



CANTON RAILROAD
COMPANY

"Since 1906"

DEMURRAGE TARIFF CTN 6000-E

(Cancels Publication CTN 6000-D)

LOCAL TARIFF NAMING
GENERAL CAR DEMURRAGE RULES AND CHARGES
AS PROVIDED IN PART 1 HEREIN
AT
STATIONS ON THE CANTON RAILROAD COMPANY
CANTON AND SOUTHWEST DIVISIONS

This tariff applies on interstate traffic except where expressly provided to the contrary in connection with particular items.

ISSUED: February 1, 2019

EFFECTIVE: March 1, 2019
(Except as otherwise provided)

The effective management of railcars is critical to the success of CTN and of our customers. The objective of this guide is to improve the handling of customer-related inquiries about demurrage and private car storage; so that we can help our customers grow their business and be successful together.

Demurrage is a fee charged for the extended use of railroad-owned railcars. Private car storage is a fee charged for the extended holding of industry-owned or –controlled (private) railcars on CTN tracks. These fees are intended to ensure that cars are loaded, unloaded, and released quickly, so that they can be made available for the next shipment and track can remain fluid to handle traffic.

Although demurrage and private car storage are conceptually similar, there are important distinctions between the two. Demurrage applies to railroad-controlled cars awaiting loading or unloading, while private car storage applies to industry-controlled (private) railcars awaiting disposition on CTN tracks. However, both have the same effect of removing a railcar from service and/or creating congestion of rail traffic.

The information below contains the relevant provisions of the two services, credit days granted by CTN, and tips to help the customer manage liability to these charges. Complete demurrage and private car storage provisions are contained in our Tariff.

DEMURRAGE

Demurrage is calculated on a debit and credit system and it is billed monthly. Each car delivered to a customer is credited one day for loading and two days for unloading. The days that a car spends waiting to be placed at a customer's facility or sitting at a customer's siding are debited. At the end of each month, cars, credit days and demurrage days are totaled for all inbound railroad-owned cars handled at a specific customer's location.

All outbound railroad-owned cars are handled in the same way. Total demurrage days minus total credits = chargeable days. If total credit days exceed total demurrage days, no charges accrue (note: demurrage credits do not carry over to the next month). Chargeable days, multiplied by the applicable rate, determine the chargeable demurrage amount. For example, a customer during the month of July handled 35 cars that earned 70 credits (assuming 2 credits per car) and totaled 85 demurrage days. Assuming the current demurrage charge is \$100 per day, the customer will have to pay \$1,500: $85 \text{ demurrage days} - 70 \text{ credits} = 15 \text{ chargeable days} \times \$100 = \$1,500$.

Demurrage days calculations are determined by the restrictions that a customer puts on CTN's ability to place cars at the customer's facility. If a customer wants to order cars in specifically by car initial and number or track capacity is insufficient to hold all arriving cars, then a customer is considered CLOSED GATE. A customer is considered OPEN GATE when all cars can be placed on arrival without regard to car initial and number or other placement instructions. Demurrage starts at 07:05 the next day CTN places a car or notifies the customer of constructive placement of a car. Demurrage stops when the customer releases a car for removal to CTN.

FREQUENTLY ASKED QUESTIONS

What is demurrage?

Demurrage is a fee charged to the customer for the extended use of railroad-owned railcars beyond the credit (free) days granted by CTN.

What is private car storage?

Private car storage is a fee charged to the customer for the extended holding of industry-owned or -controlled (private) railcars on CTN tracks.

Why does CTN charge for demurrage and private car storage?

Demurrage and private car storage take railcars and track temporarily out of service. The purpose of these charges is to pay the owner of the railcar for its use and to quickly release or move private railcars from CTN track.

How many credit (free) days do I have for demurrage and private car storage?

For demurrage, customers receive 2 days of credit for loading and 2 days of credit for unloading a railcar. For private car storage, customers receive 2 days for empty and loaded cars.

Do credit days carry over to the next month?

No, credit days do not carry over to the next month.

What is the per day charge for demurrage and private car storage?

As of January 1, 2019, the per day charge for demurrage is \$100.00 per car, and the per day charge for private car storage is \$50.00 per car.

What is the difference between actual and constructive placement?

Actual placement is when CTN places a car in a position accessible for loading or unloading. Constructive placement is when CTN, due to any condition attributable to the consignor or consignee, delivers the cars but cannot place them in a position to be immediately loaded or unloaded.

When does demurrage begin?

Demurrage starts at 07:05 the next day after CTN notifies a customer of constructive placement of a car.

When does demurrage end?

Demurrage stops when a railcar is released.

When does private car storage begin?

Private car storage starts at 07:05 after notification that a car is available for placement.

When does private car storage end?

Private car storage ends when a private railcar is ordered into the customer's facility.

Are demurrage and private car storage charges applicable on holidays?

No, these charges are not applicable on holidays. Please refer to Tariff for official holidays.

Am I liable for demurrage or private car storage when CTN delays or misses placement?

No, the customer is not responsible for demurrage or private car storage when CTN is responsible for delays or missed placement.

MANAGING DEMURRAGE AND PRIVATE CAR STORAGE CHARGES

- Understand CTN's demurrage and private car storage rules published in the tariff
- Maintain close communication between shippers and receivers to avoid having too many cars in the pipeline
- Closely monitor:
 - The movement of cars from origin to destination
 - Switching activities
 - When empty cars are placed at the plant for loading
 - When a bill of lading is sent in on loaded cars
 - When loaded cars are actually pulled from the plant
 - When loaded cars are Constructively Placed in serving rail yard
 - When loaded cars are actually spotted at the plant
 - When empty railroad-owned cars are released from the plant
- Order Constructively Placed cars as soon as possible
- Release railroad-owned cars from your siding the day they are made empty/loaded
- Unload railroad-owned equipment before privately-owned equipment (when cars are on your siding)
- Communicate to Customer Service any problems associated with movement of cars into or out of your plant
- Invest in loading/unloading equipment and facilities that can adequately handle the volume of railcars you ship/receive
- If you anticipate extended private car storage, request a short- or long-term track lease

DISPUTES

A formal dispute must be submitted in writing within 30 days from the time the bill is rendered.

Written disputes can be emailed to Paul Barnes at pbarnes@cantonrr.com and Tyler Horner at thorner@cantonrr.com or submitted to the following address:

Canton Railroad Company
Attn: Demurrage Disputes
1841 S. Newkirk Street
Baltimore, MD 21224

The customer must be specific when identifying reasons for the dispute, including car initials and numbers, place dates, release dates, service dates, contract or tariff, and rate differences.

A Customer Account Associate will investigate the dispute and respond in writing to the customer if the claim is allowed or declined.

The customer should issue partial payment on the portion of the bill where no exception is requested. Failure to pay the portion that you are not disputing will be considered a delinquency and reported to credit reporting agencies.

KEY TERMS

ACTUAL PLACEMENT: Physically placing a car for loading or unloading at a place generally designated or used by the shipper or receiver.

CONSIGNEE: The party to whom a shipment is consigned or the party entitled to receive the shipment.

CONSIGNOR: The party on whose name a car(s) is ordered; or the party who furnished forwarding instructions.

CTN CREDIT TERM: Full payment of all charges must be received by CTN from credit customers within 30 days of the date of bill.

CONSTRUCTIVE PLACEMENT: When a car cannot be placed for loading or unloading and remains in our control, it is considered as being under constructive placement and subject to demurrage rules and charges, the same as if it were actually placed at the designated point.

CREDIT: A non-chargeable demurrage day. A credit is earned when a car is released by the customer and is used to offset chargeable demurrage days.

DEMURRAGE DAY: A twenty-four (24) hour period commencing 07:05 after notice of constructive placement.

DISPOSITION: Information that allows the railroad to either tender or release the car for the customer's account.

FORWARDING INSTRUCTIONS: Shipping instructions provided at the point of loading that contain all of the necessary information to transport the shipment to its final destination.

LOADING: The complete or partial loading of a car in conformity with loading and clearance rules and the furnishing of forwarding instructions.

LOADED CAR: A car that is completely or partially loaded.

NOTIFICATION: When required, written notification given to the parties entitled to receive notice that the car is available for loading, unloading, or otherwise affected by demurrage rules.

PRIVATE CAR: An industry-controlled (private) railcar.

RELOADING: When a car is held for loading after being released as an empty.

TIME: Local time is applicable and is expressed on the basis of the 24-hour clock.

UNLOADING: The complete unloading of a car, and notification from the consignee that the car is empty and available to the railroad.

GENERAL APPLICATION OF TARIFF RULES AND REGULATIONS

ITEM 5 NATIONAL SERVICE ORDER TARIFF

This tariff is subject to the provisions of various Service Orders and General Permits as shown in the National Service Order Tariff NSO 6100 Series.

ITEM 10 SUPPLEMENTS AND RE-ISSUES

Where reference is made in this tariff, or supplements to other publications for rates or other information, it includes "Supplements thereto or successive issues thereof".

Where reference is made in this tariff to items it includes "re-issues" of such items.

ITEM 20 GENERAL APPLICATION

The rules and charges published in this tariff are the established rules and charges of the Canton Railroad Company (CTN) and apply on international, interstate and intrastate traffic at all points on the CTN except as otherwise provided herein. The disposition of a car is held and the rules applicable thereto, except where there are specific tariff provisions to the contrary.

ITEM 25 PAYMENT OF CHARGES AND EXTENSION OF CREDIT

A demurrage bill must be presented within thirty (30) days from the end of the billing cycle covering the time a car is released, loaded or empty, by the customer. The credit period begins when the demurrage bill is presented to the customer. "Presentation" occurs when the bill is placed in the mails, with the postmark date to govern in case of dispute.

Payments presented within the credit period are deemed "Collected" within the credit period.

Charges remaining unpaid after fifteen (15) days from the presentation date of the may be subjected to a finance charge of 1.5% per month, or fraction thereof, on the outstanding balance.

**ITEM 30 CARS SUBJECT TO DEMURRAGE RULES AND CHARGES IN THIS
TARIFF**

Railroad, railroad controlled and privately owned cars held for or by consignors and consignees for any purpose are subject to demurrage rules and charges in this tariff, except as otherwise provided in this tariff.

ITEM 100 KEY TERMS

For the purpose of applying rules in Part 1 of this tariff, the following are defined and shall govern.

ITEM 105 PUBLIC DELIVERY TRACK

Any accessible tracks open to the general public for loading or unloading.

ITEM 110 OTHER THAN PUBLIC DELIVERY TRACK

Any railroad track or portion of a track assigned for individual use or for joint use, including privately owned or leased tracks.

ITEM 115 PRIVATE TRACK

A private track is:

- (1) A track outside the railroads right-of-way, yard and terminals, and of which this railroad does not own rails, ties, roadbed or right-of-way. The track may be used jointly by two or more parties when written notice has been furnished to this railroad by the owner of the track prior to such joint use.
- (2) A track or portion thereof of owned or operated by this railroad that is assigned for the purpose of its user or users through a written agreement. The joint use of an assigned track by each of two or more parties must have written consent from this railroad prior to such joint use.

ITEM 120 PRIVATE CAR

A private car is a car bearing other than railroad reporting marks and which is not a railroad controlled car.

ITEM 125 RAILROAD CONTROLLED CARS

A railroad controlled car is a car provided by a railroad directly, by car companies or others, for indiscriminate use by railroads in serving any of its customers.

ITEM 130 HOLIDAYS

The term "Holiday" means:

- New Years Day – January 1 (Note 1)
- Presidents Day – third Monday in February
- Good Friday – Friday Preceding Easter Sunday
- Memorial Day – Last Monday in May
- Independence Day – July 4 (Note 1)
- Labor Day – First Monday in September
- Thanksgiving Day – Fourth Thursday in November
- Friday after Thanksgiving
- Christmas Eve Day (Note 1)
- Christmas Day – December 25 (Note 1)
- New Years Eve Day (Note 1)

Explanation of Notes:

Note 1 – When this date occurs on a Saturday, the preceding Friday will be observed as the Holiday. When this date occurs on a Sunday, the following Monday will be observed as the Holiday.

ITEM 160 TIME TO BE OBSERVED

In the application of these rules, the time to be properly applied is the time, daylight savings time or standard time, lawfully in effect in the community where the car is held.

ITEM 200 FREE TIME

This section contains provisions for free time, or describes the circumstances under which no free time will be allowed, as applicable for each car.

ITEM 135 CONSIGNOR

The party in whose name the cars are ordered and/or the party who furnishes this railcar forwarding directions.

ITEM 140 CONSIGNEE

The party to whom a shipment is consigned and/or the party entitled to receive the shipment.

ITEM 145 ACTUAL PLACEMENT

Actual placement is made when a car is placed in an accessible position for loading or at a point previously designated by the consignor or consignee.

ITEM 150 CONSTRUCTIVE PLACEMENT

When a car consigned or ordered to a private track, an industrial interchange track, or an other than public delivery track cannot be actually placed because of a condition attributable to the consignor or consignee, such car shall be held at destination and notice shall be sent or given the consignor or consignee that the car is held and that the railroad is unable to effect placement; however, if car is placed on the private track, industrial interchange track or other than public delivery track serving the consignor or consignee, the car shall be considered constructively placed without notice.

ITEM 160 TIME TO BE OBSERVED

In the application of these rules, the time to be properly applied is the time, daylight savings time or standard time, lawfully in effect in the community where the car is held.

ITEM 200 FREE TIME

This section contains provisions for free time, or describes the circumstances under which no free time will be allowed, as applicable for each car.

ITEM 205 FREE TIME

Free time as designated will be allowed for unloading of cars delivered.
FORTY-EIGHT (48) HOURS/TWO (2) DAYS

Free time as designated will be allowed for loading of empty cars.
FORTY-EIGHT (48) HOURS/TWO (2) DAYS

1. Partial or complete loading as defined in Items 500-599.
2. Partial unloading as defined in Items 600-699.
3. Partial unloading or re-loading.
4. Loading or unloading all commodities handled intra plant switching service as defined in the switching or other tariffs of this railroad.
5. Diversions, Reconsignment, or Reshipment.
6. Held in transit:
 - a) On order of consignor, consignee or owner of the freight.
 - b) For surrender of order notify bill of lading or payment of lawful charges.
 - c) Freight in bond for customs entry, Government inspection, or certification.

Free time will be computed from the first 7:05AM after proper notification has been sent or placement, whichever comes first. For the purposes of computing free time Saturdays, Sundays and Holidays will be excluded if they fall within the free time parameters.

**ITEM 210 EMPTY CARS ORDERED OR APPROPRIATED FOR LOADING
BUT NOT USED**

When empty cars are placed or order or appropriated but not used in transportation service, demurrage will be charged for all detention, including Saturdays, Sundays, and Holidays from actual or constructive placement or appropriation until released, with no free time allowance. Cars that are ordered and not used will be assessed a fee Item 215 in the Freight Tariff CTN-8300-W.

ITEM 215 CARS FOUND TO BE OVERLOADED OR IMPROPERLY LOADED

When cars are found to be overloaded or improperly loaded and not in conformity with railroad loading and clearance rules, the following will apply unless otherwise provided in individual railroad tariffs lawfully on file.

1. If found while still on industry or railroad tracks where loaded, car will be considered to be under continuous loading transaction until adjustment of the load has been made. (Note 2)
2. If found at origin after having been removed from industry or railroad tracks where loaded, car will not be considered released until load has been adjusted. The time between furnishing of forwarding directions and making car available to consignor for adjustment will not be computed against car. (Note 2)
3. If, after having left origin station, a car found to be overloaded is held in transit, twenty-four (24) hours will be allowed to adjust the load. Time will be computed for the first 7:05 AM following notice that the car is being held. (Note 2)

Explanation of Notes:

Note 2 – Adjustment of load must include advice to authorized personnel of this railroad that the shipment now conforms to railroad loading and/or clearance rules.

**ITEM 300 CARS NOT SUBJECT TO DEMURRAGE RULES AND CHANGES IN
THIS TARIFF**

Except as provided in Items 325 and 330, cars specified in this section are not subject to provisions of Part 1 of this tariff.

**ITEM 305 CARS MOVING UNDER FREIGHT RATES REQUIRING
APPLICATION OF SPECIAL DEMURRAGE RULES**

When carried in the freight rate tariffs or contracts.

**ITEM 310 CARS CONTAINING FREIGHT REFUSED OR UNCLAIMED AND
SUBSEQUENTLY SOLD BY THIS RAILROAD FOR CHARGES**

When and for the time held for convenience of this railroad beyond legal requirements.

**ITEM 315 CARS ASSIGNED TO SHIPPERS RETURNED TO POINT OF
ASSIGNMENT UNDER LOAD**

When containing:

1. Less than carload freight.
2. Material authorized to be returned without freight charges under provisions of freight tariffs

**ITEM 320 RAILROAD AND PRIVATELY OWNED CARS AND OTHER
RAILROAD AND PRIVATELY OWNED EQUIPMENT MOVING ON OWN
WHEELS AS FREIGHT AT TARIFF RATES**

While held:

1. On tracks of this railroad.
2. On private tracks unless subsequently loaded outbound subject to applicable railroad rates, in which case provisions in this part governing cars held for loading are applicable.

ITEM 325 CARS LEASED FOR STORAGE OF COMMODITIES

Leased cars of railroad ownership while held on the private tracks of the lessee for the storage of commodities or for intra plant or intra terminal switching service provided in the use thereof is no way connected with any transportation service for which a tariff charge is assessed except switching charges.

Cars loaded while under lease and subsequently shipped outbound in road haul service will be subject to these demurrage rules and charges for all detention from the date such outbound loading.

Cars loaded while under lease and ordered out to carrier to be held for disposition but subsequently ordered returned to tracks of lessee, are subject to demurrage charges from 7:05 AM after they are received by this railroad until disposition is furnished with no free time allowance and without notice. Charges will be on the same basis as the car held for outbound loading.

ITEM 330 PRIVATE CARS HELD OR STORED ON PRIVATE OR RAILROAD TRACKS

1. Loaded private cars held on private tracks or destination will not be subject to demurrage rules and charges of Part 1 of this tariff.
2. Loaded private cars, consigned or ordered to private tracks, but which must first be held on this railroads tracks under constructive placement are subject to demurrage charges as provided in Part 1, this tariff after expiration of:
 - a) One Credit for Twenty-four (24) hours free time when diverted, re-consigned, or reshipped before delivery to private tracks; or
 - b) Two Credits for Forty-eight (48) hours free time when delivered to private tracks.

Such cars will be considered released from the applicable demurrage transaction (a) or (b), above, at the time the diversion, re-consignment, or shipment order is received, or at the time placement is made on the private tracks to which consigned or ordered.

3. Loaded or partially loaded private cars removed from private tracks on orders are subject to demurrage charges as provided in Part 1, this tariff, without notice, from the first 7:05 AM after such cars are received until forwarding directions are furnished or until the cars are placed on or returned to private tracks on orders. In the event these cars are received between 5:00 PM and 7:05 AM, they will not be subject to demurrage if forwarding directions are received prior to the following 12:00 Noon, inclusive of Saturdays, Sundays and Holidays. (Note 3)
4. Empty private cars on this railroads tracks, including such cars sent by the owner to a shipper for loading, will not be subject to Part 1 of this tariff.

Explanation of Notes:

Note 3 – When forwarding directions cannot be furnished because authorized personnel of this railroad are not on duty to accept the forwarding directions, the consignor will have until 12:00 Noon of the next day on which this railroad has such personnel on duty to accept the forwarding directions will be considered to have been furnished at the time during this railroads off-duty hours that the consignor was ready, willing and able to furnish the forwarding directions.

ITEM 400 AVERAGE AGREEMENT PLAN

The provisions of this section will apply when the subscriber has entered into the written agreement provided in Item 440. The charges for the detention of all cars consigned to or ordered for loading by the subscriber within the jurisdiction of the same station will be computed on the basis of the average duration of all such cars released during each calendar month.

ITEM 405 CARS NOT SUBJECT TO AVERAGE AGREEMENT

The following cars consigned to or ordered for loading by the subscriber are not subject to the average agreement provisions of this section:

1. Cars loaded or unloaded in intra plant switching service.
2. Cars loaded while under lease and ordered out of the railroad to hold for disposition but, subsequently, ordered returned to tracks of lessee (see Item 325)
3. Private cars, except as authorized by Paragraphs (2) and (3) of Item 330, this tariff.

ITEM 415 CREDIT

A credit is a unit of value for each car released prior to the expiration of the first twenty-four (24) hours of free time. Only one credit may be earned on any one car and that credit may be applied to offset a debit accruing on another car released during the same month.

Credits earned on cars held for loading shall not be used to offset debits accruing on cars for unloading, nor shall credits earned on cars held for unloading be used to offset debits accruing on cars for loading.

ITEM 440 DEMURRAGE CHARGES ON CARS NOT SUBJECT TO AVERAGE AGREEMENT

On cars not subject to average agreement and for detention not subject to Item 805 (Strike Interference), after expiration of free time allowed or without free time allowance, when none is provided, the following charges per day per car, or fraction of a day, will be made until the car is released.

\$100.00 per day

This charge will accrue to all Saturdays, Sundays, and Holidays subsequent to the first chargeable day, including a Saturday, Sunday or Holiday immediately following the day on which the first chargeable day begins to run, except as otherwise provided in Items 800-899.

ITEM 500 RULES GOVERNING CARS HELD FOR LOADING

Loading is the complete, or partial loading, of a car within the confines of the same industry or public delivery yard. Loading must be completed in conformity with railroad loading and clearance rules including the furnishing of forwarding directions; also advice that the car is ready for forwarding after being held to finish loading.

The term “including the furnishing of forwarding directions” means the actual date and time such forwarding directions are received by this railroad from the consignor. When consignor cannot furnish forwarding directions because of authorized personnel of this railroad not being on duty to accept the forwarding directions, the consignor will have until 9:00 AM of the next business day on which this railroad has such personnel on duty to furnish forwarding directions, and the forwarding directions will be considered to have been furnished at the time during the railroads off-duty hours that the consignor was ready, willing and able to furnish the forwarding directions. (Note 6)

Explanation of Notes:

Note 6 – When this railroad utilizes electronic or mechanical devices which accept communications, either written or oral, the recorded date and time forwarding directions are received from the consignor will govern the release of cars.

ITEM 505

FORWARDING DIRECTIONS

The term “forwarding direction” means a bill of lading or other suitable order, given to this railroad and containing all of the necessary information to transport the shipment, which authorizes:

1. The immediate delivery of a car to a connection line for further movement (only when a car has been loaded in terminal switching service), or
2. The immediate forwarding of a car to a consignee at another location at the same station or to a consignee at another destination.

An order to move a car from a shippers loading or storage track to this railroads yard or hold track to be held for “forwarding directions”, whether furnished by the party loading the car or another party, or a bill of lading or an order consigning the car to the agent of this railroad which has no beneficial interest in the lading, does not constitute “forwarding directions” under this section.

When “forwarding directions” are furnished covering line haul movement, this information must include the consignee, the destination, the commodity description, whether prepaid or collect and full instructions relative to stop-offs.

**ITEM 510 FORWARDING DIRECTIONS RECEIVED BY ELECTRONIC MAIL
(EMAIL) OR FACSIMILE (FAX)**

When this railroad receives forwarding directions by email or fax, such instructions shall be considered as having been received after 7:05 AM on the date received.

**ITEM 510 FORWARDING DIRECTIONS RECEIVED BY ELECTRONIC MAIL
(EMAIL) OR FACSIMILE (FAX)**

When this railroad receives forwarding directions by email or fax, such instructions shall be considered as having been received after 7:05 AM on the date received.

ITEM 515 OTHER THAN PUBLIC DELIVERY TRACKS

On cars for loading on other than public delivery tracks, time shall be computed from the first 7:05 AM after actual or constructive placement, or after proper notification where required.

ITEM 520 PUBLIC DELIVERY TRACKS

On cars for loading on public delivery tracks, time shall be computed from the first 7:05 AM after actual placement and without notice. However, notification shall be sent or given on cars not placed within twenty-four (24) hours after 7:05 AM on the date for which cars are ordered to be placed; and, in such case, time shall be computed from the first 7:05 AM after notification is sent or given to the consignor, or party ordering the car, that the cars have been placed.

ITEM 525 EMPTY CARS PLACED PRIOR TO DATE FOR WHICH ORDERED

On empty cars placed prior to the date for which ordered, time shall be computed from 7:05 AM of the date which ordered except when loading commences prior to the date for which ordered, time shall be computed from the first 7:05 AM thereafter.

ITEM 600 RULES GOVERNING CARS HELD FOR UNLOADING

Unloading as required under Rule 27 of the Uniform Freight Classification Tariff UFC-6000 Series, or partial unloading shall include:

1. The surrender of bill of lading on shipments billed to Order or surrender of written order or advice, or surrender of other lawful substitute as required

under Rule 7, Uniform Freight Classification Tariff UFC-6000 Series. (Note 7)

2. Payment of lawful charges when required prior to delivery of car. (Note 7)
3. Furnishing of a turnover order (an order for delivery to another party) after car has been placed for delivery and no additional movement is made to a point beyond the same industry or same public delivery yard.
4. Advice that the car is ready for forwarding, accompanied by forwarding directions when necessary, after being held to partly unload or partly reload.
5. Advice by consignee given to authorized personnel of this railroad, in writing, that the car is unloaded and available to this railroad. (Note 8) Information given must include identity of consignee, party furnishing data, and car initial and number with record of such information being maintained by this railroad, including date and time of receipt and identity of party receiving the information.

Explanation of Notes:

Note 7 – On cars requiring surrender of bill of lading, written order, advice, or other lawful substitute, or on cars requiring payment of lawful charges, whether such cars have been placed in position to unload or not, time will be computed from the first 7:05 AM after notice of arrival is sent or given to the consignee or party entitled to receive same. When the bill of lading, order, advice, or other lawful substitute, or payment of lawful charges is received by this railroad via U.S. Mail, it shall be considered as received after 7:05AM of the date received.

Note 8 – Except as otherwise provided herein, a car will be considered released at the date and time advice is received from the consignee; except that when consignee cannot furnish advice because of authorized personnel of this railroad not being on duty to accept the advice, the consignee will have until 9:00AM of the next day on which this railroad has personnel on duty to furnish advice as to when the car was unloaded and available and the car will be considered released at the date and time when it was unloaded and made available to this railroad.

ITEM 605 OTHER THAN PUBLIC DELIVERY TRACKS

On cars unloading on other than public delivery tracks, time shall be computed from the first 7:05AM after actual or constructive placement, or after proper notification where required.

ITEM 610 PUBLIC DELIVERY TRACKS

On cars for unloading on public delivery tracks, time will be computed from the first 7:05AM after actual placement (Note 9) and after required notice has been sent or given.

Explanation of Notes:

Note 9 – When delivery of cars on public delivery tracks cannot be made on account of more cars on hand than such tracks will accommodate, such cars can be held at an available hold point and time computed from the first 7:05AM after notice of arrival at the hold point is sent or given consignee, provided one or more of such consignees cars are placed or offered for placement each time the facility is switched. The provisions of this note are not applicable if prior to the first 7:05AM, exclusive of Saturdays, Sundays, or Holidays, after arrival notice is sent or given, consignee requests delivery at another public delivery track at destination where space is available. In such case the alternate delivery shall be made.

ITEM 700 NOTIFICATION REQUIREMENTS

In all cases where the consignee, or other party is entitled to receive notification as provided in items 705 through 755 of this section, such notification shall be sent or given by this railroad within twenty-four (24) hours, exclusive of Saturdays, Sundays, or Holidays, or arrival of car at destination or hold point. However, no notice is required to be sent or given where the movement or transportation rate of a car initially tendered under demurrage or detention provisions of other tariffs are changed so as to bring the detention of such cars under the provisions of Part 1 of this tariff. In such case, the tender required under such other tariffs will constitute the required notice of Part 1 of this tariff.

ITEM 705 CARS CONSTRUCTIVELY PLACED

Notification of constructively placement shall be sent or given for all cars (loads and empties) which are held on tracks of this railroad at available hold points or at billed destination because of any condition attributable to the consignee or consignor which prevents this railroad from making actual placement. Such cars which have been placed by this railroad on private or other than public delivery tracks, including lead tracks serving the consignee or consignor shall be considered constructively placed without notice.

ITEM 710 CARS FOR UNLOADING ON PUBLIC DELIVERY TRACK

Notice of arrival shall be sent or given within twenty-four (24) hours.

ITEM 715 CARS FOR LOADING ON PUBLIC DELIVERY TRACKS

Notice of placement shall be sent or given only when car is placed twenty-four (24) hours or more after 7:05 A.M. of the date for which ordered.

ITEM 720 CARS STOPPED IN TRANSIT

When cars are held in transit because of any condition solely attributable to the consignor, consignee, or owner, a notice shall be sent or given to the party ordering the car stopped upon arrival of cars at the point of stoppage. This will not apply to cars stopped in transit for milling or other in-transit privilege, but notice as otherwise required shall be sent or given to the party designated to perform the milling or other in-transit service.

ITEM 725 REFUSED CARLOAD FREIGHT

When carload freight is refused at destination, this railroad shall within twenty-four (24) hours (exclusive of Saturdays, Sundays and holidays) after being advised of refusal, give notice of such refusal by telephone or email to the consignor or owner when known, or when not known, to the agent at point of shipment, who shall promptly notify the consignor, if known. If notice is transmitted by telephone, a written record shall be maintained by the railroad.

ITEM 735 EXCEPTIONS TO NOTIFICATION REQUIREMENTS IN ITEM 730

Notification of unclaimed carload freight shall not be sent under the following circumstances:

1. When actually placed, or constructively placed, for delivery on other than public delivery tracks or industrial interchange tracks serving the consignee.
2. When the consignee has paid the freight charges at the destination, or has ordered in writing that the car be placed for unloading.
3. When the consignor has advised either the destination or originating railroad in writing that such notice is not required.
4. When the consignor and consignee are the same and a notice of arrival has previously been sent or given.
5. When the bill of lading has been surrendered or an indemnity bond furnished for shipment covered by to order bills of lading.
6. When consignor or owner has been previously sent or given a notice by wire that the car is being held for disposition instructions.

ITEM 740 METHODS AND PROCEDURES FOR NOTIFICATION

To consignor or Notification may be sent or given:

1. In writing by facsimile or email

Written confirmation or personal or telephone notification will be furnished to consignor or consignee when consignor or consignee had filed written request with this railroad. A written record or personal or telephone notification including requested confirmation shall be maintained by this railroad agent (note 14)

2. By action of the consignee
3. By delivery of cars upon other than public delivery tracks or industrial interchange tracks serving consignee or consignor.

Delivery of cars upon other than public delivery tracks or upon industrial interchange tracks, including lead tracks of the consignee or party entitled to receive same, will constitute notification to consignee.

Explanation of Note

Note 14 – When consignor or consignee utilizes an electronic or mechanical device to accept messages (either in written or oral form), notification left on such device will be considered as having been given consignee, as the case may be.

ITEM 825 RAILROAD ERROR

Except as otherwise provided in Item 810 with respect to the unloading of cars, in the event of error, by the Canton Railroad named in the bill of lading contract or participating in the transportation transaction which prevents acceptance, proper tender or delivery including demand of payment of transportation charges in excess of tariff authority, demurrage will be charged on basis of the amount that would have accrued but for such error.

When cars are inaccessible for loading or unloading, allowance will be made for detention directly chargeable thereto, subject to conditions set forth below:

1. On other than public delivery tracks when there is disability of this railroad.
2. On public delivery tracks only when an obstruction is on the premises of this railroad.

No allowance will be made for delay in placing nor interruption in loading or unloading cars consigned or ordered to a track, other than a public delivery track, used by two or more shippers or consignees, when such delay or interruption is attributable to such joint use of such track, except that due allowance will be made if a car displaced in switching is not replaced when switching is completed.

Demurrage charges assessed and billed will not be relieved under this item unless claim is presented in writing to this railroad within thirty (30) calendar days after date on which demurrage bill is rendered, stating the conditions for which relief is claimed

ITEM 826 HAZARDOUS MATERIALS CARS STORED ON RAILROAD TRACKS

Hazardous cars stored on other than lease tracks will be charged a fee of \$25/per day for each day that the cars are online in addition to the normal demurrage fees charged for the care hire reimbursement. Hazmat cars are those cars with STCC codes of 48XXXXXX – 49XXXXXX, as determined by the Federal Department of Transportation.

Note: Lease tracks are tracks that are leased by the industry from the railroad on an annual basis to store cars.

ITEM 1000 EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS

CSXT	CSX Transportation
CTN	Canton Railroad Company
MD PSC	Maryland Public Service Commission
NS	Norfolk Southern Corporation
NSO	National Service Order Tariff
UFC	Uniform Freight Classification
STC	Surface Transportation Board
[R]	Denotes Reduction
[I]	Denoted Increase
[C]	Denoted a change in wording which results in neither an increase nor reduction in charges.
[A]	Denoted New or Addition
[D]	Denotes Cancel