

Notices

Federal Register

Vol. 73, No. 127

Tuesday, July 1, 2008

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

Order No. 1566

Grant of Authority for Subzone Status, Louisiana Energy Services, L.P. (Gas Centrifuge Production Equipment), Lea County, NM

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, the Foreign-Trade Zones Act provides for "...the establishment... of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

Whereas, the City of Albuquerque Aviation Department, grantee of Foreign-Trade Zone 110, has made application to the Board for authority to establish a special-purpose subzone for the assembly and installation of gas centrifuge production equipment for the enrichment of uranium at the facility of Louisiana Energy Services, L.P., located in Lea County, New Mexico (FTZ Docket 18-2007, filed 4/20/07);

Whereas, notice inviting public comment was given in the **Federal Register** (72 FR 21218-21219, 4/30/07); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the

requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants authority for subzone status for activity related to the assembly and installation of gas centrifuge production equipment for the enrichment of uranium at the facility of Louisiana Energy Services, L.P., located in Lea County, New Mexico (Subzone 110B), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 23rd day of June 2008.

David M. Spooner,

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

Attest:

Andrew McGilvray,
Executive Secretary.

[FR Doc. E8-14913 Filed 6-30-08; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Action Affecting Export Privileges; Omega Engineering, Inc. In the Matter of: Omega Engineering, Inc., One Omega Drive, Stamford, CT 06907; Respondent

Order Waiving Remainder of Denial Order Period

On November 12, 2003, having approved the terms of a settlement agreement between the Bureau of Industry and Security, United States Department of Commerce ("BIS"), and Respondent Omega Engineering, Inc. ("Omega"), then-Assistant Secretary for Export Enforcement Julie L. Myers issued an order (68 Fed. Reg. 65033, Nov. 18, 2003), resolving an administrative proceeding against Omega pursuant to section 13(c) of the Export Administration Act of 1979, as amended ("Act"),¹ and the Export

¹ 50 U.S.C. app. 2401-2420 (2000). Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR 2001 Comp. 783 (2002)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2007 (72 Fed. Reg. 46137 (Aug. 16, 2007)), has continued the

Administration Regulations ("Regulations"),² based on allegations in a proposed charging letter that Omega had committed 17 violations of the Regulations.

Among other things, the November 12, 2003 Order provided a non-standard denial of export privileges that prohibited Omega, for a period of five years from the date of that Order, from participating in any way in any transaction involving the export from the United States to Pakistan of any item subject to the Regulations or in any other activity subject to the Regulations that involves Pakistan.

By letter dated April 25, 2008, Omega submitted a request seeking to terminate the denial order not later than May 6, 2008, rather than on November 12, 2008. Omega's request seeks relief on various grounds, including due to what it has phrased as the "extraordinary support" it provided to BIS in the investigation of another case. The grounds raised by Omega have been considered in full and with the exception of its extraordinary cooperation argument do not merit relief.

Subsequent to the entry of the November 12, 2003 Order, Omega provided extraordinary cooperation in a criminal investigation involving an individual attempting to unlawfully export U.S.-origin goods to Iran. The cooperation provided by the Omega helped enable BIS to obtain evidence that was crucial to the investigation and successful prosecution of that criminal matter.

Accordingly, upon consideration of this extraordinary cooperation provided by Respondent Omega, and upon consideration of the totality of the circumstances found here, it is therefore ordered:

1. That the remainder of the denial order period imposed on Omega Engineering, Inc., One Omega Drive, Stamford, Connecticut 06907, its successors or assigns, and, when acting

Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) ("IEEPA").

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2008). The current version of the Regulations governs the procedural aspects of this case. The charged violations occurred in 1997. The Regulations governing the charged violations are found in the 1997 version of the Code of Federal Regulations (15 CFR Part 730774 (1997)).