

Date: \_\_\_\_\_, 2018

DRAFT

Mr. Andrew McGilvray  
Executive Secretary Foreign-Trade Zones Board  
U.S. Department of Commerce, FCB - Suite 4100W  
1401 Constitution Avenue NW  
Washington, D.C. 20230  
Subject: Application for Minor Boundary Modification Foreign -Trade Zone No. 25

Dear Mr. McGilvray:

Broward County, Florida, as Grantee of Foreign-Trade Zone (FTZ) No. 25, hereby formally requests approval of a Minor Boundary Modification of its general-purpose FTZ.

The present general-purpose FTZ No. 25 consists of approximately 388 acres of land area designated as general-purpose FTZ of which 169 acres are currently activated with existing buildings at virtually 100% occupancy. In addition, Subzones 25B, 25C, 25D, 25E, and 25F have been added to accommodate the special-purpose needs of CITGO Petroleum Corporation, TransMontaigne Product Services, Inc., Motiva Enterprises LLC, Chevron Products Company, and South Florida Materials Corporation, respectively.

Increased demand for additional general-purpose FTZ warehouse space has continued to rise within the present general-purpose FTZ No. 25. However, the existing FTZ-designated buildings and outside storage areas in our general-purpose sites are fully occupied and utilized for either FTZ or other non-FTZ, maritime/industrial activities. Therefore, we need additional general-purpose facilities designated as FTZ to accommodate the immediate needs of both existing/expanding and new growth companies arriving in Broward County.

Grantee of FTZ No. 25, is seeking a Minor Boundary Modification of a non-contiguous zone site (1.09-acres) consisting of two buildings located within the Copans Business Center, at 2530 and 2570 Powerline Road, in Pompano Beach, Florida, for the use of Enolgas USA, Inc., and other potential users, to receive FTZ benefits (See Exhibit 1).

Enolgas is the U.S. branch for Enolgas Bonomi, an Italian company that produces a complete range of brass, stainless steel and carbon steel valves for commercial and industrial use, as well as for use in the residential sector. Enolgas has been operating in Broward County since 2008, serving the North American market for their products. Enolgas leases 0.13 acres consisting of 5,730 square feet of existing secured office/warehouse storage area located in the Copan's Business Center, at 2530 North Powerline Road, Pompano Beach, Florida, and is seeking to use the location as a non-contiguous FTZ site in Broward County's FTZ No. 25.

Enolgas will be the first to activate at the subject site hoping to more fully accommodate their business needs. FTZ benefits are essential to Enolgas's business plan and their related job retention/creation and investment in South Florida. With FTZ benefits, Enolgas expects to expand its business and retain/grow employment. FTZ designation for the property must first be obtained by the FTZB for their plans to move forward. The proposed

area would not only accommodate the immediate needs of Enolgas, but would make additional space available for other potential FTZ users in the future. Once approved by the FTZB, Enolgas will be able to increase their re-export activity in their FTZ location immediately upon subsequent U. S. Customs and Border Protection activation.

This Application is being made by Broward County as an extension of the long effort by civic leaders to increase employment opportunities and investment in the Broward County, Florida, area by encouraging international business activities. The FTZ operations envisioned will be an important factor in the County's continuing program to attract new industry and encourage existing industry to expand in Broward County, Florida. The data contained in this Application sets forth the importance of this project to the continued growth of the community.

Enclosed is an original of the Application for Minor Boundary Modification for your consideration. Broward County, Florida, appreciates your timely consideration of the Application for the reasons discussed therein. Thank you in advance for your support and assistance. If you have any questions regarding this report, please contact Robert C. Jacob, Jr., Foreign-Trade Zone Operator, at (954) 468-0214, FAX (954) 765-4628, or email [rjacob@broward.org](mailto:rjacob@broward.org).

Sincerely,

Steven M. Cernak, P.E., PPM  
Chief Executive & Port Director

OMB Control No. 0625-0139  
Expiration Date: 03/31/2019

**Application for Minor Boundary Modification  
Under the Traditional Site Framework (TSF)**

**Instruction Sheet**

This collection of information contains Paperwork Reduction Act (PRA) requirements approved by the Office of Management and Budget (OMB). Notwithstanding any other provision of law, no person is required to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of information displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 3.5 hours, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Persons wishing to comment on the burden estimate or any aspect of this collection of information, or offer suggestions for reducing this burden, should send their comments to the ITA Reports Clearance Officer, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> and Constitution Avenue, NW, Washington, DC 20230.

No zone, subzone, zone expansion/reorganization/modification, or production authority may be approved unless a completed application/notification/request has been received (19 U.S.C. 81a-81u; 15 CFR Part 400). The Foreign-Trade Zones Board has no authority to finance zone projects. Its approval is in the form of a grant of authority (license) for operating a facility under foreign-trade zone procedures. The basic requirements for foreign-trade zone applications are found in the regulations of the Foreign-Trade Zones Board (15 CFR Part 400), including Sections 400.21 through 400.25. Application formats are available on the FTZ Board web site: <http://www.trade.gov/ftz>.

Corporations submitting applications must be qualified to apply under the laws of the state in which the zone is to be located. Applicants may submit drafts of their applications to the FTZ Staff, which can provide comments and technical assistance in interpreting the Board's regulations.

Applicants should note that conduct of their proposed activity under FTZ procedures would result in an additional, ongoing information-collection burden associated with the Annual Report from Foreign-Trade Zones (OMB Control No. 0625-0109).

FTZ Staff  
March 2013

Foreign-Trade Zones Board  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W., Room 21013  
Washington, D.C. 20230  
(202) 482-2862

## Traditional Site Framework

### REQUEST FOR MINOR BOUNDARY MODIFICATION

**NOTE:** This format is only for requesting a Minor Boundary Modification under the Traditional Site Framework (TSF). For a modification under the Alternative Site Framework (ASF), there is a separate, simpler format.

#### INSTRUCTIONS

**General:** This format consists of a limited number of questions to answer and, for ease of use, is provided as a MS Word document. The actual submitted request may take the form of a letter from the grantee requesting approval and answering each question listed below. Alternatively, the request may include a cover letter from the grantee identifying the specific MBM for which it is requesting approval and then a separate document answering the questions below. Leave each question in place (including its number) and provide your response directly below each question.

A MBM is a tool for minor adjustments to FTZ space based on immediate need. The FTZ Board's regulations require evaluation of each proposed MBM relative to the scope and layout of the FTZ site structure as most recently authorized by a FTZ Board Order (rather than by FTZ Staff action on MBM request(s)). Consequently, this format includes questions related to the cumulative effect of other MBMs approved since the most recent FTZ Board Order for the zone.

**Sites versus Parcels:** A "site" is comprised 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. If parcels do not meet that definition, they must be treated as separate sites.

**Adjacency Requirement:** The FTZ Act and Regulations require each zone site to be within or adjacent to a U.S. Customs and Border Protection (CBP) port of entry (as listed and defined in part 101 of the CBP Regulations - 19 CFR 101.3). That requirement can be satisfied if the zone site is: 1) within the limits of a CBP port of entry; or, 2) within 60 statute miles or within 90 minutes' driving time from the outer limits of the boundaries of a CBP port of entry, as determined or concurred upon by CBP.

**Submitted Request Must Be Complete:** Submitted MBM requests must be complete – with the sole allowable exception of any comments from CBP, if necessary. Incomplete submitted requests or documents submitted separately will be returned to the sender. The FTZ Staff cannot assemble complete requests from individual elements submitted separately.

**Number of Copies:** Please submit one original and one electronic copy of the complete request (Adobe PDF format preferred; MS Word format may be used if you are unable to submit PDF). The electronic copy must include color maps and scans of all signed letters.

**Timing:** Under the FTZ Board's regulations, the ordinary timeframe to process MBM requests is within 30 days of the FTZ Staff having received a complete request. Timing will depend on receipt of CBP's comments on the request.

Traditional Site Framework

**REQUEST FOR MINOR BOUNDARY MODIFICATION**

**QUESTIONS**

Proposed FTZ Space:

1. List the site's address, including the jurisdiction in which the site falls (town, city, county).

2530 and 2570, North Powerline Road, Pompano Beach, Florida, Broward County, FL

2. State the proposed acreage of the site.

5.88 acres

Reason for MBM:

3. Explain the primary reason for the proposed modification, including the name(s) of the company(ies) that will operate in the proposed new space and a summary of the company(ies)'s planned activities.

Enolgas USA Inc., (Enolgas), currently owns and operates a warehouse and distribution business located at North Powerline Road, Suite 401, Pompano Beach, Florida, relating to gas handling equipment and associated products. Since the bulk of their merchandise is foreign-sourced and mainly destined for re-exportation, their FTZ savings will allow them to expand and flourish in the logistically advantageous Port Everglades area.

4. Explain why there is an **immediate need** for the proposed change.

Since the Enolgas facility is already leased and relocation of their operations would not be feasible, the company will lose competitiveness against foreign distributors without the benefit of immediate and future FTZ benefits.

Nature of Proposed MBM:

5. Explain how the FTZ space for which there is an immediate need will accommodate multiple companies' use (in other words, why "subzone" designation is not appropriate).

Existing FTZ Space to Be Removed (as a "Swap" for the New Space):

6. Describe the existing FTZ space (building(s)/parcel(s)) for which you propose to remove FTZ designation in exchange for designation of new space.

N/A

Other MBMs Since Your Zone's Most Recent FTZ Board Order:

7. In the table below, list each of the sites or parcels of your FTZ approved by MBM since the last general-purpose Board Order for your FTZ (add rows to the table as needed):

Site Number	Site Name and Address	Size of Site (in Acres)	Month/Year of MBM Approving Site
N/A	N/A	N/A	N/A

Other Site Qualifications:

8. Indicate the closest CBP port of entry. State whether the site is within – or within 60 miles from the boundaries of – the CBP port of entry. If the site is beyond 60 miles from the port of entry boundaries, state the driving time from the outer limits of the port of entry to the site.

The closest U.S. Customs and Border Protection port of entry is Port Everglades.

9. Indicate the current zoning and existing and planned buildings (including square footage) for the site. (Note: Sites (or areas within a site) with inappropriate zoning – such as agricultural, retail, or residential – are not eligible for FTZ status and should not be proposed in any MBM request.)

The current zoning is “48”, which is described as “Warehousing, distribution terminals, trucking terminals, van & storage warehousing”.

There are no existing or planned buildings that would need to be included in this designation.

10. Confirm that FTZ designation or the use of FTZ procedures is not a requirement or a precondition for future activity or construction at the site.

The FTZ designation or the use of FTZ procedures are not a requirement or a precondition for future activity at the site.

11. List the owner(s). (If the site is not owned by the grantee or the company(ies) planning to use the site – as named in response to Question 3 above – then provide a "Right to Use" attachment with documentation demonstrating the right to use the site. Such evidence could be a signed letter from the proposed operator on its letterhead attesting to its right to use the property or a letter of concurrence from the owner of the new site.)

The owner of proposed site is Copan’s Business Center LLC. Please see attached owner’s consent letter (Exhibit A).

**REQUIRED ATTACHMENTS**

Attach the documents listed below (items 12 through 14, plus 16 if applicable) directly behind the text of your request.

12. Provide one or more maps showing the new site in relation to your existing FTZ sites (specifically identify the site where acreage is being removed). All documents must be legible and letter-sized (8 ½” x 11”).

13. For the new site proposed for FTZ designation, attach a clear and detailed site map showing existing and planned structures. The site boundaries must be outlined clearly in red. Note that if streets or similar landmarks are not legible on the site plan, you will also need to provide a

detailed street map with the proposed site's boundaries in red. Any site map should be no larger than letter-sized (8 ½" x 11") and clearly labeled, with legends provided for any markings.

14. For the parcel/building proposed for removal from the FTZ (as a "swap" for the new site), you will only need to provide a map if the parcel/building constitutes just a portion of an existing site, in which case provide a letter-sized (8 ½" x 11") detailed site plan showing both:

- the overall boundaries clearly outlined in red of the entire area of the site which would continue to have FTZ designation after approval of the MBM request; and,
- the boundaries of the area to be removed clearly outlined in blue.

Note: If the overall site map you provide for the site from which a portion is being removed does not clearly show the precise boundaries of the removed portion (for example, if the overall site is large and the portion removed is only a small portion), you will also need to provide a separate detailed map clearly showing the boundaries of the portion being removed (again, with the removed portion's boundaries outlined in blue).

15. Comments from U.S. Customs and Border Protection (CBP): The grantee generally should provide comments from CBP with the submitted request. Alternatively, the grantee may provide a copy of the request to CBP at the time the request is submitted to the FTZ Board, in which case the grantee should also communicate with CBP regarding the 20-day timeframe in the FTZ Board's regulations for CBP to provide comments to the FTZ Board.

16. If your state (such as TX, KY, AZ) has one or more taxes for which collections will be affected by the proposed FTZ designation of the new site(s), please attach all of the following:

- A. An explanation of the specific local taxes that will be affected;
- B. A stand-alone letter that:
  - Lists all of the affected parties;
  - Includes a statement below the list certifying that this is a complete list of all parties that would be affected by this particular request; and,
  - Is signed by an official of the grantee organization.
- C. Correspondence from all of the affected parties (such as a local school board) indicating their concurrence (or non-objection) regarding the proposed FTZ designation.





COMMERCIAL • INDUSTRIAL • INVESTMENTS

4901 N.W. 17th Way, Suite 103  
Fort Lauderdale, FL 33309  
T. 954.491.5505 F. 954.491.5404  
www.levyrealtadvisors.com

April 20, 2018

Sent Via E-Mail & Regular Mail: [rjacob@broward.org](mailto:rjacob@broward.org)  
Office #: (954) 468-0214  
Cell #: (954) 658-0538

Mr. Robert C. Jacob, Jr., Foreign-Trade Zone Operator  
Foreign-Trade Zone #25  
Broward County's Department of Port Everglades - Business Administration Div.  
1850 Eller Drive, Ft. Lauderdale, FL 33316

Re: **FOREIGN TRADE ZONE DESIGNATION**

- o **Copans Business Center**
  - 2530 N. Powerline Road, Pompano Beach, FL 33069
  - 2570 N. Powerline Road, Pompano Beach, FL 33069
  - 2580 N. Powerline Road, Pompano Beach, FL 33069

Dear Robert,

Please accept this letter as Landlord's consent to approve the specific Buildings referenced above located within Copans Business Center as an approved designated site for Foreign Trade Zone status. In addition and for your review, I have attached the Marketing Brochure for Copans Business Center along with a site plan whereby I designated and highlighted in yellow the specific Buildings in which we will try to first obtain Foreign Trade Zone status.

Thank you for your anticipated cooperation and I look forward to hearing from you shortly concerning this matter.

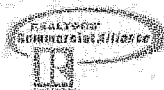
In the event you have any questions, please feel free to contact me at one of the numbers listed below:

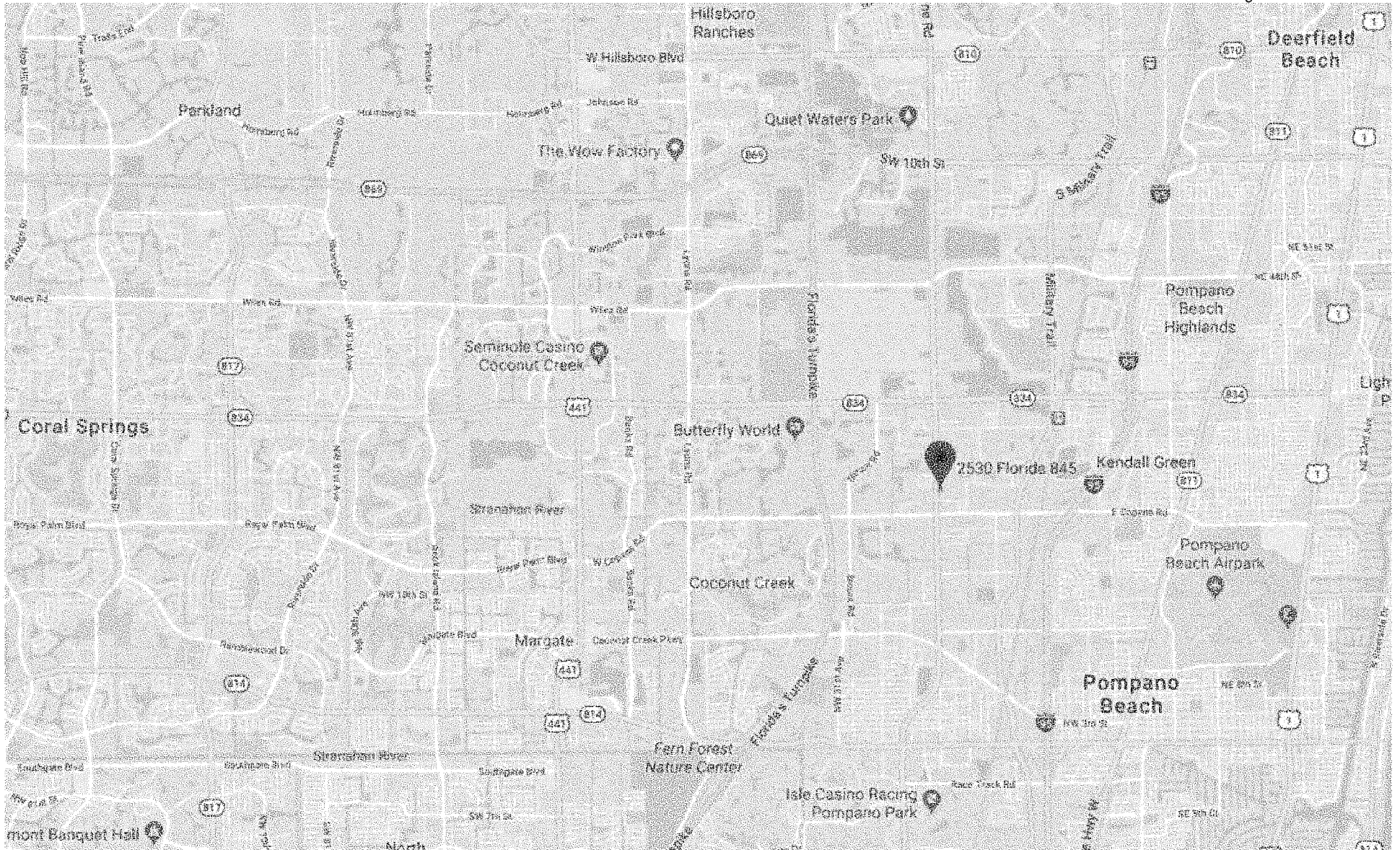
- Office #: (954) 491-5505
- Mobile #: (954) 658-4477

Very truly yours,

COPANS BUSINESS CENTER LLC ("Landlord")  
BY: LEVY REALTY ADVISORS, INC. ("Property Manager")

Alan Levy,  
Landlord/Broker/President







OPERATED BY  
**MULLALY ENGINEERING COMPANY (LIMITED)**  
400 U.S. HIGHWAY 1 N.W. 2ND FLOOR  
FORT LAUDERDALE, FLORIDA 33401  
PHONE (954) 453-7877 FAX (954) 453-1079

DATE: 05/10/11

*Puttville Road (N.W. 34th Avenue)*

Exhibit 2

Page 11 of 12

THIS SURVEY

Location Map



**ALTA/ACSM LAND TITLE SURVEY**  
**Parcels 1, 2 and 3**  
**TWIN S LIMITED PLAT No. 1,**  
**Plat Book 114, Page 12, B.C.M.,**  
**City of Pompano Beach**  
**Broward County, Florida**

- LEGEND**
- ... (various symbols and line styles)

**NOTES**

- This survey reflects all easements and encumbrances as shown on record information and is subject to the provisions of the Florida Statutes and the rules of the Florida Board of Professional Surveyors.
- Interventions and objections in this survey are subject to the provisions of the Florida Statutes and the rules of the Florida Board of Professional Surveyors.
- The survey is not a title opinion and does not constitute a title opinion.
- Boundary survey information was obtained from the Florida Board of Professional Surveyors and is subject to the provisions of the Florida Statutes and the rules of the Florida Board of Professional Surveyors.
- At the time of this survey, the surveyor was not present.
- Reference should be made to the Florida Board of Professional Surveyors, Number 2000, for the definition of a surveyor's seal.
- Reference should be made to the Florida Board of Professional Surveyors, Number 2000, for the definition of a surveyor's seal.
- This property lies in Block No. 1, Zone No. 1, of the Twin S Limited Plat No. 1, Broward County, Florida, recorded in Plat Book 114, Page 12, B.C.M., City of Pompano Beach, Florida.
- Reference should be made to the Florida Board of Professional Surveyors, Number 2000, for the definition of a surveyor's seal.

**Legal Description**

Parcel 1, 2 and 3 of TWIN S LIMITED PLAT No. 1, according to the plat thereof as recorded in Plat Book 114, Page 12, of the Public Records of Broward County, Florida, and containing 258,513 square feet of 6,868.7 acres, more or less.

Parcel 1, 2 and 3 of TWIN S LIMITED PLAT No. 1, according to the plat thereof as recorded in Plat Book 114, Page 12, of the Public Records of Broward County, Florida, and containing 258,513 square feet of 6,868.7 acres, more or less.

Reference is made to the Florida Board of Professional Surveyors, Number 2000, for the definition of a surveyor's seal.

Parcel 1, 2 and 3 of TWIN S LIMITED PLAT No. 1, according to the plat thereof as recorded in Plat Book 114, Page 12, of the Public Records of Broward County, Florida, and containing 258,513 square feet of 6,868.7 acres, more or less.

There are no other encumbrances, easements, or liens upon the property as shown on the plat thereof as recorded in Plat Book 114, Page 12, of the Public Records of Broward County, Florida, which affect the property as shown.

Reference is made to the Florida Board of Professional Surveyors, Number 2000, for the definition of a surveyor's seal.

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**OFFICE NOTES**

114-00000-114 (954) Survey/10/10/11

114-00000-114 (954)

114-00000-114 (954)

114-00000-114 (954)

12-3-048

**CERTIFICATION**

I, the undersigned, certify that this survey meets the minimum technical standards as set forth by the Florida Board of Professional Surveyors and is in compliance with the Florida Statutes, Chapter 463, Florida Administrative Code, pursuant to Section 462.002, Florida Statutes.

Dated at Fort Lauderdale, Florida, this 10th day of May, 2011.

Survey Information found on this day of May, 2011.

MULLALY ENGINEERING COMPANY

114-00000-114 (954)

DRAFT - Sample Customs concurrence letter...

Date:

Mr. Andrew McGilvray  
Executive Secretary Foreign-Trade Zones Board  
U.S. Department of Commerce, FCB - Suite 4100W  
1401 Constitution Avenue NW  
Washington, D.C. 20230

Dear Mr. McGilvray:

I am writing to express my concurrence with Broward County, Florida, Grantee of Foreign- Trade Zone (FTZ) No. 25, in its Application for a Minor Boundary Modification to designate a non-contiguous zone site (1.09-acres) consisting of two buildings located within the Copans Business Center, at 2530 and 2570 Powerline Road, in Pompano Beach, Florida, as part of the Broward County's general-purpose FTZ.

We have reviewed the information provided to us regarding this request and find the subject site suitable for zone designation. We will, of course, expect to review further information as per the activation procedures outlined in the Customs regulations prior to the site's activation and the commencement of any FTZ activity thereon. As a result, we have no objections to the approval of the Application for a Minor Boundary Modification.

Sincerely,

Port Director  
U.S. Customs & Border Protection Port  
Everglades Port of Entry