

## 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**

**RULES, REGULATIONS, RATES, AND CHARGES APPLYING AT:**

**FOREIGN-TRADE ZONE #157**

**NATRONA COUNTY, WYOMING**

**Operating under granted authority by the  
Foreign-Trade Zones Board, Washington, D.C., to  
CASPER/NATRONA COUNTY INTERNATIONAL AIRPORT**

Effective: June 1, 2014

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## Grantee Contact Information & Zone Description

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The Grant of Authority establishing the Casper/Natrona County International Airport Foreign-Trade Zone, (FTZ 157) was issued by the Foreign-Trade Zones Board (FTZB) to the Casper/Natrona County International Airport on January 19, 1989 (Board Order Nos. 426 and 479). There has been one expansion application that established a second General Purpose Zone Site (Board Order 1707 dated September 17, 2010).

| Site Number | Site Name & Location  | Acreage |
|-------------|---|---------|
| 1           | Casper/Natrona County International Airport, 8500 Airport Parkway | 492     |
| 2           | Casper Logistics Hub, 6 Mile Road & Morgan Street                 | 984     |

## **Rules and Policies of FTZ 157**

### *Zone Schedule*

The Grantee shall maintain a complete and current Zone Schedule, which will include the rules, rates, and charges for the zone project. The Grantee reserves the right to make periodic changes to the Schedule and Fees. The Grantee will submit an electronic and hard copy of the Zone Schedule and any amendments to the Zone Schedule to the Executive Secretary of the FTZB. Copies of the current Zone Schedule, as well as the Zone Schedules for all Zone Operators offering services to the public, will be maintained at the Grantee's offices (15 C.F.R. § 400.44).

### *Zone Schedule Interpretation*

The rules, regulations, and rates contained herein shall apply at Foreign-Trade Zone 157 unless otherwise provided for. The Zone Grantee/Operator, shall be the sole judge to interpret and determine the applicability of any of the rates, regulations, or services provided for in this Zone Schedule. Where applicable, the Foreign-Trade Zones Board and U.S. Customs & Border Protection (CBP) Regulations shall prevail should any conflict arise with this schedule.

### *Public Utility Standards*

Pursuant to Foreign-Trade Zones Board Regulation, the zone must be operated as a public utility. All rates and charges for all services or privileges within the zone shall be fair and reasonable, and the Zone Grantee, and any Zone Operator(s) providing services to the general public shall afford to all who may apply for the use of the zone and its facilities and appurtenances uniform treatment under like conditions, subject to such treaties or commercial conventions as are now in force or may hereafter be made from time to time by the United States with foreign governments regardless of whether a zone participant has procured any zone related product or engaged a particular service provider (15 C.F.R. § 400.43).

### *Uniform Treatment Standard*

Any company that prepares an application to be filed with the Foreign-Trade Zones Board shall be sponsored by the Grantee. Such sponsorship shall not be unreasonably withheld unless that company: is in a business that may be harmful to other domestic companies; is in a business that may be harmful to the local community or would violate local codes; or is determined by the Casper/Natrona County International Airport to not be in the general public interest or in the interest of the Airport.

Any Operator providing services to the public must file a Schedule of Rates and Charges with the Grantee. Any amendments to the Operator Schedule of Rates and Charges must be provided to the Grantee for incorporation into the Zone Schedule and submission to the FTZB prior to the amendments taking effect.

## *Right of Entry*

Representatives of the Grantee, FTZB, CBP, and other authorized U.S. Government Officers, shall have the right to enter any Zone Site at any time for: the authorized and lawful purpose of examining the Zone Site; conferring with the FTZ Operator, its agents, invitees, and employees on the premises; inspecting and checking operations, supplies, equipment and merchandise; and determining whether the business is being conducted in accordance with the procedures established in the Procedures Manual, the Operating Agreement, and pursuant to CBP and FTZB regulations. All such entries shall be in accordance with the established security procedures and with reasonable advance notice to the FTZ Operator.

## *Applications*

The Grantee shall have the sole authority to file applications and requests with the FTZB requesting modifications to Grants of Authority. Requests to modify a Grant may include reorganizations, expansions, boundary modifications, subzone applications, production applications, and/or changes in scope of authority.

## *Activations*

The Grantee shall assist the Operator with the activation process with U.S. Customs and Border Protection. Such assistance shall include the writing and submission of a Letter of Concurrence for all activation requests filed with U.S. Customs (19 C.F.R. § 146.6).

## *Annual Report*

The Grantee shall request Online FTZ Information System (OFIS) Operator identification and passwords for all Zone Operators from the FTZB. Zone Operators will be required to complete an annual report of zone activity by February 28<sup>th</sup> each year covering the pervious calendar year's activity. The Grantee shall review all annual report data submitted by Zone Operators and ensure the timely submission of the Annual Report to the FTZB (15 C.F.R. § 400.51(c)(1)).

## *Zone Records & Reports*

The Grantee shall maintain complete records of the Zone Project, including but not limited to all applications to the FTZ Board, site descriptions, maps and layouts of approved sites, property owner agreements, operator agreements, Board Orders and Administrative Actions, annual reports, and zone schedule (15 C.F.R. § 400.51).

## *Grantee Knowledge*

The Zone Grantee does not intend to monitor the day-to-day activity of the Foreign-Trade Zone. The Zone Grantee shall have no knowledge, actual or constructive, of the quantity, character, status designation, identification, or time of admission, transfer, or release of goods into or from the Foreign-Trade Zone.

## *Marketing*

The Grantee will be responsible for marketing the Zone Project.

## *Hours of Business*

The Grantee offices are generally open Monday through Friday, 7 am to 5 pm.

## *Zone Operator Qualification*

To qualify as an FTZ Operator of FTZ 157, entities must satisfy all requirements imposed by CBP, execute the necessary Operating Agreement with the Grantee, and meet any and all additional laws and regulations imposed by agencies having jurisdiction over their activities.

## *Insurance*

All Operator/Users shall secure and maintain insurance with requirements and limits as required by State and Federal laws and the Grantee. As appropriate, insurance shall include statutory workmen's compensation, automobile liability, and general liability.

All Operators shall secure and maintain errors and omissions insurance for the benefit of Grantee and with Grantee shown as an additional insured, including an obligation of the insurer to defend Grantee in any action covered by said insurance, covering public liability for the Zone site in an amount not less than \$1,000,000 combined single limit per occurrence and \$3,000,000 aggregate limitation on liability for errors and omissions, bodily injury, and property damage. Upon written request, the Operator shall furnish the Grantee with certificates of such insurance.

## *Customs Bond*

Any companies that will act as a foreign-trade zone operator must secure a foreign-trade zone operator's bond in the name of their company (19 C.F.R. § 113.73).

## *Grant Transfer/Assignment & Successor Organizations*

The Foreign-Trade Zone Grant of Authority may not be sold, conveyed, transferred, set over, or assigned (FTZ Act, Section 17; 19 U.S.C. 81q), (15 C.F.R. § 400.13(a)(7)). In the event that an Operator or User is sold, the successor organization must contact the Zone Grantee for Agreement updates, notifications to the FTZB, and any applications to the FTZB to reissue a Grant.

## *Independent Contractor Status*

Zone Grantee, Zone Operators, and Zone Users are not and shall not be considered as joint venturers, partners, or agents of each other, and none shall have the power to bind or obligate the other except as set forth in any written agreements. Zone Grantee, Zone Operator, and any future Zone User agree not to represent to anyone that they are agents of one another or have any authority to act on behalf of one another except as set forth in any written agreements.

## *Procedures Manual*

The Operator will provide the CBP Port Director with a copy of its written inventory control and recordkeeping systems procedures manual and any procedure updates. The Operator may authorize a Zone User to maintain its individual inventory control and recordkeeping system and procedures manual; however, the Operator remains responsible to CBP and liable under its bond for supervision, defects in, or failures of such a system.

## *Zone Facilities*

All merchandise stored in the Zone will be stored in a safe and sanitary manner. Trash and waste shall be promptly removed from the zone. All local, state, and federal health laws shall be observed to ensure protection of public safety (19 C.F.R. § 146.4 (f)).

## *Construction of Zone Facilities*

The Zone Grantee may, with the approval of the Foreign-Trade Zones Board, permit other persons, firms, or corporations to erect buildings and other structures within the zone. All construction should be in accordance with CBP requirements and the building activated by U.S. Customs prior to use. The Foreign-Trade Zones Board must be notified of all such construction in a General Purpose Zone or Subzone that was not approved in the original Application. Advanced notification of the construction is not necessary; notification will occur with the Annual Report to the Board. If production authority is requested, construction notification will occur with a Production Notification Application approved by the Foreign-Trade Zones Board. In a foreign-trade zone site that already has production authority, all such construction not approved in the original Application must be approved by an Application to the Foreign-Trade Zones Board in advance of any zone activity (19 U.S.C. §81m), (15 C.F.R. § 400.13(a)(2)).

## *Employees & Visitors*

All employees within the activated Zone shall be required to wear appropriate identification. Any person visiting the Zone will be required to sign a visitors log and obtain any appropriate identification badges.

## *Inventory Control and Recordkeeping System (ICRS)*

Each FTZ Operator will maintain an inventory control and recordkeeping system that tracks beginning inventory balance, merchandise receipts, cost or value of merchandise, merchandise zone status, tariff classification, shortages, overages, merchandise disposition (scrap/waste, transfer, manufacture, etc.), and information necessary for entries and transfers and CBP audits. Lot Numbers or Unique Identifiers will be used to track and trace merchandise using an inventory system approved by CBP.

## *Receipt of merchandise*

Normally, merchandise will only be admitted into the Zone through a uniquely and sequentially numbered CBP Form 214 (Application for Foreign-Trade Zone Admission and/or Status



Designation) and the issuance of a permit by the Port Director. Exceptions to the CBP Form 214 requirement are for merchandise temporarily deposited, transiting merchandise, or domestic merchandise admitted without permit.

### *Admission of Merchandise*

All merchandise will be recorded in a receiving report or document using a zone lot number or unique identifier. All merchandise, except domestic status merchandise for which no permit for admission is required, must be traceable to a CBP Form 214 and accompanying documentation. Quantities received will be reconciled to a receiving report or document, such as an invoice, with any discrepancy reported to the CBP Port Director. The receiving report or document is required to provide sufficient information to identify the merchandise and distinguish it from other merchandise. Merchandise received will be accurately recorded in the ICRS from the receiving report or document using the zone lot number or unique identifier for traceability.

### *Direct Delivery*

An Operator may qualify for direct delivery if its operations are: predictable and stable over a long term and are relatively fixed in variety; merchandise is not restricted or of a type requiring Customs examination before or on its arrival; CBP has no reason to believe the merchandise will be inaccurately described in admission documents; and when the Operator is the owner or purchaser of the merchandise.

### *Exclusion of Goods or Treatment*

The FTZB may at any time order the exclusion of any merchandise or process of treatment that in its judgment is detrimental to the public interest, health, or safety. Similarly, the FTZB may place a time limit on an import or treatment process to ascertain the impact of such activity. Usually such exclusions or restrictions occur by issuance of a Board Order.

### *Manipulation, Production, Exhibition & Destruction of Merchandise*

In general, merchandise lawfully brought into a zone may, in accordance with these and other regulations made under the provisions of the Act, be stored, sold, exhibited, broken up, repacked, assembled, distributed, sorted, graded, cleaned, mixed with foreign and domestic merchandise, or otherwise manipulated or be manufactured.

Production, involving any change in the HTSUS classification of an item, requires prior approval from the FTZB. Any new production operation beyond the scope authorized by the FTZB requires an application to the FTZB for review and approval (15 C.F.R. 400.14(a)). The FTZB must also be notified of any sourcing changes for an approved production activity involving material subject to quotas, Anti-Dumping/Countervailing Duties, or inverted tariff benefits (15 C.F.R. §400.14(a)).

Prior to manipulation, manufacture, exhibition or destruction of merchandise, the Operator is required to file with the Port Director an application (or blanket application) on CBP Form 216 for permission. After CBP approves the application (or blanket application), the Operator will retain in

his recordkeeping system the approved application. The Port Director is authorized to approve a blanket application for period of up to one (1) year for a continuous or repetitive operation. The Port Director may disapprove or revoke approval of any application, or may require the operator to file an individual application.

### *Retail trade*

Retail trade is prohibited within the Zone unless written approval is issued by the FTZB.

### *Zone-restricted merchandise*

Zone-restricted merchandise may be transferred to the customs territory only for entry for exportation, for entry for transportation and exportation, for warehousing pending exportation, for destruction (except destruction of distilled spirits, wines, and fermented malt liquors), for transfer to another FTZ, or for delivery to a qualified vessel or aircraft or as ground equipment of a qualified aircraft, unless the FTZB has ruled that the return of the merchandise to the customs territory for domestic consumption is in the public interest.

### *Physical Inventory*

The Operator is required to undertake, at minimum, an annual physical inventory of all merchandise in the Zone (unless continuous cycle counts are taken as part of an ongoing inventory control program) with prior notification of the date(s) given to CBP for any supervision of the inventory deemed necessary. The Operator will notify the CBP Port Director of any discrepancies.

### *Annual Reconciliation*

Within ninety (90) days after the end of the Zone or Subzone year, the Operator will prepare an annual reconciliation. The Operator will submit to the Port Director within 10 working days after the preparation of the annual reconciliation report a letter signed by the operator certifying that the annual reconciliation has been prepared, is available for CBP review, and is accurate. The Operator will retain the annual reconciliation report for a spot check or audit by CBP.

### *Shortages and overages*

The Operator will report, in writing, to the Port Director upon identification of any: theft or suspected theft of merchandise; merchandise not properly admitted to the zone; or shortage of one percent or more of the quantity of merchandise in a lot or covered by a unique identifier if the missing merchandise would have been subject to duties and taxes of \$100 or more upon entry into the customs territory. The Operator will record upon identification all shortages and overages, whether or not they are required to be reported to the Port Director at that time, in its ICRS and will record all shortages and overages as required in the annual reconciliation report. The person with the right to make entry is required to file, within 5 days after identification of an overage, an application for admission of the merchandise to the zone on CBP Form 214 or file a Customs entry for the merchandise. If a CBP Form 214 or a Customs entry is not timely filed and the Port Director has not granted an extension of the time provided, the merchandise will be sent to general order.

### *Transfer of Merchandise*

When merchandise is transferred from one FTZ to another, or from one zone site to another within FTZ 157, the Operator of the transferring zone must provide the Operator of the destination zone with the documented history of the merchandise being transferred.

### *Removal of Merchandise*

Except domestic status merchandise, no merchandise may be removed from the Zone without a CBP permit on the appropriate entry form or other document as required by pertinent regulations. The CBP Port Director may authorize transfer from the zone without physical supervision or examination by a CBP officer. Upon issuance of a permit, the Port Director will authorize delivery of the merchandise only to the Operator who then may release the merchandise to the importer or carrier.

### *Rates & Fees*

Each Operator making facilities available to multiple Zone User firms assumes responsibility for maintaining a complete and current Zone Schedule. Each Zone Operator will provide a Fee Schedule of their charges to the Grantee and any changes and/or revisions to the Fee Schedule upon implementation. All rates and charges shall be fair and reasonable and the Operator(s) shall afford all who may apply for the use of the Zone and its facilities uniform treatment under like circumstances. Changes to rates and charges may not take effect until the Operator receives written confirmation from the Grantee that the new rates have been submitted to the FTZB.

Additionally, firms utilizing the Zone may act as their own Operator. Where the User acts as their own Operator, no Zone service charges will be levied. Under these circumstances, the zone sites will operate under the Rules and Regulations and Grantee Rates and charges as set out herein.

## **Rates/Charges Assessed for FTZ 157**

### *Annual Fees*

None

### *GPZ, Subzone, Production Application Charges*

Applicant is responsible for payment of any FTZB imposed fees.

### *Activation Charge*

None

### *Annual Report Late Charge*

None

## **Information on a Public Operator**

At this time there are no Public Operators within FTZ 157.

**Rates/Charges Assessed by Public Operator**

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## Appendix A: Definitions

**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.

**Antidumping/Countervailing Duty** — FTZ Board Regulations require that any merchandise admitted to a zone that is subject to an AD/CVD Order must be placed in privileged foreign status (15 C.F.R. § 400.14(e)(2)).

**Applicant of Record** — The person, firm, or corporation in whose name the application to admit merchandise into the zone (CBPF 214) is made, recognized by U.S. Customs as having the legal right to make the application. Evidence of this right of the applicant is the same as would be required to establish the right to apply for release of the merchandise from U.S. Customs with the right to make entry (19 C.F.R. § 146.32(b)(2)).

**CPB Form 214** — Document prepared by the User, signed by the FTZ Operator, and approved by CBP, which authorizes the admission of merchandise into a FTZ and designates the status of the merchandise.

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

**CBP Port Director** — Customs official with responsibility for overseeing the activation and operations of zone projects within his customs port of entry.

**Customs Territory** — The territory of the United States in which the general tariff law of the United States applies but which is not included in any Foreign-Trade Zone.

**Domestic Status Merchandise** — Merchandise produced in the United States or imported merchandise for which customs duties have already been paid.

**Foreign Status Merchandise** — Imported merchandise that has not been properly released from U.S. Customs custody in the Customs territory of the United States (see Status of Merchandise herein).

**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)).

**Grant of Authority** — Written approval from the FTZB resulting in a designated area obtaining FTZ eligibility. To activate the area an application must be made to the CBP for approval (see Activation).

**Grantee** — Corporation to which the privilege of establishing, operating, and maintaining a foreign-trade zone has been granted (19 U.S.C. 81a(h)). Also referred to as Zone Grantee (15 C.F.R.400.2(v)). The Grantee of FTZ No. 117 is the Casper/Natrona County International Airport.

**Harmonized Tariff Schedule of the U.S. (HTSUS) Number** — The ten-digit number used to identify all imported and exported merchandise. The complete text is available from the U.S. International Trade Commission, Publication 4053.

**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.

**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)).

**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.

**Prohibited Merchandise** — Merchandise, the importation of which is prohibited by law on grounds of public policy or morals, or any merchandise that is excluded from a zone by order of the Foreign-Trade Zones Board. Books urging treason or insurrection against the U.S., obscene pictures, and lottery tickets are examples of prohibited merchandise. Also, certain types of operations involving the following merchandise are prohibited: tobacco, cigars, cigarettes, and cigarette papers and tubes (26 U.S.C. 5701-5706); firearms (26 U.S.C. 4181-4182/5811); distilled spirits, alcohol, wine, and beer (26 U.S.C. 5001-5008/5010); sugar (26 U.S.C. 4501-4503); watch movements (19 U.S.C. 1367-1368); and retail sales in a zone (19 U.S.C. 81 (o)(d) & CR 146.14).

**Quota** — A set limit of a given item that may be imported during a set period of time (normally one year). Tariff rate quota only limits the quantity that may be imported at the lower rate; imports above the quota quantity would be at a higher rate of duty.

**Subzone** — A special purpose zone established as an adjunct to a zone project for a limited purpose.

**Unique Identifier Number (UIN)** — Numbers, letters, or combination of both (alphanumeric) that identifies merchandise admitted to a zone. It is fungible material typically identified by a part number, model number, style number, SKU, etc. This number may be used for control and accounting of the goods. FIFO (First In, First Out) and FOFI (Foreign First) inventory relief methods have been authorized by U.S. Customs (19 C.F.R. 146.37(a)(2) and (d)). Generally, a FIFO system is used for UIN activity.

**User** — A person or firm using a General Purpose Zone or Subzone for storage, handling, exhibition, or processing of merchandise (15 C.F.R. 400.2(a)).



**Zone Lot Number (ZLN)** — A number assigned to the unit or units of goods (zone lot) for which a separate record and account is to be kept by the Zone Operator or Zone User. The merchandise must be physically segregated and marked by lot at all times (19 C.F.R. 146.37(a)(1) and (d)).

**Zone Restricted Merchandise** — Merchandise which cannot re-enter the U.S. customs territory.

**Zone Schedule** — This document constitutes the FTZ 157 Zone Schedule as required by 15 C.F.R. 400.44. This document may also be referred to as the FTZ 157 Tariff.

**Zone Site** — Each separate area comprising FTZ 157.

**Zone Year** — Each Zone Operator may choose its own zone year. December 31<sup>st</sup> is the year-end for Foreign-Trade Zones Board Annual Report purposes.