STB LDRR 6001

LOUISIANA & DELTA RAILROAD

DEMURRAGE TARIFF 6001

GENERAL CAR DEMURRAGE RULES AND CHARGES

AND

STORAGE RULES AND CHARGES

APPLYING AT ALL POINTS SERVED BY

LOUISIANA & DELTA RAILROAD

IN THE STATE OF LOUISIANA

(Except where otherwise provided herein)

ISSUED: January 7th, 2011	EFFECTIVE: April 1st, 2011

ISSUED BY: Gerry Gates, President.

13901 Sutton Park Drive South, Suite 175, Jacksonville, FL 32224

LOUISIANA & DELTA RAILROAD

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ITEM	GENERAL APPLICATION OF TARIFF RULES AND REGULATIONS

800

APPLICATION

A. Applicable on carload traffic at all stations.

B. The disposition of a car at its point of detention determines the purpose for which the car is held and the rules applicable thereto.

C. Private cars held on LOUISIANA & DELTA RAILROAD tracks are not subject to demurrage rules and charges while in the possession of LOUISIANA & DELTA RAILROAD.

D. All railroad-owned cars held for or by consignors or consignees are subject to demurrage rules and charges contained in this tariff, EXCEPT the following:

1. Cars for loading or unloading of LOUISIANA & DELTA RAILROAD company material while held on LOUISIANA & DELTA RAILROAD tracks or private sidings connecting therewith.

2. Cars of refused or unclaimed freight to be sold by LOUISIANA & DELTA RAILROAD for the time held beyond legal requirements.

3. Cars assigned to shippers returned empty to point of assignment, to the extent storage rules apply.

4. Cars moving on own wheels under transportation charges as freight.

5. Cars of LOUISIANA & DELTA RAILROAD ownership under lease for storage of commodities while held on lessee's tracks.

6. Cars specially equipped for handling welded rail held for loading such rail.

7. Empty cars ordered and rejected as unsuitable for loading.

LOUISIANA & DELTA RAILROAD.

ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
801	GLOSSARY OF TERMS

For the purpose of applying provisions of this tariff, the following are defined and will govern:

ACTUAL PLACEMENT: The time at which a car is placed in an accessible position for loading or unloading or at a point designated by the consignor or consignee.

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

CONSIGNOR: The party in whose name cars are ordered or the party who furnishes forwarding directions.

CONSTRUCTIVE PLACEMENT: When a car cannot be actually placed because of a condition attributable to the consignor or consignee, such car will be held on available track and notice will be given to the consignor or consignee that the car is held on constructive placement awaiting disposition instructions. Such cars which have been placed on private or other than public delivery tracks including lead tracks serving the consignor or consignee will be considered constructively placed without notice.

DEMURRAGE DAY: A twenty-four (24) hour period, or part thereof, that commences at the first 0700 hours after tender.

DISPOSITION: Information, including forwarding instructions or release, which allows the railroad to either tender or release the car from the consignor's or consignee's account.

DIVERSION: An order from the consignor to deliver car to other than original destination, said order being received before the car is delivered to its original destination.

EMPTY CARS ORDERED AND NOT USED: Empty cars ordered and placed for loading, but not used in transportation service.

EMPTY RELEASE INFORMATION: Advice by consignee given to authorized personnel of this line that car is unloaded and available to this line. Information given must include identity of consignee and party furnishing release information, car initial and number, and date and time of release. Date and time of release cannot be earlier than the date and time advice is given.

LOUISIANA & DELTA RAILROAD.

ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
801	GLOSSARY OF TERMS (Continued)

FORWARDING INSTRUCTIONS: Shipping instructions given to LOUISIANA & DELTA RAILROAD at the point of loading containing all of the necessary information to transport the shipment to the final destination.

INDUSTRIAL TRACK: A track serving a particular industry whether located upon the property of this line or upon property owned or leased by the industry.

INTER-PLANT SWITCHING: A switching movement between plants or units of a single industry located within the switching limits of one station.

INTER-TERMINAL SWITCHING: A switching movement of traffic originating at one point and destined to another point on a different carrier within the switching limits of one station.

INTERLINE TRAFFIC: Shipments of road-haul traffic moving over two or more railroad lines.

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. Applies only on movements which can be completed wholly within the confines of the same siding, plant or industry.

INTRASTATE TRAFFIC: Shipments moving from a point in a state to another point in the same state, which do not move outside of the state while in transit.

INTRA-TERMINAL SWITCHING: A switching movement (other than intra-plant or inter-plant where specifically provided for) of traffic originating at and destined to points located on the tracks of this line within the switching limits of one station.

LEASE TRACK: Any trackage of this line leased to a user through written lease agreement. Lease track will be treated the same as private track under this section.

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

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ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
801	GLOSSARY OF TERMS (Continued)

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

NOTIFICATION: When required, notification will be furnished by fax or electronically to all parties entitled to receive notification.

PARTIAL UNLOADING: The partial unloading of a car and the furnishing of forwarding instructions.

PRIVATE CAR: A car bearing other than LOUISIANA & DELTA RAILROAD reporting marks and which is not a railroad-controlled car.

PRIVATE TRACK: Any trackage which is not owned or leased by the railroad.

RAILROAD-CONTROLLED CAR: A car bearing other than LOUISIANA & DELTA RAILROAD reporting marks provided to the this line directly by the car companies or others for use by this line in serving any of its customers.

RECONSIGNMENT: An order from the consignor to bill a car other than to the original consignee.

REJECTED LOADED CAR: When the original loaded car is rejected at destination without being unloaded.

RELEASE: Date and time that the railroad receives notification that the car is empty or that forwarding instructions are received.

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

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

ROAD-HAUL TRAFFIC: Traffic received from or moved to a point outside of the switching limits of the same station.

STOPPED-IN-TRANSIT: When cars are held en route because of any condition attributable to the consignor, consignee or owner.

TEAM TRACK: A track or tracks assigned by this line for use of the general public.

ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
801	GLOSSARY OF TERMS (Continued) TENDER: The notification, actual or constructive placement, of a railcar. TIME: Local time is applicable, expressed on the basis of the 24-hour clock. Example: 0700 A.M. is expressed as 0001 hours UNLOADING: The complete unloading of a car includes removal of dunnage, pallets, bracing, etc., and advice received from consignee that the car is empty and available to the railroad.
802	NOTIFICATION TO CONSIGNOR OR CONSIGNEE A. The following notifications will be furnished by LOUISIANA & DELTA RAILROAD as indicated: 1. Cars for Other than Team Tracks: a. Notice of constructive placement if cars are held on LOUISIANA & DELTA RAILROAD tracks due to reasons attributable to the consignor or consignee. b. Delivery of car upon tracks of consignee will constitute notification. 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 Team Tracks; Notice will be given to the party entitled to receive notification when car is actually placed. 3. Refused Loaded Car: When a loaded car is refused at destination, LOUISIANA & DELTA RAILROAD will give notice of such refusal to the consignor or owner. B. Notification may be given in writing or electronically and will contain the following: 1. Car initials and number. 2. If lading transferred en route, the initials and number of the original car. 3. Commodity. 4. Date and time.

ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
803	NOTIFICATION TO LOUISIANA & DELTA RAILROAD Railroad customer service personnel are on duty from 24 hours a day seven days a week except holidays to receive forwarding instructions, empty release information, or other disposition of cars. When electronic or mechanical devices are used to furnish notification to the railroad, the recorded date and time that instructions are received will govern charges incurred.
804	CARS HELD FOR LOADING Loading is the complete or partial loading of a car in conformity with AAR loading and clearance rules including the furnishing of forwarding instructions. TENDER: The notification, actual or constructive placement, of a railcar placed on orders of the consignor. RELEASE: A. Date and time forwarding instructions are received. B. Cars placed on interchange tracks of a consignor doing its own switching must be returned to the interchange track for release. C. Cars found to be improperly loaded or overloaded at origin will not be considered released until the load has been adjusted properly. COMPUTATION: A. Time will be computed from the first 0700 after tender until release.

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ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
804	CARS HELD FOR LOADING (Continued) B. If the car is placed prior to the date for which it was ordered, time will be computed from the first 0700 hours after the date for which it was ordered until its release. FREE DAYS: **One (1) free day will be allowed for each car for loading. No additional free days will be allowed for weekends or holidays.**
805	CARS HELD TO COMPLETE UNLOADING Unloading is the complete unloading of a car including dunnage, bracing, etc., and advice from the consignee to the railroad that the car is empty and available to the railroad. TENDER: The notification, actual or constructive placement, of a railcar. RELEASE: A. Date and time that the railroad receives advice that the car is empty. B. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received. COMPUTATION: A. Time will be computed from the first 0700 hours after tender until release. B. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received.

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ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
805	CARS HELD TO COMPLETE UNLOADING (Continued) FREE DAYS: **Two (2) free days will be allowed for each car for unloading.** **No Additional free days will be allowed for weekends or holidays.**
806	CARS HELD FOR OTHER PURPOSES Applicable to cars held: A. On orders of consignor or consignee. B. While awaiting proper disposition from the consignor or consignee. C. As a result of conditions attributable to consignor or consignee. TENDER: The notification, actual or constructive placement, of a railcar. RELEASE: Date and time that railroad receives advice that the car is empty or that forwarding instructions are received. COMPUTATION: Time will be computed from the first 0700 hours when cars are held: A. After tender until cars are: 1. Diverted. 2. Empty cars ordered and not used (other than a rejected car). 3. Partially unloaded. 4. Reconsigned. 5. Reshipped.

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ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
806	CARS HELD FOR OTHER PURPOSES (Continued) B. After cars are received by LOUISIANA & DELTA RAILROAD. until date of disposition on: 1. Cars received from connecting carriers. 2. Loaded private cars returned to railroad tracks. C. After tender until date of refusal on: Refused loaded cars (consignee). D. After tender until date of disposition on: Refused loaded cars (consignor).FREE DAYS: A. Two (2) free days will be allowed for each car released on or which disposition is given. B. Free days will not be allowed for: 1. Empty cars ordered and not used. 2. Cars received from connecting carriers to be held for disposition.
807	DEMURRAGE PLAN AND PRICES A. Settlement of charges will be made on a monthly basis on all cars released during each calendar month. B. Demurrage accrued by customers having facilities at separate stations cannot be combined. C. Demurrage will be calculated separately for the following transactions. 1. Cars held for unloading. 2. Cars held for loading. 3. Cars held for other purposes. D. Unless otherwise advised in writing demurrage charges will be assessed against the consignor at origin or consignee at destination who will be responsible for payment. E. CALCULATION OF CHARGES: **1. After free time has expired for each car, demurrage will be assessed at $60.00 per car per day.** 2. Unused free time of one car cannot be applied against any other car.

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ITEM	GENERAL CAR DEMURRAGE RULES AND CHARGES
809	CLAIMS

In order to be allowed Demurrage relief as indicated, a claim must be presented to LOUISIANA & DELTA RAILROAD in writing no later than 15 days following the month in which the bill was issued, stating fully the conditions for which relief was claimed.

Claims should be sent to the Regional Operations Support Center at the email address listed: Jackcustservice@gwrr.com

Relief will be granted only under the following conditions:

A. Railroad Error:

If through railroad error incorrect demurrage charges are assessed, charges will be adjusted to the amount that would have accrued but for such error.

Runaround and bunching of cars by connecting rail carriers will not be considered as a railroad error.

B. Weather interference:

When because of significant acts of nature the operations of the consignor or consignee are disrupted, the demurrage directly chargeable thereto will be eliminated, provided the disruption exceeds two (2) days in duration. Allowance of relief under this provision is at the discretion of L&D.

C. Third Party Billing

Charges accruing under this tariff are the sole responsibility of the party physically residing at the rail location receiving or shipping the involved railcars. No third party billing will be allowed.

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ITEM	GENERAL CAR STORAGE CHARGES
901	NOTIFICATION TO LOUISIANA & DELTA RAILROAD. Railroad customer service personnel are on duty from 24 hours a day seven days a week except holidays to receive forwarding instructions, empty release information, or other disposition of cars. When electronic or mechanical devices are used to furnish notification to the railroad, the recorded date and time that instructions are received will govern charges incurred.
902	PRIVATE CARS HELD FOR LOADING/UNLOADING A. When empty or loaded private cars are received but cannot be delivered on account of the inability of the consignee, such cars will be held at destination; or if not reasonably accommodated there, at an available hold point. B. Notification will be sent or given the consignee that the cars are so held, and chargeable time will be computed from the first 0700 hours thereafter. **C. The charge for storage will be at the rate of $19.00 per car per day.** **D. The charge for storage of hazardous material, hazardous substances, or hazardous waste will be at the rate of $50.00 per car per day.** E. No free time will be allowed on outbound shipments held for the furnishing of forwarding directions. Storage charges will accrue from the first 0700 hours after receipt and without notification.

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