

Nicholson Terminal & Dock Co. - FMC Tariff No. T-27	Orig/Rev Original	Page TITLE PAGE
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TITLE PAGE

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FMC TARIFF NO. T-27

NAMING

RULES, REGULATIONS AND RATES
GOVERNING

MARINE TERMINAL SERVICES, INCLUDING
DOCKAGE, FREE TIME, WHARF DEMURRAGE, TERMINAL TRANSFER,
EXTRA LABOR, CONTAINERS, TRANSIT STORAGE, USAGE, WHARFAGE
AND GENERAL RULES AND REGULATIONS

NICHOLSON TERMINAL & DOCK CO. IS A MARINE TERMINAL OPERATOR REGISTERED
WITH THE US FEDERAL MARITIME COMMISSION UNDER FMC ORGANIZATION NO. 012621

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS SEE RULE 12

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<p><u>RULE 1: GENERAL RULES & REGULATIONS (SECTION I)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Section I - General Rule & Regulations, see sub-rules</p>		
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RULE 1-010: DEFINITIONS (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

DEFINITIONS:

- a) A PORT TERMINAL FACILITY is one or more structures comprising a terminal unit, and including but not limited to wharves, warehouses, covered and/or open storage space, cold storage plants, grain elevators, and/or bulk cargo loading and/or unloading structures, landings, and receiving stations, used for the transmission, care and convenience of cargo and/or passengers in the interchange of same between land and water carriers or between two water carriers.
- b) "CARRIER" as used herein shall be construed to mean railroad and common carrier, contract and private truck lines, privately owned trucks, barges and freight forwarders.
- c) POINT OF REST is that area on the terminal premises which is assigned for the receipt of inbound cargo from the vessel and from which inbound cargo may be delivered to the consignee: and that area which is assigned for the receipt of outbound cargo from shippers, for vessel loading.
- d) CONTAINERS (used synonymously with CONEX or TRANSPORTER) is a reusable metal container designed for world wide surface movement and security of suitable supplies, materials and equipment which is developed to be handled with normal materials handling equipment.
- e) PRE-PALLETIZED CARGO: Pre-Palletized cargo is a consolidation of units of general cargo secured to a pallet to the satisfaction of the terminal operator. A pallet is a two level platform constructed of wood, metal or other material, of sufficient strength to accommodate the cargo for which it is used, with a least 4 inch bearers between the two levels, and open on at least two sides. The cargo must be loaded in such a manner as to cover the loading surface of the pallet, leveled at the top and squared on all four sides so that the unit forms a smooth block. The pallet must be integral part of the cargo and must remain with the cargo when it is moved either as an export or import shipment. Any palletization performed on the pier or in a vessel does not qualify for the pre-palletized rate. In order to qualify for the pre-palletized rate the minimum weight of the pallet, and cargo shall be 1,000 pounds, and the maximum weight shall be 40,000 pounds. Terminal is not responsible for shortage and/or concealed damage inside built up pallet. DOES NOT APPLY

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RULE 1-010: DEFINITIONS (GENERAL RULES & REGULATIONS) (Continued)

TO MACHINERY.

Bales or bundles, skidded machinery, iron, steel and other unfinished metals, refrigerators, glass, and flower bulbs are not included in this definition. Cargo in excess of 40,000 pounds shall be billed at the heavy lift charges.

- f) PACKAGE shall include pieces, unpackaged freight units and all articles of any description except goods shipped in bulk.
- g) TON when used herein shall mean a Net Ton (NT) of 2,000 pounds unless otherwise specified. When the term "Measurement Ton" is used in this tariff, it shall be held to mean forty (40) cubic feet (40 cu. ft.).
- h) NOIBN shall mean cargo is "Not Otherwise Indicated By Name".
- i) NOS shall mean "Not Otherwise Specified".
- j) HANDLING: The service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of the ship's tackle. Includes the loading or unloading of conveyances used in the handling service.
- k) CHECKING: The service of counting and checking cargo against appropriate documents for the account of the cargo or the vessel, or other person requesting same.
- l) BULK CARGO: As used in this tariff shall be construed as commodities which by nature of their un-segregated mass, are usually handled by shovels, scoops, buckets, forks, magnets, front-end loaders, bulldozers, or mechanical conveyors, and which are loaded or unloaded and carried without wrappers or containers and received and delivered without mark or count, and not subject to any piece count.
- m) DIRECT TRANSFER: A continuous operation between a car or truck and vessel when performed by the vessel's stevedores or any mechanical means without cargo coming to the point of rest in the terminal.
- n) HEAVY LIFT: The service of providing heavy lift cranes and equipment for lifting cargo. See Section VI (Rule 6), Other Terminal Services, for handling charges assessed in connection with this service. Charges for this service as normally performed by the terminal are included in other Sections (Rules).

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RULE 1-020: TERMINAL'S LIABILITY (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

TERMINAL'S LIABILITY:

- a) Subject to the provisions of paragraph (2) below, the Terminal Operator assumes no liability for loss or damage to freight or cargo handled or transshipped through a Terminal, except cargo in storage after the expiration of the free time period, upon which storage charges have been assessed. The responsibility for loss or damage to cargo in storage shall not include loss generally covered by insurance such as fire, heating, frost, freezing, leakage, evaporation, natural shrinkage, wasting or decay, animals, insects, leakage or discharge from fire protection or the elements.
- b) The Terminal Operator shall be liable only for damage resulting from its failure to exercise due and proper care in performing the services and affording the facilities provided for herein. In no case shall the Terminal Operator be liable for the sum in excess of \$500 per package or non-package objects unless the shipper, consignee, trucker, railroad, or other inland carrier, or their representatives, prior to the commencement of such services or use of such facilities, declares a higher value and pays to the Terminal Operator, in addition to the other charges for such services as herein set forth, a premium computed at one percent (1%) of the declared value of each package or non-packaged object and in such event the Terminal Operator shall be liable for the full declared value of each such package or non-packaged object for damage resulting from its failure to exercise due and proper care in performing the services or affording the facilities provided for herein. The word "package" shall include any van, container or other form of cargo unitization.
- c) The Terminal Operator will not be liable for any delay, loss or damage arising from strikes of any persons in their employ or in the service of others nor for any causes arising there from, nor any causes unavoidable or beyond its control. The Terminal Operator accepts no responsibility for damages or accidents occurring when its equipment and/or operators or employees are furnished to perform work for others, except that caused by the Terminal Operator's own negligence.
- d) All persons to whom berths, wharves, transit sheds, mechanical equipment or other facilities have been assigned shall be responsible and liable to the Terminal Operator's for any damage occurring to such property

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RULE 1-020: TERMINAL'S LIABILITY (GENERAL RULES & REGULATIONS) (Continued)

during their tenancy, occupation and/or use without regard to whom shall cause the damage, except that caused by the Terminal Operator's own negligence.

- e) In any event, the Terminal Operator shall be discharged from any loss or damage to the goods or any claim of whatsoever kind, nature, or description with respect to or in connection with the goods unless suit is brought against the Terminal Operator within one year after delivery of the goods or the date when the goods should have been delivered. Suit shall not be considered "brought" for the purposes of this Rule unless process shall have been actually served and/or jurisdiction obtained over the Terminal Operator within the specified one year period.
- f) Handling and storage of Iron or Steel is based on uncovered storage. The Terminal will not be liable for any damage caused by cargo being shored in unprotected areas, i.e., rusting, pitting, etc. nor the damage resulting from exposure to the elements during the handling process. Items requiring covered protection must be arranged for and agreed to by the Terminal Manager prior to arrival of cargo at the Terminal. Further, used automobiles and similar vehicles shall be received and handled on an "as is" basis with no liability for damage attaching to the Terminal except in cases of proven negligence.
- g) Terminal Operator will not be responsible for errors in the manifest or other documents delivered to the Terminal.
- h) Dangerous and hazardous cargo must be properly marked, labeled, and identified, in accordance with D.O.T. requirements.

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RULE 1-030: APPLICATION OF RATES (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

APPLICATION OF RATES:

- a) Rates contained herein are applicable to the services of loading or unloading cargo carried by or consigned for carriage by common privately owned carriers by water in foreign commerce and commerce to and from territories and possessions of the United State onto and from carriers at the pier, wharf, dock, or waterfront terminal of participating terminals party to this tariff. The Terminal shall be the judge of the interpretation of the tariff.
- b) Not applicable to Canadian or Interlake traffic.

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RULE 1-040: OVERTIME CHARGES (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) The rates provided herein are for work performed during the normal working hours on Monday through Friday, inclusive: all holidays specified in the Terminal Operator's collective bargaining agreement being excepted.
- b) Overtime work, i.e., work performed outside of normal working hours specifically set forth in the immediately preceding paragraph, unless special arrangements have been negotiated with the Terminal. If such work is performed for the convenience of the carrier, shipper, or consignee, overtime will be charged at extra labor rates on a time and a half basis Monday through Saturday. Sundays will be charged for at double time. Refer to Terminal's Extra Services Rates provided herein.

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RULE 1-050: COLLECTION FOR SERVICES RENDERED (GENERAL RULES & REGULATION

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) Except as otherwise stated herein charges are for the account of the goods and payment must be assured prior to release of the goods through any one of the following methods deemed satisfactory to the Terminal Operator, and collection can be arranged as follows:
- 1) Charges to be paid at time of delivery.
 - 2) Charged to the account of the broker, forwarder, vessel agent, operator or charterer.
 - 3) Charges advanced by the inland carrier picking up or delivering the cargo at the Terminal.
 - 4) Charged to the account of the consignee or shipper, when prior credit arrangements have been made with the Terminal.
 - 5) Any request by one company to re-invoice another company, a re-billing charge of \$50.00 per invoice.
- b) All charges for any services rendered by the Terminal Operator for which credit is granted shall be due and payable within seven days from the date of billing.
- c) The Terminal reserves the right to withhold the delivery of goods, until all accrued terminal charges and advances against said cargo have been paid in full, or acceptable guarantee of payment has been arranged.
- d) Terminal Operator is required by law to bill all services strictly in accordance with terms and conditions herein, and no rate or charge shall be directly or indirectly refunded or remitted in whole in any part, in any manner or by any devices.
- e) When the "Contract of Affreightment" establishes the responsibility between the parties thereto for the payment of the charges for transfer services with this tariff; such charges shall be borne by whomever shall be liable under the "Contract of Affreightment:", but the full amount of such charges shall be billed to and must be paid by the party to whom cargo is originally consigned on ocean carrier's bill of lading, or in the charter party, and/or shown on U.S. Customs entry; otherwise, the vessel, its owners, and/or operators will be liable for payment of such charges. Allocation or adjustment of these charges between vessel and the cargo (Vendor, original consignee or owner of cargo, or any subsequent owner by sale or transfer of ownership) shall

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RULE 1-050: COLLECTION FOR SERVICES RENDERED (GENERAL RULES & REGULATION (Continued))

be made solely by the parties to the contract of affreightment, in accordance with the terms of such contract. These provisions control application of paragraph (b).

- i. Terms of Sale: Any understanding between a vendor, his agent, or an import export broker, or purchaser as to assumption of terminal transfer charges for a consignee is a matter for settlement between the parties to such sales contract. In no case will such terms of sale be a basis for person taking delivery of cargo refusing to pay applicable terminal charges.
- ii. Vendors, Export-Import Brokers or their agents desiring to pay Terminal charges may arrange to have such charges billed to them providing the Terminal is furnished advance notice in writing, with adequate guarantee for payment of the charge satisfactory to the Terminal Operator under the provisions of paragraph (b).

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RULE 1-060: LOADING AND UNLOADING OF UNITIZED OR SKIDDED CARGO (GENERAL)

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Unitized or Skidded Cargo is cargo which is unitized or skidded in such a manner that it may be loaded into or unloaded from the inland carrier's equipment by the insertion of the Terminal Operator's fork lift truck blades into the pallet or skid without necessity of handling cargo prior to such insertion. If cargo cannot be handled in such manner, then the full loading or unloading rates shall be applicable.

To qualify as unitized or skidded cargo, individual unit must weigh minimum of 1,000 pounds, maximum of 40,000 pounds. (Excluding Steel Products)

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RULE 1-070: INSURANCE (GENERAL RULES & REGULATIONS)

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- a) All rates quoted include Workmen's Compensation and Liability Insurance, Michigan Unemployment Tax and Social Security Tax. Terminal Operator has complied with the Federal Longshoremen and Harbor Workers Compensation Act.
- b) Terminal Operator carries Property Damage Insurance covering liability for damage to property arising out of Terminal Operator's negligence and Public Liability Insurance in respect to injuries arising from terminal operations.

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RULE 1-080: CLAIMS (GENERAL RULES & REGULATIONS)

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- a) No claims for loss or damage to cargo shall be recognized and the Terminal Operator shall not be liable unless written notation of such loss or damage is made on the delivery receipt form by the receiver of the goods; claims or notice of claim must be filled with the Terminal Operator within ten (10) days of the date of delivery.
- b) Terminal Operator will not be liable for damage in the loading or unloading of cargo not packed to meet export packaging standards, nor for concealed damage, and all receipts issued are subject to these provisions. Perishable merchandise or other merchandise susceptible to damage through temperature changes or other causes incidental to general storage will be accepted only at Owners risk for such damage as might result from general storage.
- c) Services performed in effecting vessel loading, unloading and/or transfer of cargo are performed by the Terminal as an agent of the Steamship Company, and/or Operator, and/or owners, and/or charterers. All claims must be filed direct with the Steamship Company. The Terminal has no direct liability to any shipper or consignee on any cargo for loss or damage.

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RULE 1-090: FREIGHT CHARGES (GENERAL RULES & REGULATIONS)

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The Terminal Operator shall not be liable for Freight charges on shipments moving via its facility. Freight charges will not be prepaid by the Terminal Operator for the customer's account, nor will collect freight shipments is accepted, unless prior credit arrangements have been made.

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RULE 1-100: DAMAGE TO TERMINAL OPERATOR'S EQUIPMENT OR FACILITIES

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Any damage to shed, warehouses or other structures or equipment must be reported in writing to the Terminal Operator with full details of damage. It is the responsibility of the party liable to pay the cost of repairs for such damage. The Terminal Operator must be reimbursed for the total cost of restoration or replacement in the event damage is beyond repair.

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RULE 1-110: OBNOXIOUS AND DANGEROUS CARGO (GENERAL RULES & REGULATIONS)

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Rates quoted do not cover such items as ammunition and explosives. Any dangerous obnoxious, damaged or hazardous commodities will be handled only under special arrangements and at the sole peril and risk of the owners of the cargo, or their agent, and upon indemnity arrangements satisfactory to the Terminal. Where cargo described in this paragraph causes distress conditions, work shall be performed only under special arrangements agreed to prior to the start of work. Cargo, described herein, cannot be accepted for storage and must be disposed of promptly, unless Terminal accepts same under separate arrangements.

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RULE 1-120: CONSENT TO TERMS OF TARIFF (GENERAL RULES & REGULATIONS)

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The use of the Terminal facilities under the jurisdiction of the Terminal Operator shall constitute consent to all the terms and conditions of this Tariff, and evidences an agreement on the part of all users of such Terminal facilities to pay all charges specified herein, and be governed by all rules and regulations shown in this tariff.

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RULE 1-130: SHIPPER'S REQUESTS AND COMPLAINTS (GENERAL RULES & REGULATION

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Shippers' request and complaints as said phase is defined by the Federal Maritime Commission, may be made by filing a statement thereof with:

Nicholson Terminal & Dock Company
P.O. Box 18066, River Rouge, MI 48218

No particular form is required, but sufficient facts should be stated to clearly show the nature and the basis of the request or complaint. Nicholson Terminal & Dock Company will advise the person filing the request or complaint as to date it will be considered by the Board of Directors so that he may request a hearing before the Board of Directors may be appealed within 60 days after notification of such action.

Nicholson Terminal & Dock Co. is a Marine Terminal Operator registered with the US Federal Maritime Commission under FMC Organization No. 012621.

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RULE 1-140: MINIMUM CHARGES (GENERAL RULES & REGULATIONS)

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The minimum charge for any service shall be charged unless otherwise specified in the individual item herein.

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RULE 1-150: U.S. GOVERNMENT - AIR CARGO (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) All shipments are subject to all terminal charges and conditions provided in all sections (rules) of this publication, and/or supplements thereto, or reissues thereof.
- b) All terminal charges must be paid in advance or guaranteed in writing by the steamship owners, operators, charterers, shippers or the U.S. Government Agency making shipment.

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RULE 1-160: CARGO DISCHARGE - UNNATURAL CONDITIONS (GENERAL RULES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) Terminal Operator is not required to handle other port strike bound cargo.
- b) Any cargo which Terminal Operator agrees to discharge at Contractor's terminal, which was originally intended for another port, but delivery cannot be made due to unnatural conditions (i.e., strikes), will be handled at rates to be negotiated and confirmed in writing for Dockage, Wharfage, Wharf Demurrage, Transfer, or Second Handling, and any other terminal services required and ordered by steamship company, charterer or their agent. Such cargoes will not be given priority over other cargoes in handling.

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RULE 1-170: VISITORS (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Terminal is not a public thoroughfare and permission must be obtained from terminal management prior to entering. All persons entering thereon do so at their own risk, both as to person (s) and vehicles.

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RULE 1-180: CONTAINER LIABILITY (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

The Contractor/Terminal Operator will not be liable for loss or damage to cargo packed in containers nor the Container itself, or for damages to vessel, terminal equipment and/or facilities, suffered in process of transferring, handling, loading to or unloading from vessel of such containers, transporters or lift vans due to overloading of container body and/or failure of the attached handling brackets or devices. This does not relieve the Terminal Operator from liability for its own negligence. The shipper, charterer and/or Steamship Company are liable for strict observance of rated and marked maximum weight carrying capacity, serviceability and safe operating condition of equipment.

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RULE 1-190: RIGHT TO SELL FOR UNPAID CHARGES (GENERAL RULES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Contractor shall have the right to sell in accordance with Michigan Uniform Commercial Code (M.S.A. 19.7210) any goods and cargo for which any stevedoring, transit storage, dockage or other charges are unpaid.

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RULE 1-200: RIGHT TO WITHHOLD DELIVERY OF CARGO AND CONTRACTOR'S LIEN

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Contractor reserves the right to withhold delivery of cargo until all accrued charges and all advances against said cargo shall have been paid in full.

In addition to all other liens and rights under Michigan and Maritime law:

Contractor/Terminal Operator shall have a lien on goods and cargo for all stevedoring, terminal, storage demurrage or other charges, including advances, pertaining to or incurred in connection with or any way related to goods and cargo in the possession for which Contractor/Terminal's charges have not been paid, whether such charges were prepaid to another or not, and Contractor/Terminal Operator has the right to withhold delivery of said goods or cargo in which stevedoring, terminal, storage, demurrages or other charges, including advances, remain unpaid.

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RULE 1-210: PROJECT RATES (GENERAL RULES & REGULATIONS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

On any movements moving on an Federal Maritime Commission (F.M.C.) approved project rate basis, negotiated rates shall be filed with the F.M.C. by the individual terminal. Dock Delivery Orders must show the appropriate project name.

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RULE 2: DOCKAGE (SECTION II)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Section II - Dockage, see sub-rules

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RULE 2-010: DEFINITION (DOCKAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

The charge assessed against a vessel for berthing at a wharf, pier, bulkhead, structure, or bank, or for mooring to a vessel so berthed.

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RULE 2-020: RATES (DOCKAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Dockage charge will be:

a) Vessels

First 24 hours or fraction thereof	\$1,550.00
Each additional period of 12 hours or fraction thereof	\$1,000.00

b) Idle Status - All Vessels:

Any vessel with permission of the Terminal Manager to remain on berth neither loading, discharging or having other vessel services performed, for each period of 24 hours or fraction thereof \$3,500.00

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RULE 2-030: LINE HANDLING (DOCKAGE)

Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA

Line Handlers will be furnished to the steamship company and/or charters and their agents. During normal working hours, a flat charge will be assessed for the services as follows:

To secure the vessel	\$800.00
To release the vessel	\$800.00

Times other than normal working hours, if men must be ordered, specifically to perform these services, charges will be based on extra labor rates. Overtime Saturday, Sunday or Holiday differentials will be charged if applicable.

A minimum call in time of FOUR (4) hours will be charged.

Any delay times due to late arrival of sailing of the vessel beyond the minimum hours, there will be an additional charge if the men are required to be available.

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<u>RULE 3: FREE TIME (SECTION III)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I Section 3 - Free Time, see sub-rules		
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RULE 3-010: DEFINITIONS (FREE TIME)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

The specified period during which cargo may occupy space assigned to it on terminal property free of wharf demurrage or terminal storage charges, immediately prior to the loading or subsequent to the discharge of such cargo on or off the vessel.

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RULE 3-020: FREE TIME PERIOD

Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA

Free Time is applicable on all inbound and outbound cargo, with the exception of property that is of "special nature" which requires early removal because of a local ordinance (s) or other governmental regulations, or because terminals are not equipped to care for such property for such a time period. Please refer to Rule No. 1 of this item which stipulates such exception.

- a) EXPORT CARGO (Outbound Cargo)
Thirty (30) working days, prior to arrival of the ship, (excluding Saturdays, Sundays and Holidays), free time will be allowed starting from the first 7:00 A.M. after arrival of the cargo.
- b) IMPORT CARGO (Inbound Cargo)
Thirty (30) working days, from the first 7:00 A.M, after discharge of the vessel.

- Cargo on which Free Time will not be allowed:
- a) Oils and/or liquids in bulk in ship's tank.
 - b) Dangerous and Hazardous Cargo.
 - c) Refrigerated Cargo
 - d) Re-consigned Cargo
 - e) Dry Bulk Cargo

c) STEEL CARGO

Export Steel - Ten (10) working days, prior to the arrival of the vessel (excluding Saturdays, Sundays, and Holidays). Free time starts the first 7:00 AM after the receipt of the first shipment. After the ten (10) working days, all the cargo received and any cargo received after the ten (10) day period will be subject to wharf demurrage (See Section IV - Rule 4) or, by prior arrangement with the terminal management, may be placed into storage (See Section IX - Rule 9).

Import Steel - Free time starts from 7:00 AM after discharge of the Vessel (excluding Saturdays, Sundays, and Holidays).

- 1) Steel Sheet in Coil
 - i) Up to 5,000 tons per vessel for twenty-two (22) working days.
 - ii) Between 5,000 tons and 10,000 tons per vessel for thirty (30) working days.
 - iii) Over 10,000 tons per vessel for sixty (60) working days.

2) Slabs

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RULE 3-020: FREE TIME PERIOD (Continued)

- i) Up to 5,000 tons per vessel for thirty (30) working days.
 - ii) Between 5,000 tons to 10,000 tons per vessel for thirty (30) working days.
 - iii) Over 10,000 tons per vessel for sixty (60) working days.
- 3) Steel, N.O.S.
- i) Up to 5,000 tons per vessel for twenty-two (22) working days.
 - ii) Over 5,000 tons per vessel for thirty (30) working days

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RULE 3-030: RESPONSIBILITY OF TAKING DELIVERY DURING FREE TIME PERIOD

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Consignee, direct or through his Customs broker or agent, is responsible for necessary arrangements to insure that truck lines or local cartage companies make pickup of their cargo within the allowable free time period. Terminal Operator shall not be liable for any delay or failure of carriers to perform, this being a contractual arrangement between the consignee and the carrier. Consignee will be liable for payment of all wharf demurrage which may accrue. Any adjustment of such charge with the carrier is a matter between the consignee, his broker and the carrier.

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RULE 3-040: EXPIRATION OF FREE TIME (FREE TIME)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Free time shall expire at 7:00 A.M. on the eleventh working day on EXPORT cargo, and on the sixth working day at 7:00 A.M. on IMPORT cargo, excluding Saturdays, Sundays and Holidays.

Failure of receivers of goods to effect necessary arrangements to take delivery of their goods within the prescribed period will subject cargo to the assessment of wharf demurrage. Wharf demurrage must be paid or payment guaranteed before cargo will be delivered.

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RULE 3-050: INABILITY OF TERMINAL OPERATOR TO MAKE CARGO AVAILABLE

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) In the event the consignee or owner of the cargo should make application for delivery of the cargo or portion thereof during the free time period and the Terminal Operator should be unable to make available to the consignee or owner such cargo or portion thereof, the free time shall be extended for a period equal to the duration of the terminal operator's inability to make the cargo available.

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RULE 4: WHARF DEMURRAGE (SECTION IV)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Section IV - Wharf Demurrage, see sub-rules

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RULE 4-010: DEFINITION (WHARF DEMURRAGE)

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A charge assessed against cargo remaining in or on terminal facilities after the expiration of free time unless prior arrangements have been made for storage.

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RULE 4-020: RATES (WHARF DEMURRAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

All cargo remaining in excess of the Free Time allowed will be charged wharf demurrage as follows:

a) Export:

For each 10 days or fraction thereof:

Cargo measuring up to and including, 40 Cubic Ft. per N.T.	\$0.13 CWT
Cargo measuring over 40 Cu. Ft. per N.T.	\$0.25 CWT

b) Import:

All cargo measuring up to and including 40 Cu. Ft. per N.T.:

First period of five (5) days at	\$0.07 CWT
Second period of five (5) days at	\$0.14 CWT
Each period of five (5) days thereafter	\$0.21 CWT

All cargo measuring over 40 Cu. Ft. per N.T.:

First period of five (5) days at	\$0.13 CWT
Second period of five (5) days at	\$0.26 CWT
Each period of five (5) days thereafter	\$0.39 CWT

(Note: CWT means 100 lbs)

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RULE 4-030: STEEL CARGO (WHARF DEMURRAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

a) Export Steel:

First four (4) seven (7) day period at	\$1.25 NT per period
Each period of seven (7) days thereafter	\$2.50 NT per period

b) Import Steel:

First four (4) seven (7) day periods at	\$1.25 NT per period
Each period of seven (7) days thereafter	\$2.50 NT per period

c) Saturdays, Sundays, and Holidays are included.

d) Each Shipment will be subject to a minimum charge for each of the demurrage period set forth in (a) and (b) above.

e) Exceptions:

- (1) Automobiles will be charged at a rate of \$30.00 per vehicle per day.
- (2) Commercial vehicles: \$75.00 per day.
- (3) Containers: See Section VIII (Rule 8)

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<p><u>RULE 5: TERMINAL TRANSFER CHARGES (SECTION V)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Section V - Terminal Transfer Charges, see sub-rules</p>		
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RULE 5-010: DEFINITIONS, RAIL (TERMINAL TRANSFER CHARGES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

DEFINITIONS, RAIL:

- a) Railroad Car-loading consists of removing cargo from the pier, wharf, dock or transit shed or warehouse and placing it in the railroad car.
- b) Railroad Car Unloading consists of removing cargo from a railroad car and placing it on the pier, wharf, and dock or in transit warehouses or sheds.

RATES:

- (1) Minimum charge for R.R. (General Cargo) \$400.00
- (2) Weighing R.R. Cars: Railroad cars weighted light or heavy shall be assessed a weighing charge of \$20.00 per railcar.
- (3) Rejected R.R. Cars: If a railroad car is rejected for any reason, a charge of \$30.00 per car rejected will be assessed. Any weighing charges will be in addition. Terminal Operator will not be liable for demurrage charges incurred.
- (4) Re-consigned Railroad Cars, or inter-yard switch shall be assessed a charge of \$30.00 per car.
- (5) Shipments requiring use of heavy lift equipment for its handling shall be subject to heavy lift charges.
- (6) When the Terminal Operator is required to perform services of blocking, bracing, banding, shrouding, loading oversize material, etc. or other extra services or labor of any type, there will be additional charges under the Terminal Operator's scale of extra services labor rates, plus cost of materials.
- (7) When the Terminal Operator is required to furnish dunnage or other supplies for the loading of railroad cars such materials will be charged for as shown herein.
- (8) NO CREDIT will be given for the return of any dunnage or other material furnished by and/or used by the Terminal Operator in loading rail cars.
- (9) Use of Hood, Quonset or Coil railroad cars: When consignee or shipper uses this type equipment the removal and replacement of covers on the cars will be subject to a charge of \$100.00 per car for the combined

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<p><u>RULE 5-010: DEFINITIONS, RAIL (TERMINAL TRANSFER CHARGES) (Continued)</u></p> <p>service.</p>		
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RULE 5-020: EQUIPMENT ORDERED FOR YARD SERVICE (TERMINAL TRANSFER CHRG)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) Contractor will not be responsible for demurrage charges on cars ordered upon instructions of the steamship company or line, its agent, or any broker acting for the shipper or ultimate consignee should such cars not be required for the discharged cargo, or should demurrage charges accrue due to the late arrival or cancellation of the ship, or held after loading for release, or for any other reason, such charges will be for the account of the steamship company, and/or line, and/or broker and/or consignee/Contractor will not be responsible for demurrage charges that may accrue for any reason beyond control of the terminal.
- b) Contractor will not be responsible for charges for icing, heating, or other service charges as may be assessed by a railroad or truck line on cars or trucks consigned to Contractor for account of vessel, steamship company, or line, any broker, forwarder, shipper or consignee. Any demurrage incurred on cars ordered held under load, per request of Steamship Agent, for a specific vessel arrival, shall be for the account of Steamship Agent, (i.e.) butter or refrigerated cars held at railroad yard or Contractors, for servicing by railroad.
- c) When export shipments, line haul or road haul movements are shipped by a shipper as domestic shipments so as to obtain a lower rate rather than the higher export rate, and the Contractor has not been notified of this type of a movement, any demurrage incurred shall be for the account of the Steamship Agent. Export and domestic shipments free time will be in accordance with applicable railroad tariffs.
- d) The Contractor will not be responsible for any demurrage incurred, or other additional charges, when specialized types of railroad cars, such as TTX Cars - 75' or longer, etc., are loaded, and clearance into the yard of the Contractor has not been verified.

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RULE 5-030: DEFINITIONS, TRUCKS (TERMINAL TRANSFER CHARGES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) Truck loading consists of removing cargo from the pier, wharf, dock or transit shed or warehouse and placing it in the truck.
- b) Truck loading consists of removing cargo from a truck and placing it on the pier, wharf, dock or in transit warehouses or sheds.
- c) Trucks and trailers - when weighing requested, a weighing charge shall be assessed per each weighing as follows:

Trucks or trailers weighed light or heavy shall be assessed a charge of \$5.00 per unit, per each weighing, for cargo to or from vessel.
- d) Prior notice of truck shipments: Terminal Operator requires advance notification of the arrival of truck shipments of outbound cargo. No truck will be unloaded on Saturdays, Sundays, or holidays unless they contain shipments consigned to vessels actually being worked on those days, and/or special arrangements are made in advance.
- e) No truck will be loaded or unloaded other than during regular working hours with the understanding that no truck will be started which cannot be completed by the end of work period unless prior arrangements have been made.
- f) Demurrage: Under no circumstances will the Terminal Operator be liable for any type of truck demurrage except demurrage caused by its own negligence.
- g) For heavy lifts (in excess of 40,000 Lbs.) whether loaded direct to truck or not will be charged the heavy lift rate of \$23.00 N.T.

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RULE 5-040: APPLICATION OF RATES (TERMINAL TRANSFER CHARGES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Rates are based upon work being performed during normal working hours Monday through Friday inclusive.

Overtime work, i.e., work performed outside of normal working hours, and work on Saturdays, Sundays and all holidays except as specifically set forth in the preceding paragraph, shall be performed only by mutual consent. If such work is performed for the convenience of the trucker, or consignee, it will be subject to overtime charges.

Proper loading shall be the sole responsibility of the truck driver and the Terminal Operator assumes no liability.

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RULE 5-041: GENERAL CARGO RATES (TERMINAL TRANSFER CHARGES)

Effective: 28Feb2011 Thru: Expires: Publish 24Feb2011 Amend: C

RATES: (Per CWT., unless otherwise indicated)

GENERAL CARGO, N.O.S.

	Handling	Handling
	Lift Truck	Crane

Measuring:

Up to 40 Cu. Ft. per net ton	\$0.58	\$0.84
In excess of 40 Cu. Ft. up to 100 Cu. Ft. per N.T.	\$1.04	\$1.24
*In excess of 100 Cu. Ft. per net ton	\$1.29	\$1.55
Minimum Charge per lift, each (- which is greater)	\$60.00	\$120.00
Boats/Yachts, per measurement ton	\$4.25	\$4.40
Combines per unit	\$520.00	\$625.00

Note: Combines, Accessories (See CARGO, N.O.S.),
Containers, and Contents (See Section VIII - Rule 8)
Pre-Palletized or Unitized Cargo, N.O.S. (no hand labor
involved) which can be handled by a Hi-Lo, minimum weight
1,000 pounds per unit: (Does not apply to Machinery, or
steel products)

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RULE 5-042: STEEL RATES (TERMINAL TRANSFER CHARGES)

Effective: 01Mar2011 Thru: Expires: Publish 01Mar2011 Amend: C

STEEL RATES: (Per CWT., unless otherwise indicated)

	Handling Lift Truck	Handling Crane
Steel (N.O.S.)		
Bundled, up to and including 40 Feet	\$0.48	\$0.58
Loose, up to and including 40 feet	\$0.58	\$0.72
Bundled, over 40 feet	\$0.58	\$0.70
Loose, over 40 feet	\$0.69	\$0.84
Steel in boxes, (Cases / Crated / Skidded) 1,000 lbs. min. 8,000 lbs. max.	\$0.48	\$0.65
Cobble Plate	\$0.32	\$0.35
Pipe and Tubing, up to 8 Inch Diameter:		
Length to 40 feet	\$0.48	\$0.58
Length over 40 feet	\$0.60	\$0.80
Pipe and Tubing, over to 8 Inch Diameter:		
Lengths to 40 feet	\$0.60	\$0.80
Lengths over 40 feet	\$0.68	\$0.88
Plate: Up to and including 1/2 inch in thickness:		
Up to 30 feet in length	\$0.42	\$0.59
Over 30 feet in length	\$0.50	\$0.62
Plate: Over 1/2 inch thickness		
Up to 30 feet in length	\$0.33	\$0.43
Over 30 feet in length	\$0.38	\$0.48
Plate: Heavy Plates, Profile Slab Weighing in excess of 20,000 Lbs.		
Up to 50,000 Lbs.	\$0.27	\$0.37
Over 50,000 Lbs.	\$0.50	\$0.65
Rails		
Up to 40 Feet	\$0.56	\$0.80
Over 40 Feet	\$0.66	\$0.90
Re-Bar		
Up to and including 20 feet	\$0.48	\$0.58
Over 20 feet	\$0.72	\$0.95
Sheet Steel in Coils		
Weighing less than 8,000 lbs.	\$0.48	\$0.68
Weighing from 8,000 lbs. up to the capacity of the Terminal's equipment		
Hot Rolled	\$0.20	\$0.30
Cold Rolled and Galv.	\$0.23	\$0.33

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RULE 5-042: STEEL RATES (TERMINAL TRANSFER CHARGES) (Continued)

Steel Slabs and Steel Ingots, for Re-rolling	\$0.19	\$0.29
Wheel Rim Sections / Special Sections / Tubing, (Less than 12 ft.)	\$0.55	\$0.75
Wire Rod (Hot Rolled) in Coils (In Lifts Weighing Minimum of 2,500 pounds	\$0.42	\$0.52
Wire Rod (Not as above) Fence / Cold Heading / Bright / Wrapped / Spring / P.C. Strand	\$0.60	\$0.70

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RULE 5-043: VEHICLE RATES (TERMINAL TRANSFER CHARGES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

VEHICLE RATES:

Vehicles-Automobiles, Unboxed, set-up on
their own wheels \$45.00 each
(If crane is needed the heavy lift rate to apply)

Vehicles - Commercial, Unboxed, set up on
their own wheels \$95.00 each
(If crane is needed the heavy lift rate to apply)

Vehicles - Commercial, not as above the heavy lift rate
will apply

- 1) When the Terminal Operator is required to furnish dunnage or other materials or supplies for the loading of trucks or trailers, such materials will be charged for at prevailing rates.
- 2) NO CREDIT will be given for the return of any dunnage or other materials furnished by and/or used by the Terminal Operator in loading trucks or trailers.
- 3) All dunnage brought in on any truck or trailer must be kept with the truck or trailer, whether used in loading or not.
- 4) TRUCK CHECK IN: Truck must be in line to receive or discharge cargo and be checked in with the receiving or delivery clerk and ready to load or unload at least one hour before termination of straight time hours with the exception of refrigerated cargo.
- 5) PALLETS: Removal of cargo from Terminal area on Terminal Operator's pallets will be permitted only by special agreement with the Terminal Manager. See Section VI (Rule 6), item 19 for conditions under which use is allowed.

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RULE 6: OTHER TERMINAL SERVICES

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Section VI - Other Terminal Services, see sub-rules

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RULE 6-010: DEFINITIONS (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Any terminal service performed upon instruction of the shipper, consignee, charterer, carrier, freight forwarder or Steamship Company, or their agents, who are in addition to those services normally considered a part of the specific services enumerated in the various sections (rules) of this tariff, will be in accordance with the following:

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<p><u>RULE 6-020: COLLECTION FOR SERVICES RENDERED (OTHER TERMINAL SERVICES)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Charges for the performance of special services will be for the account of the party ordering the services performed.</p>		
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<p><u>RULE 6-030: MINIMUM CHARGE (OTHER TERMINAL SERVICES)</u> Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA</p> <p>The minimum charge for any service performed will be \$55.00 per handling service performed unless stated otherwise in individual items of this tariff.</p>		
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RULE 6-040: STAMPING, STENCILING AND LABELING (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

See Extra Services, Labor and Equipment, Section VII (Rule 7)

All charges, including cost of stamps, labels, tags, stencils, ink, etc. will be for the account of the party ordering the services.

Above service will be performed subject to availability of labor and space.

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RULE 6-050: SORTING (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Sorting ordered by customers prior to delivery of cargo from transit sheds or yard facilities will be subject to additional charges. The following rate schedule is per sort requested, i.e., size, heat, grade, bundle number, etc.

- a) General Cargo - Extra Labor - Labor and Equipment (See Section VII (Rule 7))
- b) Steel and Steel Items
 - 1) Sheet in Coils \$0.08 cwt.
 - 2) Plates, Profile Slabs, Re-rolling Slabs \$0.12 cwt.
 - 3) Steel N.O.S \$0.25 cwt.
- c) Palletized, Unitized, Skidded \$3.00 cwt.

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RULE 6-060: MISCELLANEOUS SERVICES (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Miscellaneous services, i.e., special clerking, checking, statistical reports, re-coopering, sewing bags, re-bagging, repacking, blocking and bracing, banding, chocking, shrouding, burning or welding. Etc., will be charged for at Terminal Operator's Extra Services Labor and Equipment Rates provided herein. All materials required and supplied will be charged for as provided herein. All charges will be for the account of the cargo and/or party ordering the service.

The owner or his agent will be responsible for vehicles during the time the vehicle is on terminal property, and will provide necessary insurance.

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RULE 6-070: OPENING AND CLOSING FOR CUSTOMS INSPECTION (OTHER TERMINAL)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

When necessary to open cargo or personal effects for the U.S, Customs or Department of Agriculture inspection, such services will be performed at the following charges:

General Cargo, per package and Steel, per customs entry for the account of the goods	\$18.00
Glass, per customs entry	\$35.00

Exceptions:

I.E., hardship cases secured by screws, bolts, etc., requiring complete opening by U.S. Customs or Department of Agriculture, or requiring removal labor or transferring of cargo to accomplish inspection will be charged for on an hourly basis.

For assistance required by U.S. Customs or Department of Agriculture in identification, sampling and inspection of import materials in order that cargo may be released: assistance rendered will be furnished on behalf of the consignee, and will be for the account of the cargo. When customs requires the terminal to perform services such as moving to another area, weighing or assisting in testing procedures, such services will be charged at Extra Labor Rates.

The service is normally charged to the consignee by the Customs Broker collection of such charges will be noted on broker's release form s Terminal may properly bill to Customs Broker.

For containers, see RULE 8-100 (HANDLING AND OPENING CONTAINERS FOR CUSTOMS INSPECTION)

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RULE 6-080: RECONSIGNED OR DIVERTED SHIPMENT (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Whenever cargo delivered to the Terminal is subsequently re-consigned to another terminal or destination, a charge for handling cargo into the terminal of \$6.30 per Net Ton (2,000 lbs.) on General Cargo and \$2.90 per Net Ton (2,000 lbs.) on Steel, etc., and a charge for handling out of \$6.30 per Net Ton (2,000 lbs.) on General Cargo and \$2.90 per Net Ton (2000 lbs.) will be assessed. These charges are in addition to normal loading and unloading charges. No free time shall be allowed and wharf demurrage charges will be assessed from the first 7:00 A.M. after the day cargo was originally delivered to Terminal including Saturday, Sunday, and holidays are subject to minimum charge.

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RULE 6-090: DOCK RECEIPTS (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

If shipper, broker, or forwarder fails to furnish the Terminal Operator prepared Dock receipts prior to, or at the time cargo is delivered to the Terminal showing data indicated below, the Terminal Operator on request will prepare the required document and assess the person ordering issuance of dock receipt a charge of \$20.00 per Dock Receipt. Dock Receipt Forms, preferably a uniform one, will be provided by the Steamship Agent.

1. Vessel and/or Line to which cargo is consigned
2. Description of Commodity
3. Measurements, Weights and Marks
4. Name of Shipper
5. Port of Discharge

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<p><u>RULE 6-100: SMALL PACKAGE BANDING AND WEIGHING SERVICE (OTHER TERMINAL)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>When shippers or consignees request assistance to band small packages, boxes, cases, or luggage, such services will be subject to a minimum charge. In quantities, charge of \$5.00 per package shall prevail. Such charges will be for the account of the cargo.</p>		
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RULE 6-110: SPLIT DELIVERIES (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

When Terminal Operator is required to deliver or out-load shipments of packaged cargo, in boxes, cartons, bags, bales, drums, kegs, etc., by sizes, marks, labels, number, kinds or otherwise, i.e., wine, beer, liquor, etc., or in less than bill of lading lots as received the Terminal will make an added charge on extra labor basis. Such charges will be for the account of the party ordering the service.

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RULE 6-120: HEAVY LIFTS (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

The handling of heavy lifts in excess of 40,000 lbs., with exception of steel, for any single package shall be limited to the capacity of the Terminal Operator's equipment at that location. Prior notice must be given to terminal to set up a time to handle lifts in excess of 40,000 lbs.

The Heavy Lift scale of rates shall be \$25.00 per net ton

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RULE 6-130: PALLETIZING CARGO (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

When Terminal Operator is requested to palletize cargo on pallets furnished by the consignee, shipper, or Terminal Operator for loading to rail car or trucks, such service will be done at rates listed on Section V (Rule 5) plus regular loading - unloading rates.

Terminal owned pallets may only be used by prior agreement and authorization of Terminal Manager. Terminal Operator has no responsibility to furnish pallets for out-loading cargo to inland carriers.

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RULE 6-140: FURNISHING DUNNAGE AND OTHER SUPPLIES (OTHER TERMINAL SVCS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a. Dunnage and other supplies required for loading, blocking, bracing, banding, checking, shrouding, etc., of railroad cars, trucks and trailers when required, will be supplied upon request or when required for safe loading.
- b. The cost of supplies will be for the account of the cargo and will be charged for at prevailing rates plus 25%.
- c. NO CREDIT will be given for returned or advanced dunnage.

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RULE 6-150: FRESH WATER (OTHER TERMINAL SERVICES)

Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA

Fresh water will be furnished at a charge of \$800.00 per single connection at berths where available. Any labor furnished for laying hose, hooking up, etc., will be charged for an extra service labor rates. Overtime differentials will be charged if applicable. Vessels must furnish their own hoses and fittings.

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RULE 6-160: EXTRA SERVICES, LABOR AND EQUIPMENT RATES AND CHARGES

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Rates quoted in this schedule do not cover the following items. These will be handled at extra labor and equipment rates provided herein. Such charges will be for the account of the party ordering the service.

The Handling excess dunnage, debris, etc.
Coopering and Re-coopering.
Carpentry.

If cargo arriving at the dock on cars or trucks is secured by bolts, rods, cables, etc., that require the use of cutting torches and/or other special tools to release it or clear it for unloading from cars or trucks, it shall be considered as unusual blocking.

Blocking, bracing, shoring, banding or shrouding (Car or Truck) Welding and burning services (Plus cost of materials) Extra labor for any other services when requested and authorized.

Overtime differentials will be charged, where applicable.
LISTING OF EXTRA LABOR CHARGES FOR THE TERMINALS IS LISTED UNDER RULE 10-020: RATES (USAGE)

Other equipment required will be secured if available on the basis of total costs plus twenty five (25) percent.

Minimum charge will be for one(1) hour for labor and/or equipment.

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RULE 6-170: UNWRAPPING SHEET STEEL IN COILS OR PACKAGES (OTHER TERMINAL)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a. The service of unwrapping coils or flat steel sheets will be accomplished on the basis of \$60.00 per package.
- b. When re-banding is requested, a charge of \$12.00 per band will be made, with a \$60.00 minimum.

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<p><u>RULE 6-180: BANDING SHEET STEEL IN COILS FOR EXPORT (OTHER TERMINAL SVC)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>\$12.00 PER BAND, MINIMUM CHARGE \$60.00</p> <p>The Terminal will be responsible for damage to material resulting from handling and/or exposure to the elements during this operation.</p>		
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RULE 6-190: USE OF TERMINAL OWNED PALLETS (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a. Terminals rates DO NOT INCLUDE furnishing shippers or consignees terminal owned pallets for handling cargo from or to the terminal facilities.
- b. Terminal WILL NOT GUARANTEE to furnish such equipment AT ANY TIME.
- c. If through advance negotiations, the Terminal agrees to provide pallets, the following conditions will be applicable:

A service charge of \$10.00 per pallet will be assessed for use of such pallet for each period of seven (7) days, Saturdays, Sundays, and Holidays included. Any pallets marked with a Terminal's name shall be returned to that Terminal only.

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RULE 6-200: SEVICING AUTOMOBILES (OTHER TERMINAL SERVICES)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

SERVICING AUTOMOBILES - Flat Charge - \$100.00

- d. Fueling - one (1) gallon of gas.
- e. Starting - dead batteries.
- f. Changing flat tires.

Any extra services required by any government agency will be charged at Extra Labor Rates, plus 25%.

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RULE 7: EXTRA LABOR RATES (SECTION VII)

Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA

EXTRA SERVICES LABOR AND EQUIPMENT RATES AND CHARGES:
(Overtime differentials will be charged, if applicable)

JOB CLASSIFICATION

CLASS I -	Foreman	\$76.00
CLASS II	Other Labor	\$68.00

In addition to the above, the following equipment rates will be applicable on a Per Hour Basis:

Heavy Lift Crane and Operator	\$775.00
Crane and Operator	\$395.00
Locomotive and Crew	\$365.00
Yard Fork Lift and Operator (10,000 to 40,000 pounds)	\$118.00
Yard Fork Lift and Operator (40,000 pounds)	\$190.00
Plant Truck and Driver	\$ 96.00
Pay-loader and Operator	\$190.00

MINIMUM CHARGES WILL BE FOR FOUR (4) HOURS.

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RULE 8: CONTAINERS (SECTION VIII)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Section VIII - Containers, see sub-rules

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RULE 8-010: TRUCK-RAIL LOADING AND UNLOADING (CONTAINERS)

Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA

Containers and Contents re-usable (Not Lift Vans), per lift

Loaded	\$150.00 each
Empty	\$130.00 each

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RULE 8-020: HANDLING OF CONTAINERS IN PORT (CONTAINERS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Handling of each container while in the Terminal Container
Pool \$15.00 each
This does not apply to truck or rail loading or
unloading.

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<u>RULE 8-030: COVERING AND UNCOVERING OF SOFT TOP CONTAINERS (CONTAINERS)</u>		
Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I		
Covering and uncovering soft top containers. \$55.00 each		
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RULE 8-040: BREAK BULK (CONTAINERS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Break Bulk - Loading or unloading (containers) cargo from shipper's/carrier's equipment, Terminal Tariff to apply.

Charges to be invoiced for account of cargo (Shipper, etc.). UNLESS OTHERWISE NOTIFIED.

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RULE 8-050: CONSOLIDATED, DISTRIBUTION, STUFFING AND UN-STUFFING SERVICE

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

CONSOLIDATION, DISTRIBUTION, STUFFING AND UNSTUFFING
(VANNING - DEVANNING).

- a) Terminal will receiver small lot shipments at rates quoted in Section V & VI (Rules 5 & 6), check, transfer to storage, consolidate and load into reusable commercial container, issue a container manifest, dock receipt on the commercial container and transfer to dock loading area.
- b) The same services will be performed in reverse on breaking down container lots received containing various individual small lots to be reshipped as instructed. The steamship company or line, or its agent, forwarder, shipper or consignee must furnish full instructions.
- c) Charges for this service will be at rates listed in Section V (Rule 5) with minimum charge of \$175.00 for 20 Foot Container or \$325.00 for 40 Foot Container. This does not include materials for blocking, etc., which will be charged at prevailing rates.
- d) For consolidated containers (Various bills of lading and various consignees or shippers), the above charges mentioned under c) will prevail for up to six different bills of lading, marks, consignees or shippers. There will be an extra charge of \$5.00 per bill of lading, mark, consignee, or shipper for more than six bills of lading, marks, consignees or shippers.
- e) Inventory cargoes and extreme hardship cases (i.e. damaged containers and merchandise) will be charged for on Extra Labor Rates.

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RULE 8-060: INSPECTION - ISSUE T.I.R (CONTAINERS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Inspect container and chassis (containers); issue T.I.R. on
each move in/out or intra-terminal move - \$8.00.

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RULE 8-070: WHARF DEMURRAGE (CONTAINERS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Wharf Demurrage: Loaded Containers - Import and Export

(a) Containers measuring up to twenty feet:

\$3.85 per day for the first demurrage period after expiration of free time.

\$7.70 per day for the second demurrage period after expiration of free time.

\$12.00 per day for the third demurrage period after expiration of free time and for each succeeding day or fraction thereafter.

(b) Containers measuring in excess of twenty feet:

\$7.70 per day for the first demurrage period after expiration of free time.

\$12.00 per day for each succeeding day thereafter.

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RULE 8-080: STORAGE OF EMPTY CONTAINERS (CONTAINERS)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Storage of empty equipment:

- (a) Empty Containers

20 Ft.	\$0.55 per day
40 Ft.	\$0.75 per day

- (b) Container Chassis (Bogies)

20 Ft.	\$1.90 per day
40 Ft.	\$2.75 per day

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<p><u>RULE 8-090: STORAGE OF FULL CONTAINERS (CONTAINERS)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Storage of full containers \$12.00 per day</p>		
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RULE 8-100: HANDLING AND OPENING CONTAINERS FOR CUSTOMS INSPECTION

Effective: 01Mar2008 Thru: Expires: Publish 14Feb2008 Amend: CA

Handling and opening containers for Customs
Inspection \$50.00 each

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<p><u>RULE 9: TRANSIT STORAGE (SECTION IX)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Section IX - Transit Storage, see sub-rules</p>		
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RULE 9-010: DEFINITION (TRANSIT STORAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

The service of providing transit storage on or in the terminal facilities for the storing of inbound and outbound cargo after the expiration of "FREE TIME". The space may include covered unheated sheds, open or ground storage, and bonded storage space after arrangements have been made.

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RULE 9-020: GENERAL (TRANSIT STORAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Subject to storage arrangements having been made, cargo will be accepted for transit storage.

All storage rates are quoted on a monthly basis or fraction thereof, unless otherwise stated. Storage commences from the time material is placed in storage without benefit of free time.

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RULE 9-030: RATES (TRANSIT STORAGE)

Effective: 11Mar2008 Thru: Expires: Publish 11Mar2008 Amend: CR

a) Inside Transit Storage

All cargo measuring up to 40 Cu. Ft. per net ton:	\$5.20 net ton
All cargo measuring in excess of 40 cu. ft. per net ton:	\$0.26 cu. ft.
Steel - N.O.S.:	\$2.00 net ton
Steel Sheet in Coils weighing over 8,000 lbs. each	\$1.40 net ton
Wire Rod in Coils:	\$3.30 net ton

b) Outside Transit Storage

All General Cargo measuring to 40 cu. ft. per net ton:	\$2.60 net ton
All general Cargo measuring in excess of 40 cu. ft. per net ton:	\$0.13 cu. ft.
Steel - N.O.S.:	\$1.50 net ton
Steel Sheet in Coils weighing over 8,000 lbs. each:	\$0.75 net ton
Steel Slabs - for rerolling	\$0.60 per ton
Wire Rod in Coils:	\$2.20 net ton
Vehicles:	\$5.00 per day
Commercial Vehicles:	\$15.00 per day

c) Handling charges into and/or Out of Storage:
For rates see Section V (Rule 5).

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RULE 9-040: PERMANENT STORAGE (TRANSIT STORAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Arrangements must be covered by a separate Transit Storage agreement according to space required, type of storage desired, length of time to be stored and other accessorial services desired. All storage arrangements will be covered by issuance of Transit Storage Receipt.

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RULE 9-050: INSURANCE (TRANSIT STORAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Goods for which a Transit Storage receipt is issued will not be insured for benefit of Owners by Terminal Operator or Stevedoring Contractor against loss by fire or other casualty unless special agreement for insurance is made at the time the goods are delivered to Terminal Operator or Stevedoring Contractor.

Goods are not insured nor do storage rates include insurance. Any insurance must be arranged for by Owner through his own agent or broker.

Steel rates are based on open, or covered, and unheated storage, and the Contractor shall not be liable for any physical changes or damage caused by being in unprotected areas, i.e., rust, pitting, powder, grease, chemicals, cold, snow, ice, etc. Steel items requiring covered protection must be arranged for and agreed to prior to arrival of cargo at the terminal.

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<p><u>RULE 10: USAGE (SECTION X)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Section X - Usage, see sub-rules</p>		
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RULE 10-010: DEFINITION (USAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

- a) The use of terminal facilities by any rail carrier, trucker, shipper or consignee, their agents, servants, and/or employees, when they perform their own car, lighter or truck loading or unloading, or the use of said facilities for any other gainful purpose for which a charge is not otherwise specified.

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RULE 10-020: RATES (USAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Loading or unloading tank trucks directly
to or from vessels, barges, etc.: \$3.50 per N.T.*

Loading or unloading tank cars: \$7.85 per N.T.*

NOTE: *Minimum charge: \$700.00

a) Automobiles \$20.00 each

Trucks, Tractors, Trailers,
Road Graders, etc.: \$38.00 each

b) Any Extra Labor, Equipment or Materials furnished by
terminals will be charged for at Extra Services,
Labor, Equipment and Material rates charges provided
herein.

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<p><u>RULE 11: WHARFAGE (SECTION XI)</u> Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I</p> <p>Section XI - Wharfage, see sub-rules</p>		
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RULE 11-010: DEFINITION (WHARFAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Wharfage is a charge assessed against a vessel or cargo depending on the shipping contract. This applies to all cargo passing or conveyed over or onto wharves or between vessels when berthed at a wharf or when moored in a slip adjacent to a wharf.

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RULE 11-020: RATE (WHARFAGE)

Effective: 01Oct2007 Thru: Expires: Publish 28Sep2007 Amend: I

Rate (Wharfage):

Fifty-five cents (\$0.55) per metric ton.

Note: Definition of metric ton is 2,204.62 pounds

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RULE 12: ABBREVIATIONS & SYMBOLS (SECTION XII)

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Abbreviations

A.M.	Before 12:00 (Noon)	Net Ton	- 2,000 Lbs.
Cu.Ft.		NOS	- Not Otherwise Specified
or CFT	-Cubic Foot (Feet)	RR	- Rail Road
CWT	-100 Pounds	TIR	- Trailer Interchange Receipt
etc.	-Et Cetera	D.O.T.	- U.S. Department of Transportation
FMC	Federal Maritime Commission	U.S.	- United States
FT	-Foot (Feet)		
I. e.	-That is		
Lbs.	-Pound		

Symbols

(A) - Increase
(C) - Change resulting in neither nor decrease
(E) - Expiration
(I) - New or Initial Matter
(P) - Extension of Service
(R) - Reduction
(S) - Special Case Number
(T) - Terminal Rates, Charges, Tolls or Provisions over which carrier has no control.
(W) - Withdrawal of erroneous data

\$ United States Currency

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