

NEWBURGH & SOUTH SHORE RAILROAD, L.L.C.



FREIGHT TARIFF NSR 8010-G

(For Cancellations, see Item 1, this tariff)

**NAMING RULES AND CHARGES GOVERNING DEMURRAGE,
MISCELLANEOUS SERVICES, LOCAL, JOINT AND PROPORTIONAL
SWITCHING BETWEEN STATIONS ON THE
NEWBURGH & SOUTH SHORE RAILROAD, L.L.C.**

**And Interchange Points With
CLEVELAND WORKS RAILWAY
CSX TRANSPORTATION, INC.
NORFOLK SOUTHERN RAILWAY COMPANY
AT
CLEVELAND, OH**

LOCAL AND SWITCHING TARIFF

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular rates and provisions contained herein.

ISSUED: September 12, 2009

EFFECTIVE: October 15, 2009

ISSUED BY

**Billie Johnson
General Manager
4200 East 71st Street
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For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.

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CANCELLATION NOTICE	RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED
<p>ITEM 1</p> <p align="center">CANCELLATION NOTICE</p> <p>FT NSR 8010-G cancels FT NSR 8010-F in its entirety.</p> <p>Provisions formerly in NSR 8010-F and not brought forward in FT NSR 8010-G are hereby cancelled.</p>	<p>ITEM 15</p> <p align="center">DISPOSITION OF FRACTIONS</p> <p>In computing rates or charges, all fractions should be retained until final result is obtained, then fractions of less than five-tenths (.5) should be dropped and fractions of five-tenths (.5) or more will be increased to the next highest whole number.</p>
RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL	<p>ITEM 20</p> <p align="center">METHOD OF CANCELING ITEMS</p> <p>As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A.</p> <p>Example: Item 445-A cancels Item 445 and Item 365-B cancels Item 365-A in a prior supplement which in turn canceled Item 365.</p>
<p>ITEM 5</p> <p align="center">DESCRIPTION OF UNIFORM FREIGHT CLASSIFICATION</p> <p>This tariff is governed, except as otherwise provided herein, by Uniform Freight Classification UFC 6000 series and all supplements thereto or reissues thereof.</p>	<p>ITEM 30</p> <p align="center">SUPPLEMENTS AND REISSUES</p> <p>When 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 "reissues" of such items.</p>
<p>ITEM 10</p> <p align="center">STATION LIST AND CONDITIONS</p> <p>This tariff is governed by the Official Railroad Station List, OP&S 6000-series, Railinc, Agent, to the extent shown below:</p> <p>For addition and abandonment of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance of delivery of freight and changes in station facilities. When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station, as published in this tariff, are inapplicable on and after that date.</p>	<p>ITEM 40</p> <p align="center">EXPLOSIVES AND DANGEROUS ARTICLES</p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles by freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Tariff BOE 6000-Series.</p>
<p>ITEM 12</p> <p align="center">CONSECUTIVE NUMBERS</p> <p>Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown.</p> <p>If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.</p>	<p>ITEM 45</p> <p align="center">CONDITION OF EMPTY CARS FURNISHED TO CONNECTING LINES</p> <p>If NSR delivers empty cars to connecting lines in interchange service and connecting lines accept such cars, NSR will not be responsible for any car cleaning charges.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>
<p>ITEM 50</p> <p align="center">TERMINAL AND SPECIAL SERVICES</p> <p>Shipments made under the rates contained in this tariff are entitled also to terminal and transit services and privileges and are subject to the charges, allowances, rules and regulations legally applicable thereto as provided in separately lawfully published tariffs.</p> <p>Exception: When provisions of this tariff specifically cover any such charge, allowance, rule or regulation, corresponding or conflicting provisions in such separate tariffs will not apply.</p>	<p>ITEM 62</p> <p align="center">MAXIMUM ALLOWABLE GROSS WEIGHT ON RAIL</p> <p>NSR will only provide switching and transportation services for loaded cars with a maximum gross weight on rails of 286,000 lbs.</p>
<p>ITEM 55</p> <p align="center">CAPACITIES AND DIMENSIONS OF CARS</p> <p>For marked capacities, lengths, dimensions, and cubical capacities of cars, see the Official Railway Equipment Register, RER 6414-series, issued by National Railway Publication Company, Agent.</p>	<p>ITEM 64</p> <p align="center">UNLOADING AND RELEASE OF EQUIPMENT AT DESTINATION</p> <p>Upon arrival and placement of equipment for unloading at destination, consignee will be responsible for unloading equipment in a manner which does not damage equipment and for releasing equipment in a condition suitable for reloading by another shipper. If consignee refuses or fails to remove all lading, dunnage, blocking, bracing, strapping, debris, or other material that was part of the inbound shipment, secure interior loading devices, and close doors, the railroad which discovers such failure may undertake to remedy such failure, and the consignee will be responsible for reimbursing the railroad which performs such work for the cost thereof, including without limitation the cost of any switching associated with such work. Otherwise, applicable demurrage, detention, and storage charges shall continue to apply until equipment is released to delivering carrier in clean condition or upon completion of any action by the delivering carrier to remedy the consignee's failure.</p>
<p>ITEM 60</p> <p align="center">NON-APPLICATION PRIVATE CAR MILEAGE ALLOWANCE</p> <p>The NSR does not participate in nor does it abide by the Items or Rules stated in Tariff RIC 6007-series.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>	<p align="center">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>
<p>ITEM 83</p> <p align="center">EXTRA LOCOMOTIVE SERVICE CHARGES</p> <p>Service of locomotives, in connection with rerailment of cars, locomotives or cranes; movement of locomotives, cranes, scale test cars or other special equipment; movement of cars for the convenience of locomotives, cranes, scale test cars or other special equipment; or for any purpose other than switching or line haul service, the charge per locomotive, including crew, will be \$355.00 per hour, minimum charge \$355.00.</p>	<p>ITEM 100</p> <p align="center">APPLICATION</p> <p>Except where provided to the contrary, Demurrage Rules and Charges contained herein apply to all railroad owned, leased or controlled cars and private cars held for or by consignors, loaders, consignees, unloaders, beneficial owners, Care-of-Partys or other responsible parties for any purpose.</p>
	<p>ITEM 120</p> <p align="center">DEFINITIONS</p> <p>The following definitions define and govern the provisions outlined in this tariff.</p> <p>ACTUAL PLACEMENT - When a car(s) is placed in an accessible position for loading or unloading or, at a point designated by the consignor, loader, consignee, unloader or Care-of-Party.</p> <p>CARE-OF-PARTY - The party to whom car placement is to be made pursuant to the bill of lading, if other than the consignee at destination. When the bill of lading indicates a Care-of-Party, said party will be responsible for all demurrage, storage and hazardous storage charges.</p> <p>CONSIGNEE -The party designated on the bill of lading as the entity entitled to receive delivery of the car from the delivering rail carrier. Consignee would be responsible for any demurrage, storage and hazardous storage charges which accrues at the point of unloading except when the bill of lading also designates a Care-of-Party, in which case the Care-of-Party will be responsible for all demurrage, storage and hazardous storage charges.</p> <p>CONSIGNOR -The party designated on the bill of lading as the entity shipping the car to the consignee and delivering the car to the serving rail carrier.</p> <p>CONSTRUCTIVE PLACEMENT - When a car(s) which is consigned or ordered to a private track, industrial interchange track or public delivery track cannot be actually placed due to any condition attributable to the consignor, consignee or Care-of-Party, such car(s) will be held on NSR's tracks and notice will be provided to the consignor, consignee or Care-of-Party that the car(s) is held awaiting disposition instructions.</p> <p>CUSTOMER- The consignor, loader, consignee, unloader or other party who is responsible for the payment of demurrage, detention, storage or other charges specified in this tariff.</p> <p>DEMURRAGE - A charge made on freight cars held by or for consignor, loader, consignee, unloader or Care-of-Party for loading or unloading, prior to issuance of forwarding instructions or for any other purpose.</p> <p>DEMURRAGE DAY - A twenty-four hour (24) hour period (calendar day), or part thereof, commencing at the first 0700 after tender.</p> <p align="right">(Continued on next page)</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

<p style="text-align: center;">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p style="text-align: center;">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>
<p>ITEM 120 (Cont'd)</p> <p style="text-align: center;">DEFINITIONS (Cont'd)</p> <p>DISPOSITION - Instructions furnished or given to railroad which provides for the release or tender of the car from consignor's, loader's, consignee's, unloader's or Care-of-Party's account.</p> <p>DIVERSION - An order provided by the consignor instructing that a car(s) be delivered to a location other than the one indicated on the original forwarding instructions.</p> <p>EMPTY CAR(S) ORDERED AND NOT USED - Empty car(s), placed for loading as ordered, and subsequently released without being used in transportation service.</p> <p>ELECTRONIC OR MECHANICAL DEVICE - Communication device such as telegram, facsimile transmission, telex, mailgram, computers, etc.</p> <p>EMPTY RELEASE INFORMATION - Advice by consignor, loader, consignee, unloader or Care-of-Party given to authorized NSR personnel that the car(s) is unloaded and available to this railroad. This information must include the identity of the Customer, party furnishing information and the car(s) initial and number.</p> <p>FORWARDING INSTRUCTIONS - Shipping instructions given to NSR at the time of release containing all of the necessary information to properly transport the shipment to destination.</p> <p>FREE TIME - A period of time following actual or constructive placement during which demurrage is not chargeable. Free time as designated below will be allowed for each car:</p> <p style="padding-left: 40px;">Cars held for unloading: FORTY-EIGHT HOURS Cars held for loading: FORTY-EIGHT HOURS</p> <p>Free time will be calculated from the first 7:00 AM following actual or constructive placement.. <u>Non-Chargeable Days shall not be included in the calculation of Free time.</u></p> <p>LOADED CARS - A car(s) that is completely or partially loaded.</p> <p>LOADED RELEASE INFORMATION - Advice by consignor, loader, consignee, unloader or Care-of-Party given to authorized railroad personnel that a car(s) is available to railroad. Information must include Customer, car initial, number, consignee, destination, STCC and route.</p> <p>LOADER - Party physically loading a car at origin. Demurrage charges will be assessed against the Loader who will be responsible for payment of charges accrued at origin.</p> <p>LOADING - The complete or partial loading of a car(s) in conformity with applicable loading and clearance rules.</p> <p style="text-align: center;">(Continued in next column)</p>	<p>ITEM 120 (Cont'd)</p> <p style="text-align: center;">DEFINITIONS (Cont'd)</p> <p>NON-CHARGEABLE DAY - All Sundays and holidays. Holidays shall include the following: [A]</p> <p style="padding-left: 40px;">New Year's Day - January 1 Martin Luther King Day - Third Monday of January Presidents' Birthdays - Third Monday of February Good Friday - Friday before Easter Sunday Memorial Day - Last Monday of May Independence Day - July 4 Labor Day - First Monday of September Thanksgiving Day - Fourth Thursday of November Christmas Eve - December 24 Christmas Day - December 25 New Year's Eve - December 31</p> <p>When these dates occur on a Sunday, the following Monday will be observed as the holiday.</p> <p>NOTIFICATION - When required, written or verbal notification will be furnished to the parties entitled to receive notice that the car(s) is available for loading, unloading, or otherwise impacted by demurrage provisions.</p> <p>OTHER THAN PUBLIC DELIVERY TRACK - Any trackage assigned for individual use, including privately owned or leased tracks.</p> <p>ORDER-IN CUSTOMER - A Customer who, by prior arrangement, has notified NSR that cars shall not be placed for loading or unloading, or considered to be placed, until NSR has received an order for placement from said Customer, subject to rules and provisions of this tariff.</p> <p>PARTIAL UNLOADING - The partial unloading of a car(s) and furnishing of the proper forwarding or handling instructions.</p> <p>PASSENGER CAR(S) - A car(s) configured for the movement of people.</p> <p>PRIVATE CAR(S) - A car(s) bearing other than railroad reporting marks that is not railroad owned or controlled.</p> <p>PRIVATE TRACK - Tracks that are not owned or leased by the railroad.</p> <p>PUBLIC DELIVERY TRACK - Track that is open to the general public for loading and unloading.</p> <p>RAILROAD CONTROLLED CAR(S) - A car(s) bearing other than railroad reporting marks that is either leased or controlled by a railroad.</p> <p>RAILROAD PREMISES - All tracks which NSR provides for its own use and purposes or for general public use and all other tracks located inside of its right-of-way or yards and terminals, except tracks located on or within the confines of property or leased by a Customer.</p> <p style="text-align: center;">(Continued on next page)</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES
<p>ITEM 120 (Cont'd.)</p> <p align="center">DEFINITIONS (Cont'd.)</p> <p>RECONSIGNMENT - An order provided by consignor to bill a car(s) to other than the original consignee. (An order to turn over the car(s) to another party that does not require any additional movement of the car(s), is not a reconsignment).</p> <p>REFUSED LOADED CAR(S) - When the original loaded car(s) is refused at destination without being unloaded.</p> <p>RELOADING - When a car(s) is held for loading after being released as an empty.</p> <p>RESHIPMENT - A new document by which the entire original shipment is forwarded in the same car(s) to another destination.</p> <p>SERVING YARD - A classification yard where the local train serving the Customer originates.</p> <p>SHIPPER ASSIGNED CAR(S) - Specific empty car(s) assigned to a particular shipper for their exclusive use.</p> <p>STOPPED IN TRANSIT - When a car(s) is held en route due to any condition attributable to the consignor, loader, consignee, unloader, Care-of-Party or owner.</p> <p>TENDER - The notification, actual or constructive placement, of an empty or loaded car(s).</p> <p>TIME - Local time is applicable and is expressed on the basis of the 24-hour clock.</p> <p>Example: 07:00 AM is expressed as 0700 Hours.</p> <p>UNLOADER - Party physically unloading a car at destination.</p> <p>UNLOADING - The complete unloading of a car(s), and the advice received from the consignee or unloader that the car (s) is empty and available to the railroad.</p>	<p>ITEM 130</p> <p align="center">NOTIFICATION TO CONSIGNOR OR CONSIGNEE</p> <p>A. NSR will furnish the following notifications as indicated:</p> <ol style="list-style-type: none"> 1. Cars for other than public delivery tracks: <ol style="list-style-type: none"> a. Notice of constructive placement if car(s) are held on NSR tracks due to reasons attributable to the consignor, loader, consignee, Care-of-Party or unloader. b. Delivery of car(s) upon tracks of consignee will constitute notice. c. When two or more parties, each performing their own switching, take delivery of cars from the same interchange track, notice will be given when cars are placed on the interchange track. 2. Cars for public delivery tracks: <ol style="list-style-type: none"> a. Notice will be given to the party entitled to receive notification when car(s) is actually placed. <p>B. Notification may be given in writing or electronically, and will contain the following:</p> <ol style="list-style-type: none"> 1. Car initials and number. 2. If lading transferred en route, the initials and number of the original car. 3. Commodity.
	<p>ITEM 140</p> <p align="center">NOTIFICATION TO NSR</p> <p>A. NSR will accept forwarding instructions, empty release information or, other disposition twenty-four hours a day via Rail Management Inc.'s Shipper Connect®.</p> <p>B. When electronic or mechanical devices are used to furnish notification to NSR, the recorded date and time that the instructions are received by NSR will govern.</p> <p>C. Faxed forwarding instructions, empty release information, or other disposition will be accepted during normal business hours (7:00 AM to 4:30 PM, Monday through Friday).</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES
<p>ITEM 150 [C] CAR(S) HELD FOR LOADING</p> <p>TENDER:</p> <p>A. The notification, actual or constructive placement, of empty car(s) placed on orders of the consignor.</p> <p>RELEASE:</p> <p>A. Date and time forwarding instructions are received by NSR. B. Car(s) placed on the interchange tracks of a consignor, who performs its own switching, must be returned to the interchange track for release. C. When the same car is unloaded and reloaded, empty release information must be furnished at the time the car is made empty. If not furnished, demurrage will continue on the car until the forwarding instructions are received by NSR. D. Notwithstanding the foregoing, when a private car is actually placed on a private track, demurrage charges shall not apply to such private car.</p> <p>COMPUTATION:</p> <p>Time will be computed from the <u>first</u> 0700 hours after tender until the release.</p>	<p>ITEM 170 CAR(S) HELD FOR OTHER THAN LOADING OR UNLOADING</p> <p>Applies to car(s) held:</p> <p>A. On orders of consignor, loader consignee, Care-of-Party or unloader. B. Awaiting proper disposition from the consignor, loader, consignee, Care-of-Party or unloader. C. As a result of conditions attributable to consignor, loader, consignee, Care-of-Party or unloader.</p> <p>DISPOSITION:</p> <p>That information, including forwarding instructions or empty release information, which allows the railroad to either tender or release the car from the to consignor, loader, consignee, Care-of-Party or unloader.</p> <p>TENDER:</p> <p>The notification, actual or constructive placement of a loaded car(s).</p> <p>RELEASE:</p> <p>Date and time that the railroad receives advice that the car is empty, or that forwarding instructions are received.</p> <p>COMPUTATION:</p> <p>Time will be computed from the <u>first</u> 0700 hours:</p>
<p>ITEM 160 CAR(S) HELD FOR COMPLETE UNLOADING</p> <p>TENDER:</p> <p>The notification, actual or constructive placement, of a loaded car(s).</p> <p>RELEASE:</p> <p>A. Date and time that the railroad receives advice that the car(s) is empty. B. Car(s) placed on the interchange tracks of a consignee who performs its own switching must be returned to the interchange track for release. C. When the same car is unloaded and reloaded, empty release information must be furnished at the time the car is made empty. If not furnished, demurrage will continue on the car until the forwarding instructions are received by NSR. D. Notwithstanding the foregoing, when a private car is actually placed on a private track, demurrage charges shall not apply to such private car. [A]</p> <p>COMPUTATION: Time will be computed from the <u>first</u> 0700 hours after tender until release.</p>	<p>A. After tender, until release, on car(s):</p> <ol style="list-style-type: none"> 1. Diverted 2. Empty for loading – ordered and not used (other than a rejected car) 3. Partially unloaded 4. Reconsigned 5. Reshipped 6. Stopped in transit <p>B. After car(s) are received by NSR until date of disposition on:</p> <ol style="list-style-type: none"> 1. Car(s) received from interchange from connecting carrier 2. Loaded private car(s) returned to railroad tracks 3. Empty car(s) moving as freight with STCC 37 422 xx <p>C. After tender until date of refusal on:</p> <ol style="list-style-type: none"> 1. Refused loaded car(s) (consignee) <p>D. After tender until date of disposition on:</p> <ol style="list-style-type: none"> 1. Refused loaded car(s) (consignor) <p>E. After tender until release or placement on private tracks on:</p> <ol style="list-style-type: none"> 1. Loaded private car(s) – while held on railroad tracks 2. Empty car(s) moving as freight with STCC 37 422 XX
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

<p style="text-align: center;">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p style="text-align: center;">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>
<p>ITEM 175</p> <p style="text-align: center;">UNIT TRAINS</p> <p>When cars are moving as a unit train, requiring return of origin or interchange as a unit train, no cars will be considered released, from loading or unloading, until all cars in the train have been properly released. The date and time of the release of the last car released will be the date and time of release for all cars in the train for purposes of calculating demurrage. This item will apply only to railroad marked or controlled cars.</p>	<p>ITEM 190 (Cont'd)</p> <p style="text-align: center;">STORAGE OF LOADED HAZARDOUS COMMODITIES</p> <p>Loaded cars, held on NSR tracks for any other purpose attributable to the consignor, loader, consignee, Care-of-Party, or unloader are subject to the charges shown below. Storage will be computed from the first 7:00 AM after actual placement or notification of constructive placement was sent or given by NSR for the loaded car and continue until notification to NSR with proper forwarding instructions is received by NSR in accordance with Item 140.</p> <p>Storage Charges: Five Hundred Dollars (\$500.00) per loaded car per day or fraction thereof</p>
<p>ITEM 180</p> <p style="text-align: center;">DEMURRAGE PLAN</p> <p>A. Settlement of charges will be made monthly on all car(s) released during each calendar month.</p> <p>B. Cars held for loading or unloading, upon the expiration of forty-eight (48) hours free time as defined herein, will be subject to a demurrage charge of \$50.00 per day or fraction thereof until the car is released.</p> <p>Exception 1 - When a car has a mechanical designation of "FD", "FM", or "FW" and capacity is excess of 130 tons, See Item 330.</p>	<p>ITEM 193</p> <p style="text-align: center;">STORAGE OF EMPTY CARS FORMERLY CONTAINING HAZARDOUS COMMODITIES</p> <p>The storage charges provided in this item apply to empty railcars which formerly contained hazardous commodities designated as toxic/poison inhalation hazard, inhalation hazard and explosives. The storage charges shown below will apply to the Customer (defined for the purpose of this subsection as the consignee or Care-of-Party of the empty railcar) for each empty car; if the railcar's prior movement contained any of the commodities listed in Item 195.</p> <p>The storage charges provided in this item are in addition to applicable demurrage charges and, except as provided below, the application provisions of this tariff will govern in determining these storage charges.</p> <p>Storage will be computed from the first 7:00 AM after actual placement or notification of constructive placement was sent or given by NSR for the empty car and continue until notification to NSR with proper forwarding instructions is received by NSR in accordance with Item 140.</p> <p>Storage Charges: Two Hundred Dollars (\$200.00) per empty car per day or fraction thereof.</p>
<p>ITEM 190</p> <p style="text-align: center;">STORAGE OF LOADED HAZARDOUS COMMODITIES</p> <p>The storage charges provided in this item apply to loaded hazardous commodities designated as toxic/poison inhalation hazard, inhalation hazard and explosives. A List of applicable STCC numbers are shown in Item 195. The storage charges provided in this item are in addition to applicable demurrage charges and except as provided below, the applicable provisions of this tariff will govern in determining these storage charges.</p> <p>Loaded cars, consigned or ordered for delivery on private or leased tracks, which first must be held on NSR tracks under constructive placement are subject to the charges shown below. Storage will be computed from the first 7:00 AM after notification of constructive placement was sent or given by NSR for the loaded car and continue until notification to NSR for placement on private tracks is received in accordance with Item 140.</p> <p style="text-align: center;">(Continued in next Column)</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES				
ITEM 195				
HAZARDOUS MATERIALS STANDARD TRANSPORTATION COMMODITY CODE (STCC)				
The following is a list of Standard Transportation Commodity Code Numbers (STCC) for toxic/poison inhalation hazard, inhalation hazard and explosives:				
STCC	STCC	STCC	STCC	STCC
4821019	4901301	4901445	4901581	4901833
4821261	4901302	4901450	4901582	4901834
4821722	4901303	4901456	4901586	4901835
4830030	4901305	4901461	4901587	4901836
4901105	4901306	4901465	4901590	4901837
4901110	4901307	4901501	4901596	4901838
4901130	4901308	4901504	4901597	4901839
4901131	4901311	4901506	4901599	4901840
4901133	4901312	4901507	4901632	4901841
4901134	4901315	4901510	4901705	4901842
4901135	4901316	4901511	4901713	4901843
4901137	4901317	4901514	4901714	4901844
4901140	4901319	4901516	4901715	4901845
4901142	4901320	4901520	4901717	4901846
4901143	4901322	4901521	4901719	4901847
4901149	4901324	4901526	4901720	4901848
4901153	4901325	4901527	4901722	4901849
4901172	4901326	4901528	4901724	4901850
4901174	4901336	4901530	4901725	4901851
4901179	4901341	4901532	4901726	4901852
4901180	4901342	4901533	4901778	4901853
4901205	4901343	4901535	4901779	4901854
4901218	4901344	4901537	4901801	4901855
4901220	4901345	4901538	4901802	4901856
4901223	4901350	4901539	4901803	4901857
4901225	4901364	4901540	4901804	4901858
4901227	4901365	4901541	4901805	4901859
4901229	4901366	4901542	4901806	4904209
4901230	4901367	4901544	4901807	4904210
4901234	4901374	4901545	4901808	4904211
4901235	4901376	4901546	4901809	4904879
4901236	4901381	4901550	4901810	4907409
4901237	4901384	4901551	4901811	4907434
4901240	4901388	4901552	4901812	4909306
4901242	4901389	4901553	4901813	4909307
4901244	4901390	4901554	4901814	4910370
4901245	4901391	4901557	4901815	4916138
4901246	4901393	4901558	4901816	4918180
4901250	4901398	4901560	4901817	4918505
4901254	4901399	4901561	4901819	4918507
4901257	4901401	4901562	4901820	4920101
4901258	4901402	4901564	4901821	4920102
4901260	4901403	4901565	4901822	4920103
4901262	4901406	4901566	4901823	4920104
4901263	4901413	4901567	4901824	4920105
4901264	4901414	4901568	4901825	4920106
4901271	4901418	4901570	4901826	4920107
4901273	4901420	4901572	4901827	4920108
4901276	4901422	4901573	4901828	4920110
4901280	4901430	4901574	4901829	4920111
4901282	4901435	4901575	4901830	4920112
4901283	4901437	4901576	4901831	4920113
4901288	4901440	4901577	4901832	4920115

(Continued in next column)

SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES				
ITEM 195 (Cont'd)				
HAZARDOUS MATERIALS STANDARD TRANSPORTATION COMMODITY CODE (STCC)				
STCC	STCC	STCC	STCC	STCC
4920116	4920319	4920399	4921020	4921744
4920117	4920320	4920502	4921023	4921745
4920118	4920321	4920503	4921024	4921746
4920122	4920322	4920504	4921028	4921756
4920135	4920323	4920505	4921063	4923113
4920160	4920324	4920508	4921202	4923117
4920164	4920325	4920509	4921207	4923209
4920165	4920331	4920510	4921211	4923298
4920167	4920337	4920511	4921213	4927004
4920173	4920342	4920513	4921216	4927006
4920174	4920343	4920515	4921239	4927007
4920175	4920344	4920516	4921245	4927008
4920178	4920346	4920517	4921248	4927009
4920180	4920347	4920518	4921251	4927010
4920181	4920348	4920522	4921252	4927011
4920183	4920349	4920523	4921254	4927012
4920184	4920351	4920525	4921255	4927014
4920187	4920352	4920526	4921275	4927018
4920188	4920353	4920527	4921287	4927019
4920189	4920354	4920528	4921288	4927022
4920195	4920355	4920530	4921304	4927023
4920196	4920356	4920531	4921401	4927024
4920300	4920357	4920534	4921402	4927025
4920301	4920359	4920535	4921404	4927026
4920302	4920360	4920536	4921405	4927027
4920303	4920368	4920547	4921413	4927028
4920304	4920369	4920550	4921414	4930024
4920305	4920371	4920556	4921420	4930030
4920306	4920373	4920559	4921438	4930050
4920307	4920375	4920570	4921473	4930204
4920308	4920378	4920571	4921487	4930260
4920309	4920379	4920715	4921495	4931201
4920310	4920380	4921000	4921497	4932010
4920311	4920381	4921003	4921558	4932352
4920312	4920382	4921004	4921587	4932385
4920313	4920383	4921006	4921695	4933327
4920314	4920392	4921008	4921722	4935231
4920315	4920394	4921009	4921727	4936106
4920316	4920395	4921010	4921730	4936110
4920317	4920396	4921016	4921741	
4920318	4920398	4921019	4921742	

For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.

<p align="center">SECTION 1 CAR DEMURRAGE AND STORAGE RULES AND CHARGES</p>	<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 197 [C] DEMURRAGE AND STORAGE DISPUTES</p> <p>In the event that a Customer disputes the demurrage, storage or other charges received in a bill, the following procedures must be applied:</p> <p>A. The dispute must be specific in nature, applying to a specific cars or groups of cars, related to time of actual or constructive placement, release or application of the rules contained in this tariff.</p> <p>B. If the dispute involves demurrage or storage charges, the dispute must be submitted on NSR "Demurrage Dispute Form" shown on last past of this tariff, submitted via email to: AR@Omnitrax.com</p> <p>C. The dispute must be submitted within fifteen (15) calendar days from the date of the bill. If a dispute is not received within this time, the bill will be considered correct and must be paid.</p> <p>D. Customer must pay the undisputed amount at the time the dispute is filed, according to normal bill payment procedures.</p> <p>E. Amounts in dispute will not be considered past due until fifteen (15) days after the dispute resolution is concluded by NSR.</p>	<p>ITEM 200</p> <p align="center">APPLICATION AND DEFINITIONS</p> <p>Switching charges named herein (unless otherwise specified) will apply for the handling of loaded cars in one direction and empty cars in the reverse direction. If cars are moved empty in both directions, then charges for a one-way movement will apply. If cars are moved empty in one direction and are not returned, they will be charged as if they are loaded and switching of other cars loaded will not be considered as offsetting one-way movement of empty cars. If cars are loaded in both directions, the applicable charge will be assessed for each loaded movement.</p> <p align="center">DEFINITIONS</p> <p>(a) INTRA-PLANT SWITCHING - A switching movement of cars, loaded or empty, from one track to another track or between two points on the same track, within the same plant or industry without leaving the tracks of the same plant or industry.</p> <p>(b) JOINT SWITCHING – A switching movement of cars, loaded or empty, originating at or terminating on the NSR in connection with the movement of traffic originating at or destined to a point on another railroad.</p> <p>(c) LOCAL SWITCHING - A movement of a car(s) from a plant or industry located on the NSR within the switching limits of one station to a plant or industry on the NSR within the switching limits of another station.</p>
	<p>ITEM 202</p> <p align="center">WEIGHING CARS ON NON-RAILROAD SCALE</p> <p>A charge of \$250.00 per car will be assessed for weighing cars on non-railroad scale.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 205</p> <p align="center">DEFINITION OF SHOP FACILITY</p> <p>A shop facility is one approved by the AAR for rail car repair sufficient to meet interchange standards.</p>	<p>ITEM 215</p> <p align="center">SWITCHING AND HOLDING CHARGES ON CARS HELD FOR INSTRUCTIONS</p> <p align="center">(Unless otherwise specifically provided, the following will apply)</p>
<p>ITEM 210</p> <p align="center">NON-APPLICATION OF INTRA-PLANT SWITCHING CHARGES</p> <p>The Intra-Plant switching charges provided in this tariff will not apply when a car is moved back to the same location on the same track or to a different location on the same track (See NOTE). Such movement must occur as a result of pulling outbound carloads or empties previously unloaded, or placing inbound carloads for unloading or empties for loading.</p> <p>NOTE - Movement to a different location on the same track must be incidental to, and necessary in connection with removal or placement of other loaded or empty cars.</p>	<p>When on shipper's instructions loaded cars, or empty cars moving on own wheels, are removed from industry, shop or team tracks and are held by carrier awaiting forwarding instructions, a charge of \$150.00 per car will be assessed against the party responsible for furnishing the forwarding instructions. On loaded cars the charge will be assessed against the party physically loading the car and in whose name demurrage is maintained by this railroad. If cars are subsequently ordered returned to loaders tracks, the applicable switching charge will be assessed against the loader.</p> <p>When loaded cars, or empty cars moving on own wheels at tariff rates, are received from a connecting carrier and are held awaiting forwarding instructions, a holding charge of \$150.00 per car will be assessed against the party responsible for furnishing the forwarding instructions. If cars are subsequently ordered returned to a connecting carrier, the applicable switching charges will be assessed from and to the interchange with the connecting carrier, and will be in addition to the holding charge.</p> <p>The charges provided in this item are in addition to applicable demurrage and storage charges when applicable and will not be absorbed in whole or in part by NSR.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES
<p>ITEM 220</p> <p align="center">PRIVATE OR INDUSTRY TRACKS</p> <p>Unless otherwise provided, the private tracks used by industries as named in this tariff are to be used exclusively for the handling of traffic to or from such industries.</p>	<p>ITEM 230</p> <p align="center">DEFINITIONS OF SWITCHING LIMITS</p> <p>The switching limits of the Newburgh & South Shore Railroad, L.L.C. comprise the entire line of railway beginning at Harvard Diamond at Jones Road, Cleveland, OH on the east and extending to Harvard Avenue, Cuyahoga Heights, Ohio, inclusive on the west.</p> <p>The Cleveland, OH switching district on NSR includes the entire line of railway. When reference is made in this tariff to the Cleveland, OH switching district in connection with the movement of traffic originating at or destined to a point on another railroad, it will mean the Cleveland, OH switching district described in that railroad's tariffs.</p>
<p>ITEM 222</p> <p align="center">CHARGE FOR RETURNED LOADS</p> <p>A charge of \$250.00 per car will be assessed on loaded cars released by industry, not yet interchanged beyond NSR, and subsequently ordered returned to point of origin by industry.</p>	<p>ITEM 232</p> <p align="center">INTERCHANGE WITH CONNECTING CARRIERS</p> <p>NSR has direct connection with the following railroads:</p> <p align="center">CLEVELAND WORKS RAILWAY CSX TRANSPORTATION, INC. NORFOLK SOUTHERN RAILWAY COMPANY</p>
<p>ITEM 225</p> <p align="center">EMPTY CARS RETURNED UNFIT FOR LOADING</p> <p>When an empty car is received from a connecting carrier for loading by an industry located on the NSR, and is refused by the industry because the car is not in proper condition to load and must be returned to the connecting carrier, a charge of \$150.00 per car will be assessed against the connecting carrier. The charge will be made for one direction only.</p>	<p>ITEM 235</p> <p align="center">PACKAGE REQUIREMENTS</p> <p>Charges for switching named in this tariff apply only when shipments are packed in accordance with the requirements published in Tariff UFC 6000-Series. Shipments not packed in accordance with the requirements published in Uniform Freight Classification will not be accepted.</p>
<p>ITEM 227</p> <p align="center">EMPTY CARS ORDERED BUT NOT LOADED</p> <p>On empty cars that are ordered for loading and the service of switching or placing has been performed and the car is not loaded but returned to NSR empty, a switching charge of \$150.00 per car will be assessed for this service and collected from the person, firm, or corporation ordering such cars.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 240</p> <p align="center">SWITCHING OF EXCESSIVELY LOADED CARS</p> <p>A car will be considered overloaded when the weight of the lading exceeds the maximum carrying capacity (load limit) stenciled on the car or if the total weight of car and lading exceeds the weight restrictions of the track.</p> <p>A. When a car is overloaded and such fact is discovered at origin station, the loader or owner of the lading will be notified to remove the excess weight as provided in this tariff. If the car is returned to the industry where loaded, one Intra-Plant switch charge will be assessed in addition to a \$250.00 per car penalty.</p> <p>B. When a car at a station other than origin is discovered to be overloaded and such fact is discovered after the shipment has left the origin station, the loader or owner of the lading will be notified to remove the excess as provided in this tariff. The applicable Local Switching charge from the point where the overloaded condition is discovered to the nearest public track will be assessed in addition to a \$250.00 per car penalty.</p> <p>C. The loader or owner of the lading will be notified by NSR of the overload and will be allowed to remove the excess weight. Notwithstanding anything to the contrary in this tariff, when an overloaded car is discovered at a station other than origin, demurrage charges will commence with the first 0700 Hours after notification is given by NSR to the loader, owner of the lading or other responsible party with no other free time allowed.</p> <p>D. When a Customer fails to respond within the first twenty-four (24) hours, a second notice will be sent. If the Customer fails to respond within seven (7) calendar days from the first 07:00 AM after the first notification, NSR may, at our option, transfer the shipment, transfer the excess weight to another car or remove the excess weight and sell or dispose of it to the best advantage. The actual cost of transfer for removing the excess weight plus any additional charge(s), less proceeds of the sales of the excess, if any, will be assessed against the loader, owner of the lading or other responsible party in addition to a \$250.00 per car penalty and applicable Switching charge.</p> <p>E. When a car is received from a connecting line in road haul service and discovered to be overloaded, the loader and the delivery line will be notified to remove the excess as provided in this tariff. If the overload is discovered at the junction and the car is ordered returned to the delivering carrier, the applicable Switching charge will be assessed against the loader or delivering carrier in addition to a \$250.00 per car penalty.</p>	<p>ITEM 245</p> <p align="center">FREIGHT-IN-BOND</p> <p>Cars containing freight-in-bond to be switched locally will not be accepted from connecting line until after permit to receive goods has been issued to consignee by the United States Collectors of Customs.</p> <hr/> <p>ITEM 247</p> <p align="center">HANDLING OF "SHIPPER'S ORDER" FREIGHT</p> <p>Cars will not be received from connecting lines when consigned "Shipper's Order" or when billed in care of private sidings when consignee is not located on tracks of NSR.</p> <p>Order bills of lading will not be issued to cover intra-terminal movements. (See Item 200)</p> <hr/> <p>ITEM 250</p> <p align="center">PREPAYMENT OF NSR SWITCHING CHARGES</p> <p>Charges on all carloads for Intra-Plant or Local Switching movements must be fully prepaid by the party ordering the switch.</p> <hr/> <p>ITEM 255</p> <p align="center">EARLY RELEASE OF CARS PLACED FOR LOADING OR UNLOADING</p> <p>When a Customer instructs the release of a car previously placed for loading or unloading, but NSR is unable to remove the car because the loading or unloading of the car has not been completed for reasons not attributable to NSR, the car will remain on demurrage as if the release had not been instructed, and an Intra-Plant switch charge will apply.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES	SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES
<p>ITEM 265</p> <p align="center">SPECIAL SWITCHING SERVICE</p> <p>Switching rates named in this tariff contemplate service being performed at the railroad's operating convenience during its normal hours of scheduled service, between the hours of 0700 and 1700 Monday thru Friday.</p> <p>Requests by patrons for special movement of car or cars at other than the railroad's operating convenience, which necessitates a crew being taken from previously assigned work, will be performed at a charge of \$280.00 per hour, minimum \$280.00. Time and charges will be computed from the time such locomotive and crew is ordered from its regularly assigned duties, until it returns to its regular assignment.</p> <p>Requests by patrons for special switching service which requires the assignment of an additional crew during normal hours of service, or during periods when there is no scheduled service, will be performed at a charge of \$360.00 per hour, minimum four (4) hours.</p> <p>The switching rates applicable to the service performed will be assessed in addition to the time charges named in this item.</p>	<p>ITEM 275</p> <p align="center">DEFINITION OF "PRIVATELY OWNED"</p> <p>Where reference to "privately owned" or "privately owned or leased" equipment in this section, it is meant to be equipment not under lease to or controlled by a railroad.</p>
<p>ITEM 267</p> <p align="center">SHIPMENTS REQUIRING SPECIAL HANDLING</p> <p>When shipments, because of dimension, weight or other special handling characteristics, cannot be handled in routine switching service, a Locomotive Service Charge of \$280.00 per hour, minimum charge \$280.00, will be assessed in addition to the applicable switching rates named in this tariff. Time and charges will be computed from the time such locomotive and crew is ordered from its regularly assigned duties until it returns to its regular assignment.</p>	<p>ITEM 280</p> <p align="center">CAR(S) RECEIVED IN INTERCHANGE IN ERROR OR WITHOUT FORWARDING INSTRUCTIONS</p> <p>Car(s) loaded or empty, received by NSR in error or without forwarding instructions from the delivering carrier, will be returned to the delivering carrier at a charge of \$150.00 per car. Charge for this service will be assessed against the carrier interchanging the car(s) to NSR.</p>
<p>ITEM 270</p> <p align="center">MOVEMENT OF LOCOMOTIVES</p> <p>A charge of \$565.00 per car will be assessed on locomotives moving between industries on NSR and interchange points with connecting carriers.</p>	<p>ITEM 285</p> <p align="center">RE-SWITCHING</p> <p>Except as otherwise provided, when NSR participates in line-haul service, cars re-switched under original load or for partial loading or unloading may be switched at the applicable Intra-Plant or Local Switching rate.</p>
<p>ITEM 272</p> <p align="center">TURNING OF CARS FOR LOADING AND UNLOADING</p> <p>A charge of \$150.00 per car will be assessed for turning cars.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES			SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES																	
ITEM 290 APPLICATION OF SWITCHING RATES (Items 290 to 305) Joint switching rates published in Items 292 will apply on revenue shipments from or to points within the Cleveland Switching District (See Item 230) with carriers at Cleveland, OH. Switching rates published in Items 294 to 296 will apply on all shipments destined to or originating at points beyond the Cleveland Switching District with carriers at Cleveland, OH.			INTERMEDIATE SWITCHING RATES APPLIES ON TRAFFIC HANDLED BETWEEN POINTS OF INTERCHANGE WITH CONNECTING CARRIERS (SEE ITEM 232) AND ON WHICH NO TERMINAL OR SIDING SERVICE IS PERFORMED BY THE NEWBURGH AND SOUTH SHORE RAILROAD COMPANY																	
JOINT SWITCHING RATES (Except as otherwise Noted)			<table border="1"> <thead> <tr> <th>ITEM</th> <th>APPLICATION</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>296</td> <td> ALL COMMODITIES, except as provided in Item 305, carload, Minimum 45 tons of 2,000 pounds: Between interchanges with connecting carriers (a) Lading weight of 210,000 lbs. or less... (b) Lading weight in excess of 210,000 lbs..... </td> <td> \$461.00 Per Car \$514.00 Per Car </td> </tr> </tbody> </table>			ITEM	APPLICATION	RATE	296	ALL COMMODITIES, except as provided in Item 305, carload, Minimum 45 tons of 2,000 pounds: Between interchanges with connecting carriers (a) Lading weight of 210,000 lbs. or less... (b) Lading weight in excess of 210,000 lbs.....	\$461.00 Per Car \$514.00 Per Car									
ITEM	APPLICATION	RATE																		
296	ALL COMMODITIES, except as provided in Item 305, carload, Minimum 45 tons of 2,000 pounds: Between interchanges with connecting carriers (a) Lading weight of 210,000 lbs. or less... (b) Lading weight in excess of 210,000 lbs.....	\$461.00 Per Car \$514.00 Per Car																		
<table border="1"> <thead> <tr> <th>ITEM</th> <th>APPLICATION</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>292</td> <td> ALL COMMODITIES, except as provided in Item 305. Between points within the switching limits of Cleveland, OH switching district and any point on NSR To or from interchange with all connecting carriers..... </td> <td> \$461.00 Per Car </td> </tr> </tbody> </table>			ITEM	APPLICATION	RATE	292	ALL COMMODITIES, except as provided in Item 305. Between points within the switching limits of Cleveland, OH switching district and any point on NSR To or from interchange with all connecting carriers.....	\$461.00 Per Car	LOCAL SWITCHING											
ITEM	APPLICATION	RATE																		
292	ALL COMMODITIES, except as provided in Item 305. Between points within the switching limits of Cleveland, OH switching district and any point on NSR To or from interchange with all connecting carriers.....	\$461.00 Per Car																		
RECIPROCAL SWITCHING RATES APPLIES ON TRAFFIC INTERCHANGED BETWEEN CONNECTIONS (SEE ITEM 232) ORIGINATING AT OR DESTINED TO POINTS BEYOND THE CLEVELAND, OH SWITCHING DISTRICT (SEE ITEM 230), AND PUBLIC TEAM TRACKS OR PRIVATE SIDINGS LOCATED ON OR CONNECTED WITH THE NEWBURGH AND SOUTH SHORE RAILROAD COMPANY AT CLEVELAND, OH			<table border="1"> <thead> <tr> <th>ITEM</th> <th>APPLICATION</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>298</td> <td> ALL TRAFFIC, except as provided in Item 305. Between All Points and All Industries within the switching limits of the Newburgh and South Shore Railroad, as defined in Item 230 (except as published in Items 300 to 302) (a) Lading weight of 210,000 lbs. or less.. (b) Lading weight in excess of 210,000 lbs..... </td> <td> \$461.00 Per Car \$610.00 Per Car </td> </tr> <tr> <td>300</td> <td> INTRAPLANT TRAFFIC: Between one point in an industrial plant to another point in the same plant, not otherwise provided for in Item 302..... </td> <td> \$150.00 Per Car </td> </tr> <tr> <td>302</td> <td> CARS, EMPTY: Of private or of railroad ownership, placed for loading and not loaded, or moved at request of industry, not in connection with a loaded revenue movement..... </td> <td> \$150.00 Per Car </td> </tr> <tr> <td>305</td> <td> SPECIFIC RATE (Rate supersede rates contained in Items 292, 294, 296 and 298) Plastic materials or synthetic resins or non vulcanizable elastomers, excluding fabricated plastic products, powder, flake, lump or solid mass form (STCC 28 211)... </td> <td> \$625.00 Per Car </td> </tr> </tbody> </table>			ITEM	APPLICATION	RATE	298	ALL TRAFFIC, except as provided in Item 305. Between All Points and All Industries within the switching limits of the Newburgh and South Shore Railroad, as defined in Item 230 (except as published in Items 300 to 302) (a) Lading weight of 210,000 lbs. or less.. (b) Lading weight in excess of 210,000 lbs.....	\$461.00 Per Car \$610.00 Per Car	300	INTRAPLANT TRAFFIC: Between one point in an industrial plant to another point in the same plant, not otherwise provided for in Item 302.....	\$150.00 Per Car	302	CARS, EMPTY: Of private or of railroad ownership, placed for loading and not loaded, or moved at request of industry, not in connection with a loaded revenue movement.....	\$150.00 Per Car	305	SPECIFIC RATE (Rate supersede rates contained in Items 292, 294, 296 and 298) Plastic materials or synthetic resins or non vulcanizable elastomers, excluding fabricated plastic products, powder, flake, lump or solid mass form (STCC 28 211)...	\$625.00 Per Car
ITEM	APPLICATION	RATE																		
298	ALL TRAFFIC, except as provided in Item 305. Between All Points and All Industries within the switching limits of the Newburgh and South Shore Railroad, as defined in Item 230 (except as published in Items 300 to 302) (a) Lading weight of 210,000 lbs. or less.. (b) Lading weight in excess of 210,000 lbs.....	\$461.00 Per Car \$610.00 Per Car																		
300	INTRAPLANT TRAFFIC: Between one point in an industrial plant to another point in the same plant, not otherwise provided for in Item 302.....	\$150.00 Per Car																		
302	CARS, EMPTY: Of private or of railroad ownership, placed for loading and not loaded, or moved at request of industry, not in connection with a loaded revenue movement.....	\$150.00 Per Car																		
305	SPECIFIC RATE (Rate supersede rates contained in Items 292, 294, 296 and 298) Plastic materials or synthetic resins or non vulcanizable elastomers, excluding fabricated plastic products, powder, flake, lump or solid mass form (STCC 28 211)...	\$625.00 Per Car																		
<table border="1"> <thead> <tr> <th>ITEM</th> <th>APPLICATION</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>294</td> <td> ALL COMMODITIES, except as provided in Item 305, carload. On traffic originating at or destined to points outside of the switching limits of Cleveland, OH switching district (a) Lading weight of 210,000 lbs. or less... (b) Lading weight in excess of 210,000 lbs..... </td> <td> \$486.00 Per Car \$540.00 Per Car </td> </tr> </tbody> </table>			ITEM	APPLICATION	RATE	294	ALL COMMODITIES, except as provided in Item 305, carload. On traffic originating at or destined to points outside of the switching limits of Cleveland, OH switching district (a) Lading weight of 210,000 lbs. or less... (b) Lading weight in excess of 210,000 lbs.....	\$486.00 Per Car \$540.00 Per Car												
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For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.																				

<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>
<p>ITEM 309</p> <p align="center">DIVERSIONS</p> <p>The term "diversion" means an order received by NSR which requires any of the following:</p> <ul style="list-style-type: none"> A. A change in the name of the consignee. B. A change in the name of the consignor. C. A change in the destination. D. A change in the route at the request of the consignor, consignee, or owner. E. Any other instructions given by consignor, consignee, or owner necessary to effect delivery which requires a change in the billing or an additional movement of the car, or both. F. A change in the payment conditions. <p align="center">APPLICATION</p> <ul style="list-style-type: none"> A. Orders for diversions will be accepted from only: <ul style="list-style-type: none"> 1. Parties listed on bill of lading. 2. Any rail carrier participating in line-haul movement. B. Charges for diversions shall be paid by the authorized party requesting the change. C. After a car has been actually placed, any changes which affect the movement of the car will constitute a new movement and are subject to applicable switching and/or line-haul charges. D. Only one change in destination will be authorized under these provisions. Requests for additional changes will be executed as a shipment terminating and originating at the diversion station. E. The diversion charge applies in addition to all other applicable switch, line-haul, hold, storage, or demurrage charges. <p>Diversion charge: \$125.00 per car.</p>	<p>ITEM 310</p> <p align="center">CONGESTION RESULTING FROM RAIL CUSTOMER MAY RESULT IN AN EMBARGO</p> <p>If a rail Customer's excessive retention of railcars results in operational congestion, as determined by the NSR, of the Customer's and/or the NSR's rail tracks, NSR may impose an embargo against the Customer's receipt of further railcars until the congestion is eliminated.</p>
	<p>ITEM 320</p> <p align="center">CARS HELD FOR LOADING OR UNLOADING ON PUBLIC TEAM TRACKS</p> <p>Cars held on public team tracks for loading or unloading in excess of forty-eight (48) hours of placement will be charged at the rate of \$50.00 for each day or portion thereof in excess of forty-eight (48) hours. This charge is in addition to any applicable demurrage charges.</p>
	<p>ITEM 330</p> <p align="center">SPECIAL TYPE-HEAVY DUTY FLAT CARS HELD FOR LOADING OR UNLOADING</p> <p>Heavy duty flat cars of mechanical designation "FD" "FM" or "FW" with capacity in excess of 130 tons, will be subject to a demurrage charge of \$350.00 per car per day or fraction thereof until car is released.</p> <p>Charges start when car is available to Customer. No free time.</p>
	<p>ITEM 340 [C]</p> <p align="center">CHARGES FOR SPECIAL TYPE OF HEAVY CAPACITY FLAT CARS</p> <p>A charge of \$575.00 for each car used in addition to the regular local switching rates named herein will be made for each car used both originating and terminating within the same switching district as named in this tariff for the movement of which carrier furnishes flat cars bearing mechanical designations "FW" of any capacity, and cars of designation "FM" of 151,000 lbs. and over nominal capacity; and a charge of \$1,600.00 per car used on flat cars bearing mechanical designation "FD" as named in The Official Railway Equipment Register and reissues thereof. Said charge also applies on traffic having prior or subsequent barge movement.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>	

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<p align="center">SECTION 2 SWITCHING, LOCAL AND MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</p>	
<p>ITEM 350 [!] USE OF IDLER CAR</p> <p>When articles on account of length, require more than one car, each additional car (commonly known as an idler) shall be charged \$300.00 per idler.</p>	<p>ITEM 99999</p> <p align="center">ABBREVIATIONS AND REFERENCE MARKS, EXPLANATION OF</p>	
<p>ITEM 360 [C] LIMITATION OF LIABILITY</p> <p>Notwithstanding anything to the contrary in this tariff, liability for loss or damage of lading transported by the NSR is limited to twenty five thousand dollars (\$25,000.00) per loaded car. If liability coverage beyond that provided herein is desired, the NSR must be contacted for charges to apply prior to tendering such shipment to the NSR for rail transportation.</p>	<p align="center">ABBREVIATIONS</p> <p>AAR NSR BOE CFR FT OPSL RER STB STCC UFC</p>	<p align="center">EXPLANATION</p> <p>Association of American Railroads Newburgh & South Shore Railroad, L.L.C. Bureau of Explosives Code of Federal Regulations Freight Tariff Official Railroad Station List Railway Equipment Register Surface Transportation Board Standard Transportation Commodity Code Uniform Freight Classification</p>
	<p align="center">REFERENCE MARK</p> <p>[A] [C] [D] [!] [NC] [R]</p>	<p align="center">EXPLANATION</p> <p>Addition Denotes Change Canceled Increase Brought forward without change Reduction/Decrease</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>		

DEMURRAGE DISPUTE FORM



Enter the requested information for each car (or group of cars if all data is the same). Attach documentation whenever possible, and submit form by mail, fax (866) 831-1189 or

E-mail to: AR@Omnitrax.com

Manager of Accounts Receivable, OmniTRAX, Inc., 50 South Steele Street, Denver, CO 80209

Date:		Company:	
RR Demurrage Month:		Submitted by:	
RR Invoice Number:		Phone:	
		E-Mail:	

Car Number(s)						
Dates	Constructive Placement	Actual Placement	Release	Demurrage Days	Credits	Net
As Billed:						
Customer Record:						
Explanation:						
Documentation:					Attached? <input type="checkbox"/>	
Resolution (for NSR use)						

Car Number(s)						
Dates	Constructive Placement	Actual Placement	Release	Demurrage Days	Credits	Net
As Billed:						
Customer Record:						
Explanation:						
Documentation:					Attached? <input type="checkbox"/>	
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Documentation:					Attached? <input type="checkbox"/>	
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