

U.S. Customs and Border Protection

19 CFR PART 177

CBP DEC. 16-19

RIN 1515-AE17

NEW MAILING ADDRESS FOR THE NATIONAL COMMODITY SPECIALIST DIVISION, REGULATIONS AND RULINGS, OFFICE OF TRADE; TECHNICAL CORRECTION

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Final rule.

SUMMARY: This document amends the U.S. Customs and Border Protection (CBP) regulations to reflect that the mail room servicing the Director, National Commodity Specialist Division, Regulations and Rulings, in the Office of Trade, has relocated within New York, and a new location has been established to receive non-electronic correspondence. E-rulings procedures will remain the same and are not affected by the change in office location.

DATES: Final rule effective October 28, 2016.

FOR FURTHER INFORMATION CONTACT: Steven Mack, Director, National Commodity Specialist Division, Regulations and Rulings, Office of Trade, (646) 733-3001.

SUPPLEMENTARY INFORMATION:

Background

On January 14, 2016, Customs and Border Protection (CBP) published a notice in the **Federal Register** (81 FR 1960), announcing a temporary change of office location effective January 28, 2016, due to the relocation of the National Commodity Specialist Division (NCSA). In that notice, CBP stated that it would update its regulation once the relocation of the NCSA is complete. The relocation is now completed and a permanent address is established. As such, CBP is revising section 177.2(a) of title 19 of the Code of Federal Regulations (19 CFR 177.2(a)) to reflect the new mailing address. Starting October 28, 2016, all non-electronic correspondence to the NCSA should be sent

to the following address: Director, National Commodity Specialist Division, Regulations and Rulings, Office of Trade, 201 Varick Street, Suite 501, New York, New York 10014. E-rulings procedures will remain the same and are not affected by the change in office location.

Inapplicability of Notice and Delayed Effective Date Requirements

Because the technical correction set forth in this document merely updates a mailing address, CBP finds that good cause exists for dispensing with notice and public procedure as unnecessary under 5 U.S.C. 553(b)(A). For this same reason, pursuant to 5 U.S.C. 553(d)(3), CBP finds that good cause exists for dispensing with the requirement for a delayed effective date.

Executive Order 12866

The amendment does not meet the criteria for a “significant regulatory action” as specified in Executive Order 12866.

Regulatory Flexibility Act

Because this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Signing Authority

This document is limited to a technical correction of the CBP regulations. Accordingly, it is being signed under the authority of 19 CFR 0.1(b)(1).

List of Subjects in 19 CFR Part 177

Administrative practice and procedure, Customs duties and inspection, Government procurement, Reporting and recordkeeping requirements.

Amendments to the Regulations

For the reasons set forth above, part 177 of the CBP Regulations (19 CFR part 177) is amended as set forth below.

PART 177—ADMINISTRATIVE RULINGS

■ 1. The general authority citation for part 177 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1502, 1624, 1625.

§ 177.2 [Amended]

■ 2. In § 177.2, paragraph (a), the third sentence is amended by removing the words “New York, New York 10119, Attn: Classification Ruling Requests, New York, New York 10048, or to any service port office of the Customs and Border Protection” and adding in its place the words “201 Varick Street, Suite 501, New York, New York 10014”.

Dated: October 25, 2016.

R. GIL KERLIKOWSKA,
Commissioner,
U.S. Customs and Border Protection.

[Published in the Federal Register, October 28, 2016 (81 FR 74918)]



COMMERCIAL CUSTOMS OPERATIONS ADVISORY COMMITTEE (COAC)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security (DHS).

ACTION: Committee Management; Notice of Federal Advisory Committee Meeting.

SUMMARY: The Commercial Customs Operations Advisory Committee (COAC) will meet in Washington, DC. The meeting will be open to the public.

DATES: The Commercial Customs Operations Advisory Committee (COAC) will meet on Thursday, November 17, 2016, from 12:30 p.m. to 4:30 p.m. EST. Please note that the meeting may close early if the committee has completed its business.

Pre-Registration: Meeting participants may attend either in person or via webinar after pre-registering using a method indicated below:

- For members of the public who plan to attend the meeting in person, please register by 5:00 p.m. EST by November 15, 2016 either online at https://apps.cbp.gov/te_reg/index.asp?w=97 by email to tradeevents@dhs.gov; or by fax to (202) 325-4290. You must register prior to the meeting in order to attend the meeting in person.
- For members of the public who plan to participate via webinar, please register online at https://apps.cbp.gov/te_reg/index.asp?w=96 by 5:00 p.m. EST by November 15, 2016. Please feel free to share this information with other interested members of your organization or association.

Members of the public who are pre-registered and later need to cancel, please do so in advance of the meeting by accessing one (1) of the following links: https://apps.cbp.gov/te_reg/cancel.asp?w=97 to cancel an in person registration, or https://apps.cbp.gov/te_reg/cancel.asp?w=96 to cancel a webinar registration.

ADDRESSES: The meeting will be held at the Washington Marriott Wardman Park Hotel, 2660 Woodley Road NW., Washington, DC 20008. There will be signage posted directing visitors to the location of the meeting room.

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Ms. Karmeshia Tuck, Office of Trade Relations, U.S. Customs and Border Protection at (202) 325-1030 as soon as possible.

To facilitate public participation, we are inviting public comment on the issues the committee will consider prior to the formulation of recommendations as listed in the “Agenda” section below.

Comments must be submitted in writing no later than November 7, 2016, and must be identified by Docket No. USCBP-2016-0066, and may be submitted by *one (1)* of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* Tradeevents@dhs.gov. Include the docket number in the subject line of the message.
- *Fax:* (202) 325-4290.
- *Mail:* Ms. Karmeshia Tuck, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229.

Instructions: All submissions received must include the words “Department of Homeland Security” and the docket number (USCBP-2016-0066) for this action. Comments received will be posted without alteration at <http://www.regulations.gov>. Please do not submit personal information to this docket.

Docket: For access to the docket or to read background documents or comments, go to <http://www.regulations.gov> and search for Docket Number USCBP-2016-0066. To submit a comment, click the “Comment Now!” button located on the top-right hand side of the docket page.

There will be multiple public comment periods held during the meeting on November 17, 2016. Speakers are requested to limit their comments to two (2) minutes or less to facilitate greater participation. Contact the individual listed below to register as a speaker. Please

note that the public comment period for speakers may end before the time indicated on the schedule that is posted on the CBP Web page, <http://www.cbp.gov/trade/stakeholder-engagement/coac>.

FOR FURTHER INFORMATION CONTACT: Ms. Karmeshia Tuck, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229; telephone (202) 344-1661; facsimile (202) 325-4290.

SUPPLEMENTARY INFORMATION:

Notice of this meeting is given under the *Federal Advisory Committee Act*, 5 U.S.C. Appendix. The Commercial Customs Operations Advisory Committee (COAC) provides advice to the Secretary of Homeland Security, the Secretary of the Treasury, and the Commissioner of U.S. Customs and Border Protection (CBP) on matters pertaining to the commercial operations of CBP and related functions within the Department of Homeland Security and the Department of the Treasury.

Agenda

The COAC will hear from the following subcommittees on the topics listed below and then will review, deliberate, provide observations, and formulate recommendations on how to proceed:

1. The Trade Enforcement and Revenue Collection (TERC) Subcommittee will discuss the progress made on prior TERC, Bond Working Group, and Intellectual Property Rights Working Group recommendations, as well the recommendations from the Forced Labor Working Group.

2. The Global Supply Chain Subcommittee will provide an update report on the progress of the Customs-Trade Partnership Against Terrorism (C-TPAT) Working Group that is reviewing and developing recommendations to update the C-TPAT minimum security criteria.

3. The One U.S. Government Subcommittee (1 USG) will discuss the progress of the North American Single Window (NASW) Working Group's NASW approach. The subcommittee will also discuss the progress of the Automated Commercial Environment (ACE) Single Window effort.

4. The Exports Subcommittee will give an update on the Air, Ocean, and Rail Manifest Pilots and discuss the progress of the Truck Manifest Sub-Working Group, which is coordinating with the 1 USG NASW Working Group.

5. The Trade Modernization Subcommittee will discuss the progress of the International Engagement and Trade Facilitation Working Group which will be identifying examples of best practices in the U.S.

and abroad that facilitate trade. The subcommittee will discuss the startup of the Revenue Modernization Working Group which will be generating advice pertaining to the strategic modernization of Customs and Border Protection's revenue collections process and systems. Finally, the subcommittee will discuss the startup of the Rulings and Decisions Working Group which will be identifying process improvements in the receipt and issuance of Customs and Border Protection Headquarters' rulings and decisions.

6. The Trusted Trader Subcommittee will continue their discussion on their vision for an enhanced Trusted Trader concept that includes engagement with CBP to include relevant partner government agencies with a potential for international interoperability.

Meeting materials will be available by November 14, 2016, at: <http://www.cbp.gov/trade/stakeholder-engagement/coac/coac-public-meetings>.

Dated: October 26, 2016.

MARIA LUISA BOYCE,
*Senior Advisor for Private
Sector Engagement,
Office of Trade Relations.*

[Published in the Federal Register, October 31, 2016 (81 FR 75423)]



ACCREDITATION AND APPROVAL OF INSPECTORATE AMERICA CORPORATION, AS A COMMERCIAL GAUGER AND LABORATORY

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Inspectorate America Corporation as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Inspectorate America Corporation has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of February 17, 2016.

EFFECTIVE DATE: The accreditation and approval of Inspectorate America Corporation as commercial gauger and laboratory became effective on February 17, 2016. The next triennial inspection date will be scheduled for February 2019.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific

Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION:

Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Inspectorate America Corporation, 3306 Loop 197 N., Texas City, TX 77590 has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Inspectorate America Corporation is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

| API Chapters | Title |
|--------------|---------------------------------|
| 3 | Tank Gauging. |
| 5 | Metering. |
| 7 | Temperature Determination. |
| 8 | Sampling. |
| 12 | Calculations. |
| 14 | Natural Gas Fluids Measurement. |
| 17 | Marine Measurement. |

Inspectorate America Corporation is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

| CBPL No. | ASTM | Title |
|------------|--------|---|
| 27-01..... | D 287 | Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method). |
| 27-03..... | D 4006 | Standard Test Method for Water in Crude Oil by Distillation. |
| 27-04..... | D 95 | Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation. |
| 27-05..... | D 4928 | Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration. |
| 27-06..... | D 473 | Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method. |

| CBPL No. | ASTM | Title |
|------------|--------|---|
| 27-07..... | D 4807 | Standard Test Method for Sediment in Crude Oil by Membrane Filtration. |
| 27-08..... | D 86 | Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure. |
| 27-11..... | D 445 | Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity). |
| 27-13..... | D 4294 | Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry. |
| 27-14..... | D 2622 | Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-ray Fluorescence Spectrometry. |
| 27-46..... | D 5002 | Standard Test Method for Density and Relative Density of Crude Oils by Digital Density Analyzer. |
| 27-48..... | D 4052 | Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter. |
| 27-50..... | D 93 | Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester. |
| 27-53..... | D 2709 | Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge. |
| 27-54..... | D 1796 | Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method (Laboratory Procedure). |
| | D 1160 | Standard Test Method for Distillation of Petroleum Products at Reduced Pressure. |

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: October 24, 2016.

IRA S. REESE,
*Executive Director,
Laboratories and Scientific
Services Directorate.*

[Published in the Federal Register, November 01, 2016 (81 FR 75834)]



**ACCREDITATION AND APPROVAL OF INTERTEK USA,
INC., AS A COMMERCIAL GAUGER AND LABORATORY**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc., as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc., has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes for the next three years as of July 14, 2015.

EFFECTIVE DATE: The accreditation and approval of Intertek USA, Inc., as commercial gauger and laboratory became effective on July 14, 2015. The next triennial inspection date will be scheduled for July 2018.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, Washington, DC 20229, tel. 202-344-1060.

SUPPLEMENTARY INFORMATION:

Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 230 Crescent Ave, Chelsea, MA 02150, has been approved to gauge and accredited to test petroleum and petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13. Intertek USA, Inc., is approved for the following gauging procedures for petroleum and certain petroleum products set forth by the American Petroleum Institute (API):

| API Chapters | Title |
|--------------|----------------------------|
| 3 | Tank gauging. |
| 7 | Temperature Determination. |
| 8 | Sampling. |
| 12 | Calculations. |
| 17 | Maritime Measurements. |

Intertek USA, Inc., is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

| CBPL No. | ASTM | Title |
|------------|-------|--|
| 27-04..... | D95 | Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation. |
| 27-06..... | D473 | Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method. |
| 27-08..... | D86 | Standard Test Method for Distillation of Petroleum Products. |
| 27-09..... | D4953 | Standard Test Method for Vapor Pressure of Gasoline and Gasoline-Oxygenate Blends (Dry Method). |
| 27-11..... | D445 | Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids. |
| 27-13..... | D4294 | Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry. |
| 27-48..... | D4052 | Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter. |
| 27-50..... | D93 | Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester. |
| 27-54..... | D1796 | Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method. |
| 27-58..... | D5191 | Standard Test Method For Vapor Pressure of Petroleum Products. |
| N/A..... | D1319 | Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Absorption. |
| N/A..... | D3606 | Standard Test Method for Determination of Benzene and Toluene in Finished Motor and Aviation Gasoline by Gas Chromatography. |

| CBPL No. | ASTM | Title |
|-----------|-------|---|
| N/A | D4815 | Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C1 to C4 Alcohols in Gasoline by Gas Chromatography. |
| N/A | D5453 | Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Spark Ignition Engine Fuel, Diesel Engine Fuel, and Engine Oil by Ultraviolet Fluorescence. |

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to cbp.labhq@dhs.gov. Please reference the Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories.

<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>

Dated: October 21, 2016.

IRA S. REESE,
*Executive Director,
Laboratories and Scientific
Services Directorate.*

[Published in the Federal Register, November 01, 2016 (81 FR 75833)]

