

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.

Toledo-Lucas County Port Authority

FOREIGN-TRADE ZONE GRANTEE SCHEDULE

Foreign-Trade Zone No. 8

Operating under the authority granted by the
Foreign-Trade Zones Board, U.S. Department of Commerce

Effective March 1, 2010
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Toledo-Lucas County Port Authority
ZONE SCHEDULE

The Toledo-Lucas County Port Authority (hereinafter called the "Grantee") was awarded a grant of authority by the United States Foreign-Trade Zones Board for the authority to establish, operate and maintain Foreign-Trade Zone No. 8 in the Toledo, OH region pursuant to Board Order No. 51 on October 11, 1960.

All rates and charges for all services or privileges within the Zone shall be fair and reasonable and the operators 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.

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ASF ZONE EXPANSION APPLICATION AND ACTIVATION

Annual Fee

The General Purpose Zone Annual Fee will cover Grantee expenses for oversight of the Zone project and submission of the Annual Report to the Board.

ASF Usage Driven Warehouse Operator - \$15,000
ASF Tenant/User- \$5,000
ASF site with Production Authority - \$20,000
Property owner of inactive site - \$2,000 (\$1,000 while application is pending)

General Purpose Zone Application Processing Fee

The Application Processing Fee covers the Grantee's expenses for reviewing the application and obtaining the necessary approvals/resolutions for the submission of an Application to the Foreign-Trade Zones Board (the "Board") and any necessary support required in the General Purpose Zone Application process.

New sites - \$5,000
Expansion of existing sites (Traditional site) - \$5,000
Expansion of ASF sites - \$2,500

(This fee does not include actual preparation of the General Purpose Zone Application.)

Manufacturing Authorization Request

The fee will cover the Zone Grantee's expenses for reviewing the application, processing the Manufacturing Approval Request, submission of the Request to the Board, and base support services required in the approval process.

Manufacturing Authority application - \$5000

(This fee does not include actual preparation of the Manufacturing Authority application.)

Activation Processing Fee

The Activation Fee covers Zone Grantee's expenses for preparation and processing of the Zone Operations Agreement, providing the Grantee Concurrence Letter to Customs, and any necessary Grantee support required in the Customs Activation process.

ASF Activation - \$2,500
De-Activation - \$2,500
Re-Activation - \$2,500

This fee does not include actual preparation of the Zone Operator's Activation Application to U.S. Customs and Border Protection ("Customs")

Toledo-Lucas County Port Authority
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SPECIAL-PURPOSE SUBZONE APPLICATION AND ACTIVATION

Where an entity desires to have a subzone located within the Grantee's jurisdiction and the Grantee has no site available for its location or where sites available are not suited for proposed operations, the entity must arrange for the acquisition of a suitable and available site. Grantee will provide cooperation with all State or local industrial development agencies, public or private, to assist entity to the fullest extent possible in securing a suitable location.

All persons and entities who request the Grantee to apply for authority to establish a sub-zone must first enter into an agreement with the Grantee governing the proposed sub-zone operations. This agreement will contain provisions including, but not limited to, those relating to costs incident to the preparation of the application and any subsequent amendment or modification thereof; costs incident to public hearings and legal proceedings; charges for any required Customs Zone activation, relocation, alteration, and audit or spot check. Applicants for the establishment of a sub-zone will bear application costs and charges of preparing and filing of application by the Grantee whether or not the application is favorably acted upon by the Foreign-Trade Zones Board.

Annual Fee

The Annual Fee will cover Zone Grantee's expenses for oversight of the Subzone and submission of the Annual Report to the Foreign-Trade Zones Board.

Manufacturing Subzone - \$20,000
Non-manufacturing Subzone - \$15,000
Inactive site - \$2,000 (\$1,000 while application is pending)

Application Processing Fee - Subzone

The Application Processing Fee covers Zone Grantee's expenses for reviewing the application, obtaining the necessary approvals/resolutions for the Subzone, submission of the Application to the Foreign-Trade Zones Board and any necessary support required in the Subzone Application process.

Subzone Application - \$5000
Expansion of existing sites - \$5,000

This fee does not include actual preparation of the Subzone Application.

Activation Processing Fee

The Activation Fee covers Zone Grantee's expenses for preparation and processing of the Operations Agreement, providing the Grantee Concurrence Letter to Customs, and any necessary Grantee support required in the Customs Activation process.

Activation - \$5,000
De-Activation - \$2,500
Re-Activation - \$2,500

This fee does not include actual preparation of the Activation Application to Customs.

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LEGAL EXPENSES

Applicant, Land Owner or Zone Site Operator agrees to pay, or cause to be paid, all legal expenses and costs which the Grantee incurs in conjunction with, or arising out of, any of the services provided in this fee schedule.

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FTZ GRANTEE POLICIES

Applications

A detailed description of FTZ application requirements are outlined by the U.S. Foreign-Trade Zones Board. The Grantee cannot guarantee that the FTZ Board will approve any project.

Removing FTZ Status

The Grantee reserves the right to remove FTZ status from approved sites under the following conditions:

- 1.No part of the property has been activated within 5 years of receiving FTZ Board approval.
- 2.There is a default in the agreement between the Zone Site Operator and Grantee, or between the Property Owner and Grantee.
- 3.Property is used for residential purposes, retail sales or any other use or development that is inappropriate for FTZ status.
- 4.Failure to pay charges or fees associated with FTZ status.

Zone Site Operator Agreement

All Zone Site Operators will be required to sign a Zone Site Operator/Grantee agreement before the site can be activated with Customs. This agreement states that the Grantee does not participate in the day to day operations of the FTZ and this responsibility, therefore, is placed upon the Zone Site Operator to comply with all rules and regulations.

Landowner Agreement

Landowners will be required to sign a Land Owner/Grantee agreement before an application is submitted to the FTZ Board. This agreement outlines all responsibilities that the landowner will have to complete in order to maintain FTZ status at the property.

Liability

FTZ site owner and/or Zone Site Operator agrees to protect, indemnify and hold harmless the Grantee, its elected officials, employees, agents, and Administrator from and against any liability, obligation, damage, penalty, claim, cost, charge or expense, including attorneys' fees and costs, whether insured or not, arising out of or incident to its site.

Payments

All payments are due according to the terms of the billing documents of the Grantee. Failure to pay any fees, charges and expenses to the Grantee shall be a basis for termination of appropriate agreement and/or removal of FTZ designation.

Annual reports

The FTZ Zone Site Operator or owner must submit to the Grantee no later than the time specified in the Operator's Agreement of each year an annual report for the fiscal year ending December 31st containing data required by the FTZ Board and Customs. All such statements shall be signed by appropriate officials, certifying the accuracy of the reports. The FTZ Zone Site Operator or owner shall prepare a narrative and submit photographs as required for the Annual Report to the Board. Land or buildings that have been leased or sold during the year must be described along with naming the new owner or lessee.

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Construction

All new construction projects will need to be mentioned in the annual report so that the FTZ Board can be informed of the updated condition and structures within the FTZ sites.

Access

Representatives of the Grantee, FTZ Board, Customs, and other authorized U.S. government officers, shall have the right to enter the FTZ site for the authorized and lawful purpose of examining same, conferring with FTZ Zone Site Operator or owner, its agents, invitees, and employees on such premises, inspecting and checking operations, supplies, equipment and merchandise, and determining whether the business is being conducted in accordance with the procedures established for the operation and management of the FTZ site.

Foreign-Trade Zone Privileges

The Grantee makes no representations or warranties as to the particular privileges and benefits which may accrue to FTZ site Zone Site Operator or owner from foreign-trade zone site operations as those privileges and benefits may vary as a result of changes in federal law, determinations of the Board and Customs, and operational decisions of the FTZ Zone Site Operator. The Grantee shall in no way be liable for any costs or losses sustained by FTZ Zone Site Operator or Landowner as a result of FTZ status.

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APPLICATION OF TARIFF

APPLICATION OF FOREIGN-TRADE ZONE NO. 8 TARIFF -The rates, rules and regulations of this Tariff shall apply at Foreign-Trade Zone No. 8 along with its Sub-Zones and Annexes unless otherwise provided for.

GENERAL REGULATIONS - Foreign-Trade Zone No. 8 is regulated by the Foreign-Trade Zones Board, Washington, D.C. under Code of Federal Regulations, Chapter IV, Part 400.

UNITED STATES CUSTOMS REGULATIONS - Foreign-Trade Zone No. 8 is subject to special Customs regulations as defined in U.S. Code of Federal Regulations, Chapter I, U.S. Customs, Part 146 - Foreign Trade Zones.

APPLICATION AND INTERPRETATION OF TARIFF – The Grantee shall be the sole judge to interpret and determine the applicability of any of the rates, rules, regulations or services provided for in this Tariff. However, any matter involving interpretation or action by U.S. Bureau of Customs and Border Protection or any other agency of the U.S. Government will be determined by the appropriate government agency.

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GENERAL RULES AND REGULATIONS

ZONE REGULATIONS - The following rules governing procedures within Foreign-Trade Zone No. 8 are issued in conformity with and supplementary to the Foreign-Trade-Zones Board's regulations and such of the United States laws and regulations relating to the Port of Entry as are applicable to Foreign-Trade Zone operations.

GENERAL REGULATIONS - All persons and merchandise of every description entering or leaving Zone No. 8 for any purpose whatsoever shall be bound by the lawful regulations of the Foreign-Trade Zones Board and by the Zone regulations issued thereunder.

GOVERNMENT AGENCIES -All lawful regulations regarding government agencies in or about ports of entry must be complied with insofar as they are not in conflict with Public Law 397 of the 73rd Congress and the Regulations issued thereunder.

PUBLIC INTEREST, HEALTH AND SAFETY - No operation or process of treatment will be permitted in the Zone that, in the judgement of the Grantee, is detrimental to the public interest, health and safety.

CONFIDENTIAL RELATIONSHIP – The Grantee and Operator will take precaution to avoid the divulging of confidential information regarding merchandise and services thereon performed in the Zone.

ADMITTANCE OF PERSONS - Persons desiring admittance to the Zone shall make application to a representative of the Operator. The pass issued must be worn or shown upon request. Upon leaving the Zone, any temporary pass must be surrendered, and any permanent pass must be shown to the representative of the Operator. All persons having business in the Zone will enter and leave at the prescribed entrance.

CHARGES BY GOVERNMENT AGENCIES - Charges made by government agencies other than the Grantee are not included in this Tariff and should be arranged by the owner or his agent with the government bureau concerned.