

**OHIO 8100**

ORIGINAL TITLE PAGE

# **OHIO TERMINAL RAILWAY COMPANY**

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**FREIGHT TARIFF**

**OHIO 8100**

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**LOCAL FREIGHT TARIFF**

**PUBLISHING**

**RULES AND CHARGES ON SWITCHING SERVICES**

**AT STATIONS ON**

**OHIO TERMINAL RAILWAY COMPANY**

**SWITCHING SERVICES TARIFF**

ISSUED: MARCH 22, 2013

EFFECTIVE: APRIL 15, 2013

ISSUED BY:

OHIO TERMINAL RAILWAY COMPANY

519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PENNSYLVANIA 15139

**OHIO TERMINAL RAILWAY COMPANY TARIFF OHIO 8100**

4<sup>TH</sup> REVISED PAGE 1

**CHECK SHEET – SWITCHING SERVICES TARIFF**

Original Pages and Revised Pages named below contain all changes from the Original Tariff. The effective date is as shown on each revised page.

<u>PAGE REVISION</u>	<u>PAGE REVISION</u>	<u>PAGE REVISION</u>
1 4 <sup>TH</sup> REVISED	19 ORIGINAL	40 ORIGINAL
2 ORIGINAL	20 2 <sup>ND</sup> REVISED	41 ORIGINAL
3 2 <sup>ND</sup> REVISED	21 2 <sup>ND</sup> REVISED	42 1 <sup>ST</sup> REVISED
4 1 <sup>ST</sup> REVISED	22 2 <sup>ND</sup> REVISED	43 1 <sup>ST</sup> REVISED
5 ORIGINAL	23 2 <sup>ND</sup> REVISED	44 1 <sup>ST</sup> REVISED
6 ORIGINAL	24 ORIGINAL	45 1 <sup>ST</sup> REVISED
7 ORIGINAL	25 1 <sup>ST</sup> REVISED	46 1 <sup>ST</sup> REVISED
8 ORIGINAL	26 1 <sup>ST</sup> REVISED	47 ORIGINAL
9 ORIGINAL	27 1 <sup>ST</sup> REVISED	48 1 <sup>ST</sup> REVISED
10 ORIGINAL	28 ORIGINAL	49 1 <sup>ST</sup> REVISED
11 ORIGINAL	29 1 <sup>ST</sup> REVISED	50 ORIGINAL
12 ORIGINAL	30 1 <sup>ST</sup> REVISED	51 ORIGINAL
13 ORIGINAL	31 ORIGINAL	52 ORIGINAL
14 ORIGINAL	32 ORIGINAL	53 ORIGINAL
15 ORIGINAL	33 ORIGINAL	54 ORIGINAL
16 ORIGINAL	34 ORIGINAL	55 ORIGINAL
17 ORIGINAL	35 ORIGINAL	56 ORIGINAL
17B ORIGINAL	36 1 <sup>ST</sup> REVISED	57 ORIGINAL
17C ORIGINAL	37 ORIGINAL	58 ORIGINAL
17D ORIGINAL	38 ORIGINAL	59 ORIGINAL
18 ORIGINAL	39 ORIGINAL	

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OHIO TERMINAL RAILWAY COMPANY TARIFF OHIO 8100

1<sup>ST</sup> REVISED PAGE 2

**PLAN OF TARIFF**

SECTION \_\_\_\_\_ ITEM \_\_\_\_\_

**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

<u>APPLICATION</u>	<u>1000</u>
<u>GOVERNING CLASSIFICATION</u>	<u>1010</u>
<u>STATION LISTS AND CONDITIONS</u>	<u>1020</u>
<u>EXPLOSIVES, DANGEROUS ARTICLES</u>	<u>1030</u>
<u>REFERENCE TO TARIFFS, ITEMS, NOTES, RULES</u>	<u>1040</u>
<u>TERMINAL OR TRANSIT PRIVILEGES</u>	<u>1050</u>
<u>CONSECUTIVE NUMBERS</u>	<u>1060</u>
<u>CAPACITIES AND DIMENSIONS OF CARS</u>	<u>1070</u>
<u>NATIONAL SERVICE ORDERS</u>	<u>1080</u>
<u>REVISION NUMBERS</u>	<u>1090</u>
<u>CAR DEMURRAGE RULES AND REGULATIONS</u>	<u>1100</u>
<u>DEFINITION OF HOLIDAYS</u>	<u>1110</u>
<u>DEFINITION OF TERMS</u>	<u>1120</u>
<u>HANDLING OF LOADED AND EMPTY CARS</u>	<u>1130</u>
<u>HANDLING CARS OF RAILROAD COMPANY MATERIAL</u>	<u>1140</u>
<u>CAR DIVERSIONS OR RECONSIGNMENTS</u>	<u>1150</u>
<u>CARS BILLED ORDER NOTIFY WILL NOT BE HANDLED</u>	<u>1160</u>
<u>SHIPMENTS REQUIRING TWO OR MORE CARS</u>	<u>1170</u>
<u>RAILWAY EQUIPMENT MOVING ON OWN WHEELS</u>	<u>1180</u>
<u>SWITCHING SERVICE WHERE NO CHARGE IS PROVIDED</u>	<u>1190</u>
<u>NON-APPLICATION OF ABSORPTION OF CHARGES</u>	<u>1200</u>
<u>PRIVATE SIDETRACKS</u>	<u>1210</u>
<u>EXTENSION OF CREDIT AND PAYMENT OF CHARGES</u>	<u>1220</u>
<u>LOSS OF AND DAMAGE TO SHIPMENTS</u>	<u>1230</u>

**2. SWITCHING LIMITS**

<u>APPLICATION OF SWITCHING LIMITS</u>	<u>2000</u>
<u>CLARINGTON, OH</u>	<u>2010</u>
<u>OMAL, OH</u>	<u>2020</u>

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OHIO TERMINAL RAILWAY COMPANY TARIFF OHIO 8100

1<sup>st</sup> REVISED PAGE 3

**PLAN OF TARIFF**

SECTION \_\_\_\_\_ ITEM \_\_\_\_\_

**3. LINE HAUL SWITCHING**

<u>APPLICATION OF LINE-HAUL SWITCHING</u>	<u>3000</u>
<u>GENERAL</u>	<u>3010</u>
<u>CHEMICALS AND PETROLEUM PRODUCTS</u>	<u>3020</u>
<u>HAZARDOUS COMMODITIES</u>	<u>3030</u>
<u>HEAVY CAPACITY AND SPECIAL TYPE CARS</u>	<u>3050</u>
<u>OMAL, OH - OHIO STORAGE IN TRANSIT</u>	<u>3060</u>
<u>CLARINGTON, OH - SAND</u>	<u>3070</u>

**4. INTERMEDIATE SWITCHING**

<u>NON-APPLICATION OF INTERMEDIATE SWITCHING</u>	<u>4000</u>
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**5. INDUSTRIAL SWITCHING**

<u>APPLICATION OF INDUSTRIAL SWITCHING</u>	<u>5000</u>
<u>INTRA-PLANT SWITCHING</u>	<u>5010</u>
<u>INTRA-TERMINAL SWITCHING</u>	<u>5020</u>
<u>LIMITATION OF EQUIPMENT</u>	<u>5040</u>
<u>HAZARDOUS COMMODITIES</u>	<u>5050</u>
<u>CARS WITH MORE THAN FOUR AXLES</u>	<u>5060</u>
<u>PREPAYMENT OF INTER-TERMINAL FREIGHT CHARGES</u>	<u>5070</u>

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OHIO TERMINAL RAILWAY COMPANY TARIFF OHIO 8100

1<sup>st</sup> REVISED PAGE 4

**PLAN OF TARIFF**

SECTION \_\_\_\_\_ ITEM \_\_\_\_\_

**6. RECIPROCAL SWITCHING**

NON-APPLICATION OF RECIPROCAL SWITCHING 6000

**7. MISCELLANEOUS SWITCHING**

EXCESSIVE CARS HELD FOR LOADING OR UNLOADING 7000  
LATE SURRENDER OF FORWARDING INSTRUCTIONS 7010  
TURNING OF CARS 7020  
CARS RETURNED ACCOUNT SHIPPER ERROR 7030  
CARS RETURNED ACCOUNT INTERCHANGE ERROR 7040  
EMPTY CARS RETURNED ACCOUNT UNFIT FOR LOADING 7050  
FREIGHT TRAIN SERVICE OUTSIDE OF NORMAL HOURS 7060  
SPECIAL TRAIN SERVICE 7070

**8. DEMURRAGE**

APPLICATION 8000  
GLOSSARY OF TERMS 8010  
NOTIFICATION TO CONSIGNOR OR CONSIGNEE 8020  
NOTIFICATION TO OHIO 8030  
CARS HELD FOR LOADING 8040  
CARS HELD FOR UNLOADING 8050  
CARS HELD FOR OTHER THAN LOADING OR UNLOADING 8060  
DEMURRAGE PLAN 8070  
DEMURRAGE CALCULATION 8080  
DEMURRAGE CLAIMS 8090

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OHIO TERMINAL RAILWAY COMPANY TARIFF OHIO 8100

ORIGINAL PAGE 5

**PLAN OF TARIFF**

SECTION \_\_\_\_\_ ITEM

**9. STORAGE**

<u>APPLICATION</u>	<u>9000</u>
<u>DEFINITION OF TERMS</u>	<u>9010</u>
<u>PRIVATE CARS HELD FOR STORAGE ON OHIO TRACKS</u>	<u>9020</u>
<u>STORAGE PLAN</u>	<u>9030</u>

**10. MISCELLANEOUS PROVISIONS**

<u>RULES GOVERNING RECEIPT AND DELIVERY OF CARS</u>	<u>10000</u>
<u>CHARGE FOR DELAY OF OHIO LOCOMOTIVE</u>	<u>10010</u>
<u>CHARGE FOR WEIGHING OR REWEIGHING OF CARS</u>	<u>10020</u>
<u>CHARGES FOR DIVERSION OF CARS</u>	<u>10030</u>
<u>CHARGES FOR OVERLOADED CARS</u>	<u>10040</u>
<u>CHARGES FOR CARS ORDERED NOT USED</u>	<u>10050</u>
<u>CHARGE FOR PRIVATE CARS TO REPAIR FACILITIES</u>	<u>10060</u>
<u>HAZARDOUS PROHIBITED ON PUBLIC DELIVERY TRACKS</u>	<u>10080</u>
<u>MAINTENANCE OF INDUSTRIAL SWITCH CONNECTION</u>	<u>10090</u>
<u>BILLS OF LADING INACCURACIES</u>	<u>10100</u>
<u>CAR DEMURRAGE AND STORAGE SECURITY</u>	<u>10110</u>

**11. ABBREVIATIONS AND REFERENCE MARKS**

<u>ABBREVIATIONS</u>	<u>11000</u>
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## 1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS

### **ITEM 1000. APPLICATION OF TARIFF**

This Tariff publication is filed with the Surface Transportation Board and is applicable on Interstate Traffic and Intrastate Traffic in the State of Ohio.

### **ITEM 1010. GOVERNING CLASSIFICATION**

The term "Uniform Freight Classification" when used herein means:

Freight Tariff Uniform Freight Classification (UFC) 6000 - series.

### **ITEM 1020. STATION LISTS AND CONDITIONS**

This tariff is governed by OPSL 6000 - series to the extent shown below:

1. For additions, changes in name or location, or abandonments of stations, for prepay requirements, restrictions as to receipt or delivery of freight, and changes in station facilities.
2. When a station is abandoned as of a date specified in the above named tariff, all rules and charges applicable thereto, as published in this tariff, are inapplicable on and after that date.

For explanation of abbreviations and reference marks see last page of tariff.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

**ITEM 1030. EXPLOSIVES, DANGEROUS ARTICLES**

1. For rules and regulations governing the transportation of explosives and other dangerous articles, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles see BOE 6000 - series.

**ITEM 1040. REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.**

1. Where reference is made in this tariff to tariffs, price authorities, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such price authorities and reissues of such items, notes, rules, etc.

**ITEM 1050. TERMINAL OR TRANSIT PRIVILEGES**

1. 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.
2. When such charges, allowances, rules or regulations are provided for in separate price authorities, corresponding or conflicting provisions contained in this tariff will not apply.

For explanation of abbreviations and reference marks see last page of tariff.

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## 1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS

### **ITEM 1060. CONSECUTIVE NUMBERS**

1. 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.
2. 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.

### **ITEM 1070. CAPACITIES AND DIMENSIONS OF CARS**

1. For marked capacities, lengths, dimensions and cubical capacities of cars, see Official Railway Equipment Register (RER) 6413 - series.

### **ITEM 1080. NATIONAL SERVICE ORDERS**

1. This tariff is subject to provisions of Tariff NSO 6100 - series.

### **ITEM 1090. REVISION NUMBERS**

1. This tariff will be amended by reprinting the page and showing an ORIGINAL number. The ORIGINAL page numbers will be used in consecutive numerical order beginning with "1<sup>ST</sup> REVISED PAGE". A REVISED page cancels any un-cancelled ORIGINAL or original pages that bear the same page number.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

**ITEM 1100. CAR DEMURRAGE RULES AND REGULATIONS**

1. Except where otherwise provided, all cars handled under the provisions of this tariff will be subject to demurrage and storage rules and charges as provided in Sections 8 and 9, herein.

**ITEM 1110. DEFINITION OF HOLIDAYS**

1. The term "Holidays" means:

New Years Day	January 1 <sup>st</sup> (Note 1)
Presidents Day	3 <sup>rd</sup> Monday of March
Memorial Day	Last Monday of May
Independence Day	July 4 <sup>th</sup> (Note 1)
Labor Day	1 <sup>st</sup> Monday of September
Thanksgiving Day	4 <sup>th</sup> Thursday of November
Christmas Day	December 25 <sup>th</sup> (Note 1)

Note 1 - When one of the Holidays occurs on a Sunday, the following Monday will be observed as the Holiday.

For explanation of abbreviations and reference marks see last page of tariff.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

**ITEM 1120. DEFINITION OF TERMS**

**CONSTRUCTIVE PLACEMENT**

When, due to some disability on the part of the consignor or consignee, a car cannot be placed for loading or unloading at a point previously designated by the consignor or consignee, and is placed elsewhere, 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.

**HOLD TRACK SWITCHING**

A switching movement of a shipment to OHIO owned tracks following performance of the initial switching service from connecting carrier, industrial track or public delivery track, for holding to await forwarding directions.

**INDUSTRIAL TRACKS**

Tracks serving a particular industry whether located upon the property of OHIO or upon property owned or leased by the industry.

**INTERCHANGE TRACKS**

Interchange tracks are tracks on which cars are interchanged between OHIO and connecting lines.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

INTERMEDIATE SWITCHING

A switching movement between the interchange tracks of one carrier to the interchange tracks of another carrier within the switching limits of the same station.

INTERSTATE TRAFFIC

Traffic moving from a point in one state to a point in another state, or a shipment moving from a point in a state to another point in the same state but moving outside the state while in transit.

INTRASTATE TRAFFIC

Traffic moving from a point in a state to another point in the same state, which does not move outside of the state while in transit.

(Continued on the following page)

For explanation of abbreviations and reference marks see last page of tariff.

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## 1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS

### INTRA-PLANT SWITCHING

A switching movement from one track to another or between two locations on the same track within the confines of the same (single) plant or industry.

### INTRA-TERMINAL SWITCHING

A switching movement originating at and destined to points located on the tracks of OHIO within the switching limits of one station or industrial switching district.

### LINE-HAUL SWITCHING

A switching movement between interchange tracks of connecting lines and stations on OHIO or between stations on OHIO that are not located within the switching limits of the same station.

### RECIPROCAL SWITCHING

An arrangement between carriers serving the same station or industrial switching district where the carrier physically serving the industry performs switching service for loading or unloading on behalf of the other carrier on shipments having an immediately preceding or following line-haul movement via the other carrier.

### PUBLIC DELIVERY TRACK

A track or tracks assigned by OHIO for use of the general public. All public delivery tracks are closed to reciprocal switching.

For explanation of abbreviations and reference marks see last page of tariff.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

**ITEM 1130. HANDLING OF LOADED AND EMPTY CARS**

1. Except as otherwise provided, the charges published in this tariff include the switching of a loaded car for unloading and the return of the same car empty.
2. Except as otherwise provided, the charges published in this tariff include the switching of an empty car for loading and the return of the same car loaded.
3. Except as otherwise provided, if a car moves fully or partially loaded in each direction, a switching charge will be assessed in each direction.
4. Except as otherwise provided, if an empty car is ordered and the service of placing or constructively placing it has been performed, and the car is subsequently released back to OHIO without being loaded, a car ordered but not used switching charge, in addition to applicable demurrage charges, will be assessed against the party ordering but not using the car. (See Exceptions)

**EXCEPTIONS**

1. The car ordered but not used charge will not apply if release of the empty car results from OHIO's failure or inability to place or constructively place the car ordered on the day for which it was ordered.
2. The car ordered but not used charge will not apply if release of the empty car results from the shipper or OHIO appropriating a car, which becomes available locally, to fill the car order.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

3. The charge will not apply when a car is refused or rejected by the party ordering the car because the car is not in proper condition for loading; was not of the proper type ordered; or the loading of which would be in violation of car service orders or loading rules.
4. The charge will not apply on special type flat cars with mechanical designation "FD", "FG", "FW" or "FM" listed in RPS 6740 - series, or other applicable tariffs, for which charges are provided therein.

**ITEM 1140. HANDLING CARS OF RAILROAD COMPANY MATERIAL**

1. Railroad company material moving via owner line on non-revenue billing between industrial or public delivery tracks served by OHIO and interchange tracks with owner line will be assessed an intra-terminal switching charge.

**ITEM 1150. CAR DIVERSIONS OR RECONSIGNMENTS**

1. Except as otherwise provided, when a car is received from a connecting carrier and is held for diversion or reconsignment on the tracks of OHIO, and which is diverted or reconsigned via a connecting carrier, a line-haul switching charge will be assessed, in each direction.
2. When a car is received from a connecting carrier and is placed for delivery to a consignee, and which is later reconsigned, a line-haul switching charge will be assessed for the return movement of the car, provided specific switching charge is not already in effect.

For explanation of abbreviations and reference marks see last page of tariff.

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## **1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

### **ITEM 1160. CARS BILLED ORDER NOTIFY WILL NOT BE HANDLED**

1. Cars will not be accepted for handling in switching service under the provisions of this tariff if billed "Order Notify" or if moving under straight bills of lading, which require the surrender of the bill of lading, a written order, or other document before making delivery.

### **ITEM 1170. SHIPMENTS REQUIRING TWO OR MORE CARS**

1. Except as otherwise provided, when shipments are loaded in articulated cars (two or more units permanently or temporarily joined together), or when shipments require two or more cars for transportation, switching charges will be assessed for each car.

### **ITEM 1180. RAILWAY EQUIPMENT MOVING ON OWN WHEELS**

1. When an empty locomotive, passenger car, freight car or other railroad equipment moving on own wheels in revenue service is switched by OHIO, a charge will be assessed the same as a loaded car.
2. When a locomotive or a passenger car moving on own wheels, but not under own power is switched by OHIO in line-haul, intermediate or industrial switching, a special charge of \$150 will be assessed. This charge is in addition to all other switching charges.

For explanation of abbreviations and reference marks see last page of tariff.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

**ITEM 1190. SWITCHING SERVICE WHERE NO CHARGE IS PROVIDED**

1. Where no switching charge is provided in this tariff, switching service will not be performed.

**ITEM 1200. NON-APPLICATION OF ABSORPTION OF CHARGES**

1. OHIO is a switching terminal railroad carrier and as such will not absorb any charges assessed by connecting railroad carriers.
2. For absorption of OHIO switching charges by connecting railroad carriers, see NS 8001 - series.

**ITEM 1210. PRIVATE SIDETRACKS**

1. This tariff does not grant the use of private sidetracks to other than the owners, or to those to whom the privilege of use is granted by the owners.

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**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

**ITEM 1220. EXTENSION OF CREDIT AND PAYMENT OF CHARGES**

1. To establish credit with OHIO contact:

Manager Customer Service  
OHIO TERMINAL RAILWAY COMPANY  
519 Cedar Way, Building 1, Suite 100  
Oakmont, PA 15139

Telephone: (412) 426-2800

2. If the party responsible for switching service charges as published in Tariff OHIO 8100 has not established credit with OHIO, or has had its credit cancelled by OHIO, party will be assessed Liquidated Damages Interest (Notes 1 and 2), in addition to switching services charges, for charges not paid within fifteen (15) days of the date of the Bill for the switching services charges.

**EXPLANATION OF NOTES**

Note 1 - Liquidated Damages Interest means 20% of the charges due.

Note 2 - Liquidated Damages Interest will not apply in instances of clear clerical error on the part of OHIO.

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## 1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS

### ITEM 1230. LOSS OF AND DAMAGE TO SHIPMENTS

1. Unless modified in a transportation contract or a general or customer specific rate quotation, OHIO will assume liability for loss and damage under the terms of 49 USC 11706 and the terms of the Uniform Bill of Lading. Where provisions maintained by other railroad parties to the through route differ from those provided herein, the level of liability assumed by the origin carrier will apply; provided, however, that such level of liability shall not exceed \$25,000.
2. As a condition precedent to any right to recovery for loss, damage, or delay to cargo, a written claim must be filed within nine (9) months after delivery of a shipment (or if delivery is not made, within nine (9) months after a reasonable time for delivery) with the immediately preceding or subsequent linehaul carrier to or from OHIO.
3. OHIO does not guarantee delivery by a particular train or within a particular time and does not guarantee rail service on any schedules of any kind, whether published, projected or implied. OHIO shall have no liability for failure to transport any shipment by any particular train or in time for any particular market regardless of whether OHIO knew or should have known of a need or expectation for such transport. Furthermore, OHIO does not guarantee the providing of empty railcars in accordance with any schedule regardless of whether OHIO knew or should have known of the need for such empty railcars. Unless otherwise expressly agreed to by OHIO and the party with whom OHIO has contracted (the consignor or consignee, as the case may be) in a writing executed by both parties, OHIO will transport property with reasonable dispatch in accordance with the Uniform Bill of Lading.

(Continued on following page)

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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

**1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS**

4. OHIO will not be liable for loss, damage, or delay caused by: an act of God, a public enemy or terrorism, the authority of law, riots, strikes, acts of civil disobedience, an inherent quality or characteristic in the commodity, natural shrinkage, or an act or default of Shipper, consignor, consignee, owner, or any contracting party, including but not limited to, the failure of the Shipper or any other party to properly block or brace the lading; or the stoppage and holding in transit of lading at the request of the shipper, consignor, consignee, owner, or any contracting party.
5. OHIO's liability will not extend beyond the actual physical loss or damage to the cargo itself, including any costs reasonably incurred in efforts to mitigate the loss or damage.
6. In no event shall OHIO be liable for any incidental, special, indirect or consequential damages whatsoever (including but not limited to lost profits, business interruption expenses and shipper or consignee's liability to their own customers for liquidated damages or other damages) arising out of or related to the services provided under Item 1230, even if advised of the possibility of such damages.
7. OHIO does not make any representations as to the suitability of cargo for rail transportation. The Shipper acknowledges also that there are significant forces exerted on the cargo in rail transportation that may require additional packing measures for the cargo to move safely.
8. OHIO will not be liable for damage arising from atmospheric conditions when such damage occurs to lading loaded in open-top or on flatbed rail cars. Protective covering sufficient to protect such lading must be furnished and installed by the Shipper. OHIO will not be liable for the durability and suitability of the protective covering.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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OHIO TERMINAL RAILWAY COMPANY  
519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## OHIO TERMINAL RAILWAY COMPANY TARIFF OHIO 8100

ORIGINAL PAGE 17D

### 1. GENERAL RULES, REGULATIONS AND GOVERNING PROVISIONS

9. Failure of the destination railroad to inspect damaged cargo for any reason will not relieve the claimant from the requirement of establishing that cargo was delivered in a damaged condition and was properly blocked and braced. Failure of the destination railroad to inspect damaged cargo for any reason will not be considered an admission of liability by OHIO.
10. Unless otherwise expressly agreed to by OHIO in writing, with regard to automobiles transported by OHIO the lading shall be considered to be the automobile only and shall not include any loose items or automobile components, including, but not limited to, car mats, antennas, uninstalled radio or speakers, etc. (collectively "Loose Items"). Loose Items placed in an automobile by shipper are transported by OHIO at the sole risk of loss of shipper.

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## 2. SWITCHING LIMITS

### **ITEM 2000. APPLICATION OF SWITCHING LIMITS**

1. Where the switching limits of a station are specifically defined, the limits so defined include all tracks at such station, including tracks that may be within the corporate limits of another city, town, village or municipality.
2. Where the switching limits of a station are not specifically defined, the switching limits of such station include track located within the corporate limits of the same city, town, village or municipality.
3. Movements between locations within the same switching limits will be at the applicable switching charge (Note 1).

#### **EXPLANATION OF NOTES**

Note 1 - Line-haul switching rules and charges will not apply on shipments that originate and terminate within the same switching limits.

### **ITEM 2010. CLARINGTON, OH**

1. Clarington, OH industrial switching limits include the following stations:

Clarington, OH  
Omal, OH

For explanation of abbreviations and reference marks see last page of tariff.

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## 2. SWITCHING LIMITS

### ITEM 2020. OMAL, OH

1. Omal, OH industrial switching limits include the following stations:

Clarington, OH  
Omal, OH

For explanation of abbreviations and reference marks see last page of tariff.

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### 3. LINE-HAUL SWITCHING

#### **ITEM 3000. APPLICATION OF LINE-HAUL SWITCHING**

1. Except as otherwise provided, OHIO will assess a line-haul switching charge against the carrier delivering the car to OHIO, applicable to loaded cars on the switching movement between interchange tracks of connecting lines and stations on OHIO.
2. Except as otherwise provided, OHIO will assess a line-haul switching charge against the shipper shipping the car on OHIO, applicable to loaded cars on the switching movement between origin and destination stations on OHIO that are not located within the switching limits of the same station.

#### **ITEM 3010. GENERAL**

1. Except as otherwise provided, OHIO will assess a general line-haul switching charge of \$617 per car, applicable to loaded cars.

#### **ITEM 3020. CHEMICALS AND PETROLEUM PRODUCTS**

1. Except as otherwise provided, OHIO will assess a line-haul switching charge of \$709 per car, applicable to loaded cars of chemicals (STCC 28) and petroleum products (STCC 29).

For explanation of abbreviations and reference marks see last page of tariff.

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### 3. LINE-HAUL SWITCHING

#### **ITEM 3030. HAZARDOUS COMMODITIES**

1. Except as otherwise provided, OHIO will assess a line-haul switching charge of \$836 per car, applicable to loaded cars of hazardous commodities (STCC 49).

#### **ITEM 3050. HEAVY CAPACITY AND SPECIAL TYPE CARS**

1. OHIO will assess a line-haul switching charge of 15% of the immediately preceding or following line-haul charge of the connecting carrier, applicable to loads on Heavy Capacity and Special Type Cars, as listed in the Official Railway Equipment Register (RER 6413 - series) and to shipments exceeding 11 feet in width (either load or car), 17 feet in height over top of rail (combined load and car), or 286,000 lbs gross weight on rail (Note 1). (See Exception)

#### **EXPLANATION OF NOTE**

Note 1 - OHIO's Vice President Engineering must approve all excess dimension or weight cars prior to movement.

#### **EXCEPTION**

The line-haul switching charge is subject to a minimum charge of \$1300.

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### 3. LINE-HAUL SWITCHING

#### **ITEM 3060. OMAL, OH - OHIO STORAGE IN TRANSIT**

1. OHIO will assess a line-haul switching charge of \$299 per car, applicable to loaded privately owned or leased tank cars or covered hopper cars of chemicals (STCC 28) and petroleum products (STCC 29) on either the movement from interchange tracks of connecting lines to OHIO Storage in Transit or the movement from OHIO Storage in Transit to interchange tracks of connecting lines.
2. OHIO will assess a line-haul switching charge of \$403 per car, applicable to loaded privately owned or leased tank cars or covered hopper cars of hazardous commodities (STCC 49) on either the movement from interchange tracks of connecting lines to OHIO Storage in Transit or the movement from OHIO Storage in Transit to interchange tracks of connecting lines.

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**3. LINE-HAUL SWITCHING**

**ITEM 3070. CLARINGTON, OH - SAND**

1. OHIO will assess a line-haul switching charge of \$576 per car, applicable to loaded cars of sand (STCC 14-413).

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#### 4. INTERMEDIATE SWITCHING

##### **ITEM 4000. NON-APPLICATION OF INTERMEDIATE SWITCHING**

1. Provisions of Intermediate Switching do not apply on OHIO. Line-haul shipments to or from OHIO customers must move in line-haul service.

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## 5. INDUSTRIAL SWITCHING

### **ITEM 5000. APPLICATION OF INDUSTRIAL SWITCHING**

1. Except as otherwise provided, OHIO will assess an intra-plant switching charge per car, applicable to loaded cars, for a switching movement from one track to another or between two locations on the same track within the confines of the same (single) plant or industry.
2. Except as otherwise provided, OHIO will assess an intra-terminal switching charge per car, applicable to loaded cars, for a switching movement originating at and destined to points located on the tracks of OHIO within the switching limits of one station or industrial switching district.

### **ITEM 5010. INTRA-PLANT SWITCHING**

1. Except as otherwise provided, OHIO will assess charge of \$215 per car, applicable to loaded cars, for movements in intra-plant switching.

### **ITEM 5020. INTRA-TERMINAL SWITCHING**

1. Except as otherwise provided, OHIO will assess charge of \$350 per car, applicable to loaded cars, for movements in intra-terminal switching.

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## 5. INDUSTRIAL SWITCHING

### **ITEM 5040. LIMITATION OF EQUIPMENT**

1. OHIO will not furnish cars of any particular size or dimension for use in intra-plant, or intra-terminal switching. Charges for intra-plant, or intra-terminal switching will be restricted to ordinary equipment.

### **ITEM 5050. HAZARDOUS COMMODITIES**

1. When explosives, poison gas, compressed flammable gas, radioactive material or hazardous waste is switched by OHIO in intra-plant, or intra-terminal switching, a special charge of \$140 will be assessed. This charge is in addition to all other switching charges.

### **ITEM 5060. CARS WITH MORE THAN FOUR AXLES**

1. Charges for intra-plant, or intra-terminal switching at points on OHIO are restricted to cars having no more than four axles.
2. When cars with more than four axles are found in intra-plant, or intra-terminal switching at points on OHIO, a special charge of \$275 will be assessed. This charge is in addition to all other switching charges.

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**5. INDUSTRIAL SWITCHING**

**ITEM 5070. PREPAYMENT OF INTRA-TERMINAL FREIGHT CHARGES**

1. Intra-terminal switching movements from or to OHIO will only be accepted by OHIO when switching charges are prepaid.

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**6. RECIPROCAL SWITCHING**

**ITEM 6000. NON-APPLICATION OF RECIPROCAL SWITCHING**

1. Provisions of Reciprocal Switching do not apply on OHIO. Line-haul shipments to or from OHIO customers must move in line-haul service.

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## 7. MISCELLANEOUS SWITCHING

### **ITEM 7000. EXCESSIVE CARS HELD FOR LOADING OR UNLOADING**

1. If the number of cars being held for loading or unloading, railroad or private, on railroad owned or leased tracks exceeds available track capacity or hinders the ability of OHIO to conduct normal switching operations, the excess cars will be moved at the discretion of OHIO to relieve congestion. Such moves will be subject to intra-terminal switching charges to the new storage location. Applicable demurrage and storage charges will continue to apply.

### **ITEM 7010. LATE SURRENDER OF FORWARDING INSTRUCTIONS**

1. Except as otherwise provided, OHIO will assess a switching charge of \$315 per car, applicable to loaded cars, when shipments are moved on shipper's order without forwarding instructions and held on OHIO owned tracks or shipper's leased tracks to await such forwarding instructions.
2. This switching charge will be assessed against the party ordering the shipment moved.
3. Shippers are required to provide OHIO complete forwarding instructions by at least two (2) hours before the last close of business preceding the on-duty time of the service switching the shipper.

(Continued on following page)

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OHIO TERMINAL RAILWAY COMPANY  
519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 7. MISCELLANEOUS SWITCHING

4. If a car is removed from industry or public delivery track on shipper's order without final destination forwarding instructions, and held on OHIO owned tracks or shipper's leased tracks to await forwarding instructions, and such car is then ordered returned to the original industrial or public delivery track, the general intra-terminal or inter-terminal switching charge, as the case may be, will be assessed for the movement of the car in each direction.
5. If a car is held on OHIO owned tracks, the car will remain on continuous demurrage until proper forwarding instructions are received by OHIO's Manager Customer Service.

### **ITEM 7020. TURNING OF CARS**

1. There are no facilities for Turning of Cars on OHIO. Line-haul shipments to or from OHIO customers must be received from connecting carrier in the proper orientation for the cars to be placed for loading or unloading from a particular side or end of car.

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## 7. MISCELLANEOUS SWITCHING

### **ITEM 7030. CARS RETURNED ACCOUNT SHIPPER ERROR**

1. On loaded or partially loaded cars that OHIO is requested by shipper to return to industrial tracks or public delivery tracks, the following charges will apply:
  - (a) If intercepted by OHIO within the industrial tracks or public delivery tracks and returned to the same industrial tracks or public delivery tracks, OHIO will assess the general intra-plant switching charge.
  - (b) If intercepted by OHIO at its serving yard and returned in switching service to the same industrial tracks or public delivery tracks; or if placed on OHIO owned tracks at request of shipper, OHIO will assess the general intra-terminal switching charge.
  - (c) If intercepted by a connecting line and returned by OHIO in switching service to the same industrial tracks or public delivery tracks, OHIO will assess the general intra-terminal switching charge.

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**7. MISCELLANEOUS SWITCHING**

**ITEM 7040. CARS RETURNED ACCOUNT INTERCHANGE ERROR**

1. Except as otherwise provided, if cars delivered to interchange in error are rejected to the delivering carrier, forwarded to the proper carrier, or held, OHIO will assess the delivering carrier the general intra-terminal switching charge.

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## 7. MISCELLANEOUS SWITCHING

### **ITEM 7050. EMPTY CARS RETURNED ACCOUNT UNFIT FOR LOADING**

1. When an empty car is received from a connecting carrier for loading by an industry located on OHIO, and is refused by the industry because the car is not in proper condition to load and must be returned to the connecting carrier, OHIO will assess the delivering carrier the general intra-terminal switching charge.

### **ITEM 7060. FREIGHT TRAIN SERVICE OUTSIDE OF NORMAL HOURS**

1. The provisions of this item are applicable when shipper or consignee requests freight train service that requires engine and crew to perform switching service at other than the normal assigned times when OHIO agrees to perform such service.
2. Except as otherwise provided, OHIO will assess a \$2,500 freight train service charge per each freight train service outside of normal hours when the time consumed is eight (8) consecutive hours or less for the time required to make the movement and return the engine and crew to the starting point, and OHIO will assess a \$385 per hour charge for any time required in excess of eight (8) consecutive hours.
3. This charge is in addition to all other switching charges.
4. Request for this service must be made to OHIO's Vice President & General Manager by noon on the day preceding the day on which the service is to be performed, except request for service on Sunday, which must be made by noon on the prior Friday and except request for service on a holiday, which must be made by noon on the prior day that is not a Saturday or Sunday.

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## 7. MISCELLANEOUS SWITCHING

### ITEM 7070. SPECIAL TRAIN SERVICE

1. The provisions of this item are applicable when special train service is required because of excessive dimensions, excessive weight, high center of gravity or other conditions not permitting normal train operations.
2. Except as otherwise provided, OHIO will assess a \$2,500 special train service charge per each special train service when the time consumed is eight (8) consecutive hours or less for the time required to make the movement and return the engine and crew to the starting point, and OHIO will assess a \$385 per hour charge for any time required in excess of eight (8) consecutive hours.
3. This charge is in addition to all other switching charges.
4. Request for this service must be made to OHIO's Vice President & General Manager by noon on the day preceding the day on which the service is to be performed, except request for service on Sunday, which must be made by noon on the prior Friday and except request for service on a holiday, which must be made by noon on the prior day that is not a Saturday or Sunday.
5. When special train movements include idler cars that are required for any reason, an additional charge of \$210.00 will be assessed for each such idler car.
6. When special train movements include a caboose to accommodate attendants, an additional charge of \$460.00 will be assessed for each such caboose.
7. When special train movements include attendant(s), an additional charge of \$25.00 will be assessed for each such attendant.

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## 8. DEMURRAGE

### ITEM 8000. APPLICATION

1. Applicable at all points on OHIO.
2. The disposition of a car at its point of detention determines the purpose for which the car is held and the rules applicable thereto.
3. All railroad-controlled cars held for or by consignors or consignees for any purpose are subject to demurrage rules and charges in this section. (See Exceptions)

### EXCEPTIONS

1. Cars moving under freight rates requiring application of special demurrage charges.
2. Private cars are not subject to demurrage.
3. Empty railroad equipment moving on own wheels under transportation charges as freight.
4. Empty car rejected as unsuitable for loading.
5. Cars used in the shipment of materials purchased by OHIO ("Company Material").

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## 8. DEMURRAGE

### **ITEM 8010. GLOSSARY OF TERMS**

**ACTUAL PLACEMENT:** When a car is placed in an accessible position for loading or unloading or at a point designated by consignor or consignee.

**OHIO TRACKS:** All tracks which OHIO provides for its own uses and purposes and other tracks located inside of its right-of-way or yards and terminals.

**CLOSED GATE:** When a car cannot be placed on consignee's siding at time of arrival due to siding having a locked gate or standing instructions not to place any cars unless the consignee first contacts OHIO for placement instructions. All cars are constructively placed at time of arrival.

**CONSIGNEE:** The party to whom a shipment is consigned or the party entitled to receive the shipment. For the purposes of this tariff, Consignee included any person who receives railcars from a rail carrier for unloading, as more specifically described in 49 CFR Part 1333.

**CONSIGNOR:** The party in whose name a car is ordered. For purposes of this tariff, Consignor includes any person who receives railcars from a rail carrier for loading, as more specifically described in 49 CFR Part 1333.

**CONSTRUCTIVE PLACEMENT:** When a car cannot be actually placed due to any condition attributable to the consignor or consignee, such car will be held at an available hold point and notice will be provided to the consignor or consignee that the car is held to await disposition instructions. A car placed by OHIO on private tracks serving the consignor or consignee will be considered constructively placed without notice.

**CREDIT DAY:** A non-chargeable day. Credits can only be earned on those cars released from demurrage.

**DEMURRAGE DAY:** A twenty-four hour period, or part thereof, commencing at tender.

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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139



## **8. DEMURRAGE**

**DIVERSION:** An order provided by the consignor instructing that a car is to be delivered to a location other than the one indicated on the original forwarding instructions.

**EMPTY CAR ORDERED AND NOT USED:** An empty car, placed for loading as ordered, and subsequently released without being used in transportation service.

**EMPTY RELEASE INFORMATION:** Advice provided by the consignee to OHIO's Manager Customer Operations, that the car is unloaded and available. This information must include the identity of the consignee, party furnishing information, and the car initial and number.

**FREE DAY:** A non-chargeable storage day.

**FORWARDING INSTRUCTIONS:** Bill of lading or other suitable order containing all of the necessary information to transport the shipment to its final destination. Bill of lading or other suitable order must be given to OHIO via electronic data interchange or facsimile to the Customer Operations Center at (412) 426-8800.

**LEASE TRACK:** OHIO track assigned to a consignee or consignor through a written agreement and treated as private track.

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

**OPEN GATE:** When a consignee does not place any restrictions (physical or otherwise) on OHIO to place cars on their siding upon arrival.

(Continued on following page)

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OHIO TERMINAL RAILWAY COMPANY  
519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## **8. DEMURRAGE**

**ORDER DATE:** The date that the consignor requests the empty car to be furnished for loading.

**PARTIAL UNLOADING:** The partial unloading of a car and furnishing of the proper forwarding or handling instructions.

**PRIVATE CAR:** A car bearing other than railroad reporting marks and that is not railroad-controlled.

**PRIVATE TRACK:** Track assigned for individual use including privately owned or leased track.

**PUBLIC DELIVERY TRACK:** An accessible track that is open to the general public for loading and unloading.

**RAILROAD-CONTROLLED CAR:** A car provided to OHIO directly, by car companies or others, for indiscriminate use by OHIO in serving any of its customers.

**RECONSIGNMENT:** An order provided by consignor to bill a car to other than the original consignee. (An order to turn over the car to another party that does not require any additional movement of the car is not a reconsignment).

**REFUSED LOADED CAR:** When the original loaded car is refused at destination without being unloaded.

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

(Continued on following page)

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## **8. DEMURRAGE**

**RESHIPMENT:** A new document by which the entire original shipment is forwarded in the same car to another destination.

**SERVING YARD:** A classification yard where the local train serving the customer originates.

**SHIPPER ASSIGNED CAR:** A car of any ownership specifically requested and assigned to a shipper for their exclusive use.

**STOPPED IN TRANSIT:** When a car is held in route due to any condition attributable to the consignor, consignee, or owner.

**STORAGE DAY:** a 24-hour period, or part thereof.

**TENDER:** The notification, actual placement or constructive placement, of empty or loaded car to consignor or consignee.

**TIME:** Local time is applicable and is expressed on the basis of the 24-hour clock. For example, 12:01 AM is expressed as 0001 Hours.

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

For explanation of abbreviations and reference marks see last page of tariff.

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## 8. DEMURRAGE

### **ITEM 8020. NOTIFICATION TO CONSIGNOR OR CONSIGNEE**

1. Notification to consignor or consignee will be furnished by OHIO as follows:

#### **CARS FOR PRIVATE TRACKS:**

OHIO will furnish notification of constructive placement as follows:

- (a) Notification of constructive placement if car is held on OHIO tracks due to condition attributable to consignor or consignee.
- (b) Delivery of car upon track of consignee will constitute notification.
- (c) Delivery of car on industrial interchange track of consignee will constitute notification.

#### **CARS FOR PUBLIC DELIVERY TRACKS:**

OHIO will furnish notification of arrival to the party entitled to receive notification when car is actually placed.

#### **CARS STOPPED IN TRANSIT:**

OHIO will furnish notification to the consignor, consignee, or owner responsible for the car being stopped upon arrival of the car at the point of stoppage.

#### **REFUSED LOADED CARS:**

When advised of refusal of car at destination, OHIO will furnish notification to consignor or owner.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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## 8. DEMURRAGE

2. Notification may be given in writing or electronically, and will contain the following information:
  - (a) Car initials and number.
  - (b) If lading transferred en route, the initials and number of the original car.
  - (c) Commodity.

### **ITEM 8030. NOTIFICATION TO OHIO**

1. OHIO will accept forwarding instructions, empty release information or other disposition twenty-four (24) hours a day at the OHIO Customer Operations Center (1-412-426-2800).
2. When electronic or mechanical devices are used to furnish notification to OHIO, the recorded date and time that the instructions are received will govern.

### **ITEM 8040. CARS HELD FOR LOADING**

#### **TENDER:**

- (a) The notification, actual or constructive placement of an empty car placed on order of consignee.
- (b) Car held by OHIO will be constructively placed on order date if car order is not cancelled prior to the order date or, if placement instructions have not been received by OHIO.

(Continued on following page)

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**8. DEMURRAGE**

**RELEASE:**

- (a) Date and time forwarding instructions are received.
- (b) Car placed on the interchange track of a consignor, who performs its own switching, must be returned to the interchange.
- (c) Improperly loaded or overloaded car at origin will not be considered released until the load has been adjusted properly.

**COMPUTATION:**

- (a) Time will be computed from the first 0001 hours after tender until release.
- (b) If the car is placed earlier than the date of the order, time will be computed from the first 0001 hours of the order date until it is released.
- (c) When the same car is unloaded and reloaded, time will be computed from the time advice is received that the car is empty until the car is released.
- (d) When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue on the car until forwarding instructions are received.

**CREDIT:**

One (1) credit will be earned on each car released from loading on which forwarding instructions are received.

For explanation of abbreviations and reference marks see last page of tariff.

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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 8. DEMURRAGE

### ITEM 8050. CARS HELD FOR UNLOADING

#### **TENDER:**

The notification, actual or constructive placement of a loaded car.

#### **RELEASE:**

- (a) Date and time that OHIO receives notification that the car is empty.
- (b) Car placed on track 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 forwarding instructions are received.

#### **COMPUTATION:**

Time will be computed from the first 0001 hours after tender until release.

#### **CREDITS:**

Two (2) credits will be earned on each car released from unloading.

For explanation of abbreviations and reference marks see last page of tariff.

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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 8. DEMURRAGE

### **ITEM 8060. CARS HELD FOR OTHER THAN LOADING OR UNLOADING**

#### **APPLICATION:**

- (a) On orders of the consignor or consignee.
- (b) While awaiting proper disposition from the consignor or consignee.
- (c) As a result of conditions attributable to the consignor or consignee.

#### **DISPOSITION:**

That information, including forwarding instructions or empty release information, which allows OHIO to either tender or release the car from the consignor's or consignee's account.

#### **TENDER:**

The notification, actual or constructive placement of a loaded car.

#### **RELEASE:**

Date and time that OHIO receives advice that the car is released and on which disposition is given on car.

#### **COMPUTATION:**

- (a) On cars held, time will be computed from the first 0001 hours after tender until release.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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OHIO TERMINAL RAILWAY COMPANY  
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## 8. DEMURRAGE

- (b) On refused loaded cars, time will be computed from the first 0001 hours after tender until time of refusal.

### CREDITS:

No (zero) credits will be earned for each car released.

### ITEM 8070. DEMURRAGE PLAN

1. Settlement of charges will be made monthly on all cars released during each calendar month.
2. Credits earned and demurrage days accrued by customers having facilities at separate stations cannot be combined.
3. Credits earned and demurrage days accrued for cars held for unloading or other purposes will be kept separately from cars held for loading.
4. Excess credits earned for one demurrage transaction cannot be used to offset days for another demurrage transaction.
5. Excess credits earned cannot be used to offset demurrage between loading and unloading credits.
6. Excess credits earned in one calendar month cannot be used to offset demurrage days in another calendar month.
7. Unless otherwise advised, in writing, that another party is willing to accept responsibility, consignor at origin or consignee at destination will be responsible for the payment of demurrage charges.

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## 8. DEMURRAGE

### ITEM 8080. DEMURRAGE CALCULATION

1. All days count including Saturdays and Sundays. Seven (7) holidays, as provided in Item 1110, will not be subject to demurrage.
2. Total demurrage days for all railroad-controlled cars released will be added, net of holidays.
3. Total credits for all railroad-controlled cars will be added.
4. If total credits equal or exceed total net demurrage days, demurrage charges will not be assessed.
5. If total net demurrage days exceed the total credits, calculation of charges will be made as follows:
  - (a) Subtract total credits from total net demurrage days to determine chargeable days.
  - (b) The number of chargeable days will be assessed \$90.00 per day.

For explanation of abbreviations and reference marks see last page of tariff.

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## 8. DEMURRAGE

### ITEM 8090. DEMURRAGE CLAIMS

1. In order to be allowed relief as indicated, a claim must be presented to OHIO, in writing, by the last day of the calendar month following the month in which the bill was issued, stating fully the conditions for which relief is claimed.

#### **RAILROAD ERROR:**

If, through railroad error, demurrage charges are assessed demurrage will be adjusted to the amount that would have accrued but for such error. Bunching and run around of cars will not be considered as a railroad error.

#### **MISSED SWITCH:**

An allowance for missed switching will be made on cars held under constructive placement notification when OHIO is unable to place cars in normal switching response to the consignee's or consignor's order.

#### **WEATHER DISRUPTION:**

When because of earthquakes, tornadoes, hurricanes, floods or extreme snowfall, the operations of consignor or consignee are disrupted, the demurrage directly chargeable thereto will be eliminated, provided the disruption exceeds two (2) days duration.

For explanation of abbreviations and reference marks see last page of tariff.

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## 9. STORAGE

### **ITEM 9000. APPLICATION**

1. Applicable at all points on OHIO.
2. Applicable to private cars held on OHIO tracks after notice of tender is given to the consignee and private cars held on OHIO tracks to await forwarding instructions from the consignor (Exceptions).

### **EXCEPTIONS**

1. Not applicable to private cars on private or leased tracks.

### **ITEM 9010. GLOSSARY OF TERMS**

1. The definitions in Item 8010 will apply.

### **ITEM 9020. PRIVATE CARS HELD FOR STORAGE ON OHIO TRACKS**

#### **APPLICATION:**

- (a) On orders of the consignor or consignee.
- (b) While awaiting proper disposition from the consignor or consignee.
- (c) As a result of conditions attributable to the consignor or consignee.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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## 9. STORAGE

### COMPUTATION:

Time will be computed from the first 0001 hours after tender on each car and continue until the car is ordered placed on private tracks or released.

### FREE DAYS:

- (a) Forty-eight (48) free hours will be given on each loaded car held for consignee awaiting placement instructions.
- (b) Ninety-six (96) free hours will be given on each empty car held for consignee awaiting placement instructions.
- (c) No (zero) free time is allowed for consignor for loaded cars held on OHIO tracks to await forwarding instructions.

### ITEM 9030. STORAGE PLAN

1. Charges will be billed on a monthly basis, for all cars released from storage during each calendar month.
2. Charges will be assessed against the consignee at destination on cars awaiting placement instructions or the consignor at origin on cars awaiting forwarding instructions.
3. The number of chargeable days will be assessed at \$50.00 per day (See Exception).

### EXCEPTION

The number of chargeable days will be assessed at \$100.00 per day for loaded private cars containing Class A, B or C Explosives or hazardous materials requiring the use of 4-digit identification number on shipping document or placards, as named in BOE 6000 - series.

For explanation of abbreviations and reference marks see last page of tariff.

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## 10. MISCELLANEOUS PROVISIONS

### ITEM 10000. RULES GOVERNING RECEIPT AND DELIVERY OF CARS

1. Except as otherwise provided, cars of freight moving under carload, multiple carload or unit-train line-haul charges including switching charges or empty cars moving with or without charge will be delivered on and removed from private sidings or industrial tracks near and connecting with OHIO's tracks without any additional charge, provided there are no conditions which make it unsafe for OHIO's locomotives to operate over such tracks, or that prevent OHIO from receiving or delivering cars at its ordinary operating convenience.
2. Except as otherwise provided, such cars will be received and delivered at loading and unloading locations on industrial tracks without additional charge (See Exceptions) when that service can be ordinarily performed in continuous movement at OHIO's ordinary operating convenience (Notes 1, 2 and 3) and provided the locomotives in general use for switching in the vicinity of the industry can safely operate over such industrial tracks.

#### EXCEPTIONS

1. When receipt or delivery of cars cannot be accomplished in continuous movement at OHIO's ordinary operating convenience because of any condition caused by the shipper or consignee and when it appears that the delay will be of a temporary nature, the locomotive will be held and the service completed when conditions permit. Charge for delay of locomotive will apply.
2. When receipt or delivery of cars cannot be accomplished in continuous movement at OHIO's ordinary operating convenience because of any condition caused by the shipper or consignee and, after reasonable period of delay, the condition preventing completion of service has not been removed or eliminated, OHIO may

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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ISSUED BY:  
OHIO TERMINAL RAILWAY COMPANY  
519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 10. MISCELLANEOUS PROVISIONS

at its option, withdraw its locomotive and place any inbound cars on a hold or other available track within or without the industry. Charges for delay of locomotive and subsequent movement of cars will apply.

### EXPLANATION OF NOTES

1. Continuous movement means a movement between OHIO's tracks and the loading or unloading point where cars are received or delivered without any delay or suspension or break in time, or ordinary continuity of movement, due to any condition for which industry is directly responsible.
2. Ordinary operating convenience means that receipt or delivery of cars will be provided by OHIO at the private siding or industrial track at times as follows:
  - (a) When switching locomotives perform services, the time shall be that which is most advantageous to the OHIO in relation to its coordinated and harmonious switching in a particular switching district.
  - (b) When line-haul locomotives perform services, the time shall be train arrival time at the private siding or industrial track.

Ordinarily, the time shall be only one switch per day and only on days when OHIO has regularly scheduled service at the private siding or industrial track, except that OHIO may, at its discretion only, make additional switches when necessitated by volume of traffic or to secure prompt release of equipment or facilities.

3. Except as otherwise provided, the operations performed by OHIO as necessary incidents to the receipt and delivery of cars at the private siding or industrial track, that shall not be deemed to break the "continuous movements", to be in excess of

(Continued on the following page)

For explanation of abbreviations and reference marks see last page of tariff.

ISSUED: MARCH 22, 2013

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ISSUED BY:  
OHIO TERMINAL RAILWAY COMPANY  
519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 10. MISCELLANEOUS PROVISIONS

the “ordinary operating convenience” of OHIO, to be a “condition caused by the shipper or consignee”, nor to be a “condition for which the industry is directly responsible” as those terms are used in these rules, shall be as follows:

- (a) The removal and placement of cars empty, partly loaded, partly unloaded, or loaded when incidental to the placement or removal of other cars.
- (b) Classifying, sorting and lining up cars on industry or OHIO tracks.
- (c) Operations performed in providing a service for which a specific charge applicable to delay of OHIO locomotive is authorized pursuant to published tariff.
- (d) The temporary holding of cars on tracks of industry for instructions from shipper or receiver.

### **ITEM 10010. CHARGES FOR DELAY OF OHIO LOCOMOTIVE**

- 1. For delay to the locomotive when held according to the provisions of Item 10000, OHIO will assess a charge of \$385.00 per hour, or fraction thereof, which charge will be in addition to applicable line-haul and switching charges.
- 2. For subsequent movement by OHIO locomotive of the car or cars from the hold or other track to actual point of delivery, OHIO will assess a charge of \$385.00 per car.

For explanation of abbreviations and reference marks see last page of tariff.

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## 10. MISCELLANEOUS PROVISIONS

### **ITEM 10020. CHARGE FOR WEIGHING OR REWEIGHING OF CARS**

1. When a car is weighed or reweighed, loaded, empty or partially loaded, before or after placement, at request of consignor or consignee, on private scales located at industry, the charge will be: \$50.00 per car.

### **ITEM 10030. CHARGES FOR DIVERSION OF CARS**

#### **DEFINITION:**

A diversion is any order received by OHIO that requires a change in the billing document of a shipment, a change in the freight payer of a shipment, or stopping a car for the purpose of delivery or reforwarding.

#### **APPLICATION:**

1. These provisions are applicable only to cars in OHIO's account as a line-haul switching carrier.
2. Orders for diversions will only be accepted from consignor, consignee, freight payer, or another railroad participating in the line-haul movement.
3. Diversion orders must be requested prior to actual placement of the car by OHIO (Note) or prior to the car being interchanged to a connecting line.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

ISSUED: MARCH 22, 2013

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ISSUED BY:  
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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 10. MISCELLANEOUS PROVISIONS

### CHARGES:

1. When the applicable diversion provisions have been met, OHIO will assess a diversion charge on changes in consignee, destination or route of \$210.00 per car. This will be in addition to all other charges.
2. When a car is ordered held in transit at a location on OHIO, OHIO will assess a holding charge of \$315.00 per car and additional movement of the car will be assessed switching charges.

### EXPLANATION OF NOTE

1. Any orders affecting the movement of the car after actual placement will constitute a new movement, subject to switching or line-haul charges, as may be applicable.

## ITEM 10040. CHARGES FOR OVERLOADED CARS

### DEFINITION:

A car for which either the net weight is in excess of the car's load limit or the gross weight is in excess of the track weight limit at any point along the route of movement is defined as an overloaded car.

### APPLICATION:

OHIO may elect to stop an overloaded car en route and hold it on a track where partial unloading may be accomplished. It will be the responsibility of the consignor or owner of the shipment to partially unload the car at his expense. Removal of the lading must be sufficient to eliminate the overloaded condition.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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OHIO TERMINAL RAILWAY COMPANY  
519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

## 10. MISCELLANEOUS PROVISIONS

### CHARGES:

When an overloaded car is stopped en route and moved to a hold, industrial or public delivery track where partial unloading may be accomplished, OHIO will assess a charge of \$600.00 per car. This charge will be in addition to all other charges and the car will remain in continuous demurrage.

### **ITEM 10050. CHARGE FOR CARS ORDERED NOT USED**

1. When an empty car is placed or constructively placed for loading but is not used in transportation and is released empty, OHIO will assess a charge of \$315.00 per car.

### **ITEM 10060. CHARGE FOR PRIVATE CARS TO REPAIR FACILITIES**

1. Except as otherwise provided, OHIO will assess a charge of \$385.00 per car when privately owned cars, including tank cars, are moved between an OHIO serving yard or interchange track and repair, storage or cleaning facilities. This charge will be billed when the car is delivered to the repair, storage, or cleaning facility.

For explanation of abbreviations and reference marks see last page of tariff.

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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

**10. MISCELLANEOUS PROVISIONS**

**ITEM 10080. HAZARDOUS PROHIBITED ON PUBLIC DELIVERY TRACK**

1. OHIO will not permit hazardous or dangerous commodities to be loaded or unloaded at public delivery tracks. (See Exception)

EXCEPTION

1. This provision does not apply to Road Asphalt (STCC 49-102-60).

**ITEM 10090. MAINTENANCE OF INDUSTRIAL SWITCH CONNECTION**

**DEFINITION:**

An industrial switch connection is a switch located on OHIO and maintained by OHIO for access to private sidings or industrial tracks.

**CHARGE:**

1. The charge for maintaining each industrial switch connection is \$3,500.00 per year (Exceptions). This charge is payable by the owner of the private siding or industrial track served by the industrial switch connection within thirty days of invoice date and for each succeeding year. (See Exception)

EXCEPTION

1. The charge will not apply as to any calendar year in which the private siding or industrial track served by the industrial switch connection originates or terminates twelve or more carloads.

(Continued on following page)

For explanation of abbreviations and reference marks see last page of tariff.

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519 CEDAR WAY, BUILDING 1, SUITE 100, OAKMONT, PA 15139

**10. MISCELLANEOUS PROVISIONS**

2. The charge will not apply if the owner of the private siding or industrial track served by the industrial switch connection requests, before the payable date of the charge, that OHIO removes the industrial switch connection.

**ITEM 10100. BILLS OF LADING INACCURACIES**

1. Nothing in bills of lading shall be construed to obligate OHIO to verify the rates specified on such bills of lading, to notify shippers of inaccuracies in those rates, or to reject bills of lading tendered by shippers and containing inaccurate rates including rates which have application but not via the routing shown on the bill of lading.

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**10. MISCELLANEOUS PROVISIONS**

**ITEM 10110. CAR DEMURRAGE AND STORAGE SECURITY**

1. Whenever OHIO issues a bill or bills for car demurrage or storage charges that remains unpaid after a period of 60 days or more from the date of the bill, OHIO may, on not less than 10 days' notice, require the billed party ("Customer") to provide OHIO with an irrevocable Letter of Credit or enter into another payment security program.
2. Under this program, Customer must make available to OHIO a sum of money or security sufficient to cover charges for car detention demurrage that may reasonably be expected prior to receipt or delivery of cars based on Customer's traffic volume.
3. Refusal or failure of Customer to enter into such a payment security program will result in the issuance of an embargo against acceptance by OHIO of any or all traffic to be handled for Customer's account.

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**11. ABBREVIATIONS AND REFERENCE MARKS**

**ITEM 11000. ABBREVIATIONS**

**ABBREVIATIONS    EXPLANATION**

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AAR	Association of American Railroads
BLK	Applies in Bulk
BOE	Bureau of Explosives
CHC	Applies in Covered Hopper Cars
CL	Applies in Carloads
CO	Company
Jct	Junction
NS	Norfolk Southern Corporation
OPSL	Official List of Open and Prepay Stations
PVT	Applies in Private Cars
RER	Official Railway Equipment Register
RPS	Railroad Publication Services, Agent
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code
TEA	Tariff Executive Association
UFC	Uniform Freight Classification

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