

refinery complex (220,000 BPD capacity) located at the intersection of Interstate Hwy 64 and US Hwy 23 on the Big Sandy River, Boyd County, Kentucky, south of Catlettsburg, including a refined product storage and terminal facility located north of the refinery, across the river in Kenova (Wayne County), West Virginia; *Site 2* (30 acres)—Ashland Pipe Line Co. crude oil terminal (4 tanks/771,000 barrel capacity) located at 1046 Pleasant Valley Road, Daviess County, east of Owensboro, Kentucky. The refinery, terminals and pipelines operate as an integrated refinery complex.

The refinery complex is used to produce fuels and petrochemical feedstocks. Fuel products produced include gasoline, jet fuel, distillates, diesel fuel, fuel oil, naphtha and MTBE. Petrochemical feedstocks and refinery by-products include methane, ethane, propane, benzene, toluene, xylene, cumene, propylene, ethylene, butylene, butadiene, isobutene-isoprene, naphthalene, carbon black oil, paraffin waxes, sulfur and asphalt. Some 70 percent of the crude oil (97 percent of inputs), and some feedstocks and motor fuel blendstocks used in producing fuel products may be sourced abroad.

Zone procedures would exempt the operations involved from Customs duty payments on the foreign products used in its exports. On domestic sales, the company would be able to choose the finished product duty rate (nonprivileged foreign status—NPF) on certain petrochemical feedstocks and refinery by-products (duty-free) instead of the duty rates that would otherwise apply to the foreign-sourced inputs (e.g., crude oil, natural gas condensate). The duty rates on inputs ranges from 5.25¢/barrel to 10.5¢/barrel. Foreign merchandise would also be exempt from state and local ad valorem taxes. The application indicates that the savings from zone procedures would help improve the refinery's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is August 26, 1996. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to September 9, 1996).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce, Export Assistance Center, Suite 807, 405 Capitol Street, Charleston, West Virginia 25301
Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW., Washington, DC 20230.

Dated: June 18, 1996.

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 96-16190 Filed 6-25-96; 8:45 am]

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[Order No. 828]

Approval of Manufacturing Activity Within Foreign-Trade Zone 21, Charleston, South Carolina; Hubner Manufacturing Corporation (Industrial Bellows/Molded Parts)

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, § 400.28(a)(2) of the Board's regulations, requires approval of the Board prior to commencement of new manufacturing/processing activity within existing zone facilities;

Whereas, the South Carolina State Ports Authority, grantee of FTZ 21, has requested authority under § 400.32(b)(1) of the Board's regulations on behalf of the Hubner Manufacturing Corporation, to manufacture industrial bellows and plastic/rubber molded parts under zone procedures within FTZ 21, Charleston, South Carolina (filed 11-30-95, FTZ Docket A(32b1)-20-95; Doc. 43-96, assigned 5-23-96);

Whereas, pursuant to § 400.32(b)(1), the Commerce Department's Assistant Secretary for Import Administration has the authority to act for the Board in making such decisions on new manufacturing/processing activity under certain circumstances, including situations where the proposed zone benefits do not involve the election of nonprivileged foreign status on items involving inverted tariff benefits (§ 400.32(b)(1)(iii)); and,

Whereas, the request, as amended, states that Hubner Manufacturing Corporation will destroy all foreign status scrap merchandise within FTZ 21;

Whereas, the Assistant Secretary for Import Administration, acting for the Board, pursuant to § 400.32(b)(1),

concurring in the findings and recommendations of the FTZ Staff and Executive Secretary, approves the request;

Now, therefore, the application for manufacturing authority is approved, subject to the Act and the Board's regulations, including § 400.28, and subject to the following restrictions:

1. Privileged foreign status (19 CFR § 146.41) shall be elected on all foreign-origin merchandise admitted to the zone for the Hubner Manufacturing Corporation operation; and,

2. Initial approval is for a period of three (3) years from the date of activation of zone procedures at the plant, subject to extension upon review.

Signed at Washington, DC, this 17th day of June 1996.

Robert S. LaRussa,

Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 96-16189 Filed 6-25-96; 8:45 am]

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[Docket 52-96]

Foreign-Trade Zone 116—Port Arthur, TX Application for Subzone Status U.S. Department of Energy Strategic Petroleum Reserve (Crude Oil Storage) Jefferson County, TX

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Foreign-Trade Zone of Southeast Texas, Inc., grantee of FTZ 116, Port Arthur, Texas, requesting special-purpose subzone status for the crude oil storage facilities of the U.S. Department of Energy Strategic Petroleum Reserve (SPR) located in Jefferson County, Texas. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on June 18, 1996.

The SPR involves an emergency stockpile of crude oil (over 590 million barrels) stored in underground caverns at five sites in Louisiana and Texas. Currently, all crude oil is owned by the U.S. Government. However, in 1995, the U.S. Department of Energy commenced plans to conduct commercial crude oil storage and terminal activities at SPR facilities for foreign governments.

This application involves SPR's "Big Hill" facility (274 acres, 149 employees), located in Jefferson County, Texas, some 25 miles west of Port

Arthur. It consists of a main crude oil storage site (14 underground caverns/160 million barrel capacity) and a 24-mile pipeline connecting to the Sun Marine Terminal in Nederland, Texas.

Zone procedures would exempt foreign crude oil that is reexported from Customs duty payments. On domestic sales, duties on such oil could be deferred until formal Customs entry is made. The duty on crude oil ranges from 5.25 barrel to 10.5/barrel. Foreign merchandise would also be exempt from state and local *ad valorem* taxes. The application indicates that the savings from zone procedures would help the SPR to lease under-utilized crude oil storage capacity to foreign governments, thus generating revenues for the General Treasury.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is August 26, 1996. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to September 9, 1996).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce Export Assistance Center, Suite 1160, 500 Dallas, Houston, Texas 77002
Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW., Washington, DC 20230

Dated: June 18, 1996.

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 96-16191 Filed 6-25-96; 8:45 am]

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National Oceanic and Atmospheric Administration

[I.D. 061996B]

Endangered Species; Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of permit 1005 (P770#71) and modification 1 to permit 908 (P503K).

SUMMARY: Notice is hereby given that NMFS has issued a permit that authorizes takes of an Endangered Species Act-listed species for the purpose of scientific research/enhancement, subject to certain conditions set forth therein, to the Coastal Zone and Estuarine Studies Division of the Northwest Fisheries Science Center, NMFS at Seattle, WA (CZESD) and a modification to a permit that authorizes takes of Endangered Species Act-listed species incidental to fish-stocking activities, subject to certain conditions set forth therein, to the Idaho Department of Fish and Game at Boise, ID (IDFG).

ADDRESSES: The applications and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

SUPPLEMENTARY INFORMATION: The permit and modification to a permit were issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish and wildlife permits (50 CFR parts 217-222).

Notice was published on April 1, 1996 (61 FR 14296) that an application had been filed by CZESD (P770#71) for a scientific research/enhancement permit. Permit 1005 was issued to CZESD on June 10, 1996. Permit 1005 authorizes CZESD takes of adult and juvenile, endangered, Snake River sockeye salmon (*Oncorhynchus nerka*) associated with a captive broodstock program, being conducted in cooperation with IDFG. IDFG initiated the captive broodstock program in 1992 under the authority of permit 795 to perpetuate the species and provide Snake River sockeye salmon for future recovery actions. CZESD will rear, maintain, and breed ESA-listed fish in its hatchery facilities at the University of Washington's Big Beef Creek Research Station near Seabeck, WA and NMFS's Manchester Marine Experimental Station near Manchester, WA. ESA-listed salmon eggs or juveniles, originally taken by IDFG, will be transferred to CZESD hatcheries to dilute the risk of an unanticipated catastrophic event, possibly causing a decimation of the gene pool if the offspring were present at only one hatchery location. CZESD will transfer

the resulting progeny of the ESA-listed sockeye salmon captive broodstocks to Idaho annually to complement recovery efforts at Redfish Lake. To coordinate CZESD's permit 1005 with IDFG's permit 795, permit 1005 will expire when permit 795 expires, July 31, 1997.

Notice was published on March 12, 1996 (61 FR 9979) that an application had been filed by IDFG (P503K) for modification 1 to incidental take permit 908. Permit 908 authorizes IDFG an incidental take of endangered Snake River sockeye salmon (*Oncorhynchus nerka*) and threatened Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with IDFG's resident fish-stocking program, designed to increase the supply of fish in the Salmon River and its tributary streams and lakes for sport-angling. For part of modification 1, IDFG proposed to stock Redfish Lake with catchable-sized hatchery rainbow trout in 1996 to provide recreational fishing at the lake. IDFG's request to stock Redfish Lake with hatchery rainbow trout in 1996 was denied because of the potential effects of rainbow trout overwinter survival and the risk of predation on ESA-listed sockeye salmon in the lake.

The remainder of what IDFG proposed for modification 1 to permit 908 was approved and issued on June 10, 1996. For modification 1, IDFG is authorized to revise their fish-stocking program to do the following: 1) Re-establish a viable population of cutthroat trout in under-utilized habitat in upper Valley Creek by transplanting juvenile cutthroat trout from a healthy population in upper Yankee Fork, Salmon River, 2) release catchable rainbow trout in Yankee Fork dredge ponds prior to June 15, and 3) stock Pettit Lake with 3,000 catchable rainbow trout in 1996, mark (fin-clip) all trout released to identify year-class, and continue monitoring studies and creel surveys through 1996 and 1997. Issuance of the modification does not result in an increase in the annual incidental take authorized in permit 908. Modification 1 is valid for the duration of the permit. Permit 908 expires on December 31, 1998.

Issuance of the permit and permit modification, as required by the ESA, was based on a finding that such actions: (1) Were requested in good faith, (2) will not operate to the disadvantage of the ESA-listed species that are the subject of the permits, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing ESA-listed species permits.