driven Site	\$1,000	
--Subzone		\$1,500
--Production Activity/Manufacturing	\$1,000	\$1,500
--Activation Concurrence	\$1,000	\$1,500
Annual fees		
<i>(Applied on a per designated Zone Site basis. The primary and/or largest Zone Site is priced the full respective annual fee as stated below. Each subsequent Zone Site will be priced at fifty (50) percent of its respective annual fee.)</i>		
--Magnet Site Active	0 – 10 acres \$2,500 10 – 20 acres \$5,000 20 – 35 acres \$7,500 35 – 50 acres \$10,000 50+ acres \$12,500	
--Magnet Site Not Active	50% of respective annual fee	
--General Purpose Site Active		0 – 10 acres \$2,500 10 – 20 acres \$5,000 20 – 35 acres \$7,500 35 – 50 acres \$10,000 50+ acres \$12,500
--General Purpose Site Not Active	50% of respective annual fee	
--Usage-Driven Site Active	0 – 10 acres \$2,500 10 – 20 acres \$5,000 20 – 35 acres \$7,500 35 – 50 acres \$10,000 50+ acres \$12,500	
--Usage-Drive Site Not Active	50% of respective annual fee	
--Subzone Active		0 – 10 acres \$2,500 10 – 20 acres \$5,000 20 – 35 acres \$7,500 35 – 50 acres \$10,000 50+ acres \$12,500
--Subzone Not Active	50% of respective annual fee	
--Late Annual Fee Payment	\$500.00/day	\$500.00/day
Amendments to Original Application Fees		
--Boundary Modification	\$1,000	\$1,500
--Change in Production Activity	\$1,000	\$1,500
--Deactivation	\$1,000	\$1,500
Consultation fees	\$40.00/hr	\$40.00/hr
Research fees	\$40.00/hr	\$40.00/hr

U.S. FOREIGN-TRADE ZONES BOARD FEES

Any fees or charges imposed by the U.S. Foreign-Trade Zones Board are separate from fees charged by the Grantee or FTZ No. 79 Board, on behalf of the Grantee, and shall be payable by the Zone Operator of the affected Zone Site, or as apportioned by the FTZ No. 79 Board among the Zone Sites when appropriate. Under no circumstances will the Grantee be liable for or responsible for any U.S. Foreign-Trade Zones Board fees or charges.

Fees charged by the U.S. Foreign-Trade Zones Board are published at 15 CFR §400.29. Applications combining requests for more than one type of approval are subject to the fee for each category. U.S. Foreign-Trade Board Fees are currently as follows:

- (1) Additional Magnet Site (§400.21; §400.11(a)(2)) -----\$3,200

- (2) Usage-Driven Site (§400.25):
 - (i) No production activity or production activity with fewer than three products -----\$4,000
 - (ii) Production Activity with three or more products -----\$6,500

- (3) Expansions (§400.24(b)) -----\$1,600

FTZ NO. 79 ZONE OPERATOR FEES

PORTS AMERICA, INC.

2510 Guy N. Verger Blvd. (Berth 203 & Berth 209 – Bldg. 229)

Tampa, Florida 33605

Telephone: 813-242-1900

Normal Hours of Operation: 0800 – 1200, 1300 – 1700

Saturdays, Sundays and Holidays by special arrangement with Ports America Florida, Inc.

Holidays: The following holidays will be observed by Ports America Inc. The receipt and delivery of cargo will not occur.

Holiday	Day Observed
New Year's Day	January 1
Martin Luther King's Birthday	January 20
Good Friday	April 18
Memorial Day	May 26
Independence Day	July 4
Labor Day	September 1
Thanksgiving Day	November 27
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

Please note that this list is posted for planning purposes only and is subject to change.

Any work to be performed after 5pm & before 8am Monday through Friday, all hours on weekends & Holidays will have to be agreed upon in writing by the customer acknowledging that they are responsible for guaranteeing holiday/overtime pay and labor guarantee.

STUFF/STRIP CONTAINER

Activity Cargo Handling	Unit	Package	40 Foot	20 Foot
Full Stuff or Strip	ea	palletized/unitized	\$335.00	\$285.00
Minimum	ea	palletized/unitized	\$270.00	\$270.00
Full Stuff or Strip	ea	loose/hand stow	\$690.00	\$560.00
Minimum	ea	loose/hand stow	\$370.00	\$370.00

Containers drayed from Port Tampa Bay to Container Terminal to/from FTZ for stuff/strip will have an added charge of \$35.00 each way.

Ports America reserves the right to quote individually any container or flat-rack with requires special gear or rigging to stuff or strip units.

PORTS AMERICA, INC. (Continued)

TERMINAL HANDLING – Loading/unloading to/from truck

Autos (Runners)	\$37.00	Per Unit
Autos (Non-Runners)	\$42.00	Per Unit

Heavy, Construction, Agricultural Machinery

6,000 – 20,000 lbs	\$152.25	Per Unit
20,001 – 40,000 lbs	\$194.25	Per Unit
Over 40,000 lbs	\$222.50	Per Unit

General Cargo

Palletized	\$7.03	Per W/M
Project/Oversized	\$11.03	Per W/M
Hand Loaded	Extra Labor	Per Hr*
Segregating	\$4.25	Per ST

**Minimum charge of \$50.00*

STORAGE FEES

Freetime: 10 days

After expiration of freetime:

- Days 11 – 60: \$0.18 per W/M per day
- Days 61 and over: \$0.22 per W/M per day

Vehicles/Machinery:	Days 11 – 60	Days 61 and over
• < 6,000 lbs	\$1.50 per day	\$5.00 per day
• 6,000 lbs =< 20,000 lbs	\$6.00 per day	\$10.00 per day
• > 20,000 lbs	\$20.00 per day	\$30.00 per day

MATERIALS

Pallet	\$15.00 each
Pallet & Shrink wrap	\$25.00 each

All other material at cost plus 25% handling charge

LABOR CHARGES

	Straight Time	Overtime	
Chief Clerk/Timekeeper	\$47.00	\$61.00	Per Hr
Forklift Operator	\$46.00	\$60.00	Per Hr
Gangman	\$41.00	\$53.00	Per Hr
Forman	\$49.00	\$65.00	Per Hr

EQUIPMENT

Gottwald Crane (four hour minimum straight time)	\$550.00	Per Hr
Toploader	\$133.50	Per Hr
Forklift – Solid Tire		Per Hr
• Up to 10,000 lbs Capacity	\$38.40	Per Hr
• Up to 30,000 lbs Capacity	\$58.24	Per Hr
• Up to 55,000 lbs Capacity	\$78.00	Per Hr
Yard Hustler	\$69.50	Per Hr
Bomb Cart/Flatbed	\$13.40	Per Hr

AIR GENERAL, INC.

4662 Air Cargo Road
Suite 1600
Air Cargo Terminal
Tampa International Airport
Tampa, FL 33614
Telephone: 813-875-9595

Normal Hours of Operation: 0900 – 1700 Monday - Friday
Saturdays, Sundays and Holidays by special arrangement with Air
General, Inc.

Holidays: The following holidays will be observed by Ports America Inc. The receipt and delivery of cargo will not occur.

Holiday	Day Observed
New Year's Day	January 1
Martin Luther King's Birthday	January 20
Washington's Birthday	February 17
Memorial Day	May 26
Independence Day	July 4
Labor Day	September 1
Columbus Day	October 13
Veterans Day	November 11
Thanksgiving Day	November 27
Christmas Day	December 25

Please note that this list is posted for planning purposes only and is subject to change.

- 1. Storage:** a monthly charge imposed on the first of each month based on balance in storage on that date. Shipments entering the Zone during the first 15 days of the month are charged a full month's storage charge, and those entering after the 15th are assessed on-half month's storage charge (\$15 minimum charge).
- 2. Handling:** a one-time only charge imposed on each shipment when it first enters the Zone (\$15 minimum charge.)
- 3. Other Charges:** Other charges will be billed in accordance with services requested by the user (see reverse page). All charges are payable as they accrue and must be paid prior to release of cargo.

AIR GENERAL, INC. (Continued)

STORAGE AND HANDLING RATES					
Commodity & Packing Description	Rates in Cents				Charge Code
	Monthly Storage			Storage Handling In & Out (\$15 minimum per zone lot)	
	ZR, Export Only	PF & NPF	Duty Paid		
Merchandise, n.o.s., cu.ft. Our basic rate for most merchandise	13	16	31	22	
Alcoholic Beverages, cu. ft.					
n.o.s.....	21	26	36	22	
wine.....	18	22	32	22	
Bulk merchandise storage, cu. ft. Stacked 12 ft. or higher and is merchandise that can be pulled interchangeably	10	12	21	22	
Machinery and irregularly shaped/loose merchandise, sq. ft. Not capable of being stored in racks if needed.	45	55	65	22	
Tobacco, cigarettes, and cigars, cu ft.....	15	17	30	22	
Articles of high value (gems, jewelry, watches, etc.) Each month or fraction thereof..	1/5 of 1% of the valuation; \$50 minimum charge				

Other Charges

A typical warehouse user can expect the following charges in addition to the storage and handling rates listed on the following page.

New Account Set-Up Fee

New Accounts will be assessed a \$25 set-up fee. Fee due before first use of Zone.

Container In/Out Charge

All containers will be assessed a \$50 in/out charge. This charge covers preparation of the warehouse folder and other receiving paperwork, reservation and use of dock space, positioning of container, use of unloading platform, use of bolt cutters, and other related activities.

Ramp Charge

Use of container ramp is \$50 per container – *unavailable at this time*

AIR GENERAL, INC. (Continued)

Container Unloading Charge

Charges are based upon equipment and labor rates shown below. Minimum charge is \$65. Upon permission of the Operations Supervisor, users may unload their own containers and rent Zone equipment.

	Rate Per Hour
Forklift with operator, 5,000 lb. lift	\$50
Forklift with operator 14,500 lb. lift	\$75
Labor Services	\$40
Escort for self-manipulation or loading	\$40
Minimum charge of one hour	

Monthly Lift Service

Drayage companies and Zone users may request monthly lift service for loading and unloading vehicles. Minimum monthly charge is one hour or \$50. This charge is optional. Users may load their own vehicles. An escort is required for accompanying person(s) loading their own vehicle.

Storage and Handling (rates listed on the previous page)

Storage covers monthly rent based upon the volume of space (in cubic or square feet) of merchandise in the Zone at the beginning of the month. Handling covers receiving merchandise after it is unloaded from the container and palletized, placing the merchandise into the warehouse racks, and entering inventory data into our information system (up to 9 line items per zone lot). This rate also covers processing delivery orders, retrieving merchandise from storage, and preparing merchandise for customer pick-up.

AIRCRAFT SERVICE INTERNATIONAL GROUP

Marriott Intl Hotel, Suite 2510
Tampa International Airport
4200 George J. Bean Parkway
Tampa, Florida 33607

ASIG does not operate under a contractual extension of the Zone Grantee and FTZ No. 79 Board. The company acts as Zone Operator for its own use.

KINDER MORGAN CENTRAL FLORIDA PIPELINE COMPANY

2101 GATX Drive
Tampa, Florida 33605

Kinder Morgan does not operate under a contractual extension of the Zone Grantee and FTZ No. 79 Board. The company acts as Zone Operator for its own use.

MOTIVA ENTERPRISES, LLC

6500 W. Commerce Street
Tampa, Florida 33616

Motiva does not operate under a contractual extension of the Zone Grantee and FTZ No. 79 Board. The company acts as Zone Operator for its own use.

TAMPA SHIP, LLC

1130 McClosky Boulevard
Tampa, Florida 33605

Tampa Ship does not operate under a contractual extension of the Zone Grantee and FTZ No. 79 Board. The company acts as Zone Operator for its own use.

SWISSCOSMET CORPORATION

5540 Rowan Road
New Port Richey, Florida 34653

Swisscosmet does not operate under a contractual extension of the Zone Grantee and FTZ No. 79 Board. The company acts as Zone Operator for its own use.