
NPB 6004-A
Cancels
NPB 6004

***NORFOLK AND PORTSMOUTH BELT LINE RAILROAD
COMPANY***

**TARIFF NPB 6004-A
CANCELS
TARIFF NPB 6004**

DEMURRAGE RULES AND CHARGES

STORAGE RULES AND CHARGES

Applying at all NPB points in the South Hampton Roads Area

ISSUED December 15, 2009

EFFECTIVE February 1, 2010

Issued By
NORFOLK AND PORTSMOUTH BELT LINE RAILROAD COMPANY
1050 Virginia Avenue
P. O. Box 7547
Portsmouth, VA 23707

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

ITEM 2 TABLE OF CONTENTS

SUBJECT	ITEM
ALLOWANCES FOR RELIEF	400
CARS HELD FOR LOADING	600
CARS HELD FOR OTHER THAN LOADING AND UNLOADING	800
CARS HELD FOR UNLOADING	700
DEMURRAGE CALCULATION	900
DEMURRAGE PLAN	850
DEMURRAGE RULES AND CHARGES	500 - 900
GENERAL APPLICATION – DEMURRAGE	500
GENERAL TARIFF RULES	5 - 450
GLOSSARY OF TERMS	200
HAZARDOUS MATERIAL	1000
SECTION 1 DEMURRAGE RULES	500 - 900
SECTION 2 STORAGE, HAZARDOUS COMMODITIES	1000
SECTION 3 STORAGE RULES AND CHARGES	1050 - 1450

ITEM 5 - APPLICATION OF REFERENCE PUBLICATIONS

The following publications contain rules, regulations, charges and allowances specifically referred to herein or may apply directly or indirectly along with the terms of demurrage, storage etc that is covered in this publication.

AAR 2 - Hazardous Materials Shipping Descriptions (49-series STCC numbers)
BOE 6000 Bureau of Explosives Rules
RER 6411 Official Railway Equipment Register
RPS 6740 Heavy Duty Flat Car Charges
OPSL 6000 Open and Prepay Station List
STCC 6001 Standard Transportation Commodity Code
UFC 6000 Uniform Freight Committee

ITEM 20 - REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

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

ITEM 40 - CONSECUTIVE NUMBER

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. 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 75 - METHOD OF CANCELLING ITEMS

As this tariff is supplemented, numbered items with letter suffixes will be used in alphabetical sequence starting with A. Example: Item 445-A cancels Item 445, and Item 365-B cancels Item 365-A in a prior supplement, which in turn cancelled Item 365.

ITEM 100 - METHOD OF DENOTING REISSUED MATTER IN SUPPLEMENTS

Matter brought forward without change from one supplement to another will be designated as "Reissued" by a reference mark in the form of a square enclosing a number (or letter, or number and letter) being that of the supplement in which the reissued matter first appeared in its currently effective form. To determine its original effective date, consult the supplement in which the reissued matter first became effective

ITEM 200 - GLOSSARY OF TERMS

FOR THE PURPOSE OF APPLYING PROVISIONS IN THIS PUBLICATION IN THE FOLLOWING ARE DEFINED AND SHALL GOVERN:

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

1. **Actual Placement:** - When a car is placed in an accessible position for loading or unloading or at a point designated by consignor or consignee.
2. **Allowance Days:** - Are days in addition to credits earned for which charges will not be assessed. Car Days are reduced by the number of allowance days.
3. **Car Days:** - A twenty four (24) hour period or fraction thereof commencing 0001 hours (Local time) after actual or constructive placement until the car is released and available to NPB.
4. **Closed Gate:** - When a car cannot be placed on consignee's siding at time of arrival due to siding having a locked gate-, door and/or standing instructions not to place any cars unless the consignee first contacts NPB for placement instructions. All cars are constructively placed at time of arrival.
5. **NPB Track:** - All tracks which NPB provides for its own uses and purposes and other tracks located inside of its right-of-way or yards and terminals.
6. **Consignee:** - The party to whom a shipment is consigned or the party entitled to receive the shipment.
7. **Consignor:** - The party in whose name cars are ordered.
8. **Constructive Placement:** - When a car cannot be actually placed because of any condition attributable to the consignor or consignee, such car will be held at an available hold point and notice will be given the consignor or consignee that the car is held awaiting instructions. Car Days will begin if instructions to NPB are not received before 0001 hours (See Car Days), of day following notification.
9. **Credit Day:** - Non-chargeable day. Credits can only be earned on those cars released from demurrage.
10. **Electronic Means:** - Any approved electronic device (t.e. approved computer application, e-mail, telephone, facsimile) used to communicate to CYO the disposition of a car.
11. **Forwarding Instructions:** - A bill of lading or other suitable order given to NPB, containing all of the necessary information to transport the shipment.
12. **Holidays:** - The following days will be considered NPB Holidays: New Year's Day, Labor Day, President's Day, Thanksgiving Day, Memorial Day, Christmas Day, Independence Day
13. **Loading:** -The complete or partial loading of a car in conformity with NPB loading and clearance rules, and the furnishing of forwarding instructions.
14. **Open Gate:** - When a consignee does not place any restrictions (physical or otherwise) on NPB to place cars on their siding upon arrival.
15. **Private Car:** - A car bearing other than railroad reporting marks and which is not a railroad controlled car.
16. **Private Track:** - Trackage assigned for individual use including privately owned or leased tracks.
17. **Public Delivery Track:** - Any accessible track open to the general public for loading or unloading.
18. **Railroad-Controlled Cars:** - A car provided to NPB directly, by car companies or others, for indiscriminate use by NPB in servicing any of its customers.
19. **Reload:** - When the same car is completely unloaded and then loaded. Reloading will be expressed (with cars unloading demurrage) from date of tender to date forwarding instructions are received.
20. **Stopped in Transit:** - When cars are held enroute because of any condition attributable to the consignor or consignee, or owner.
21. **Tender:** - When NPB gives notification that a car is available for unloading or loading by either actual or constructive placement to consignor or consignee.
22. **Unloading:** - The complete unloading of a car and notice from the consignee that the car is empty and available to NPB.
23. **Assignee:** - A shipper who has requested and has been assigned cars to a specific pool of cars for their use.
24. **Assignee car:** - A car of any ownership specifically requested and assigned to a shipper-From a pool of assignment service cars.
25. **Free Day:** - A non-chargeable storage day.
26. **Storage Day:** - A 24 hour period, or part thereof.
27. **Time:** - Local time is applicable. Time is expressed on the basis of the 24-hour clock. (EXAMPLE: 12:01 AM is expressed as 0001 hours.)

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

ITEM 300 - NOTIFICATION REQUIREMENTS

1. The following notifications (including by electronic means) will be furnished as indicated:

Cars for Private Tracks

- (a.) Notification of constructive placement on all cars held on NPB tracks due to any condition attributable to consignee or consignor.
- (b.) Delivery of car upon consignee tracks will constitute notification.
- (c.) Delivery upon industrial interchange tracks of consignee or party entitled to receive same, will constitute notification.

Cars for Public Delivery Tracks

Notice of arrival will be given to party entitled to receive notification when car is actually placed.

Cars Stopped In Transit

Notice shall be sent or given to the consignee, consignor or owner ordering the car stopped upon arrival of car at the point of stoppage.

Refused Carload Freight

When advised of refusal of car at destination, notice will be sent or given to consignor or owner

2. Notification information provided:

- (a.) Car Initial and Number
- (b.) If contents transferred enroute. NPB will furnish car initial and number of the original car.

3. Methods and procedures for notification:

(a) Notification may be sent or given:

- (1) In writing by U.S. mail. When claim is made that notice was mailed at a later date or delayed through postal service, the date of mailing shall be determined by the postmark, if no postmark or no date appear, the records of NPB shall govern.
 - (2) By personal telephone communication or electronic means. When consignor or consignee utilizes an electronic or mechanical device (either in written, oral or keyed data form) notification left on such device will be considered as having been given to consignor or consignee, as of the date and time transmitted.
- (b) Notice of arrival shall be sent or given: - Upon arrival of cars at destination (notification is given 7 days a week) for all cars held under order notify or other provisions which require surrender of bill of lading or payment of lawful charges.

ITEM 350 NOTIFICATION TO NPB:

A. When NPB personnel are not on duty to receive forwarding instructions, empty release information or other disposition, consignor/consignee will have until 0001 hours (See Car Days, item 200) of the next day personnel are on duty to furnish such instructions, and they will be considered as having been furnished at the date and time the instructions could have been furnished.

B. When electronic or mechanical devices are used to furnish notification to NPB, the recorded date and time that instructions are received by NPB designated point of contact will govern.

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

ITEM 400 - ALLOWANCES PERMISSIBLE FOR RELIEF OF DEMURRAGE CHARGES:

In order to be allowed relief as indicated, a claim must be presented to NPB, 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.

1. 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. (Run around and bunching of cars will not be considered as a railroad error.)

2. Weather Interference: - When because of earthquakes, tornadoes, hurricanes, floods or heavy snow, 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.

3. Strike Interference: - When it is impossible to load or unload or receive cars from or make cars available to NPB because of strike interference at the point where the loading or unloading is to be accomplished, demurrage days will be charged for at the rate of \$30.00 per day during the period of strike interference, provided:

(a) The disruption exceeds five (5) days in duration during one calendar month.

(b) The provisions of this item will not apply to: - (1) Cars for unloading when waybills are dated four (4) days after the beginning of strike interference. (2) Cars for loading when ordered after the beginning and prior to the ending of strike interference.

4. Switching Delays:

(a) This allowance will be calculated and deducted from car days for car ordered and all others held under constructive placement when all cars on the patron's siding are empty and available at the time a switch is missed or should have been made. If all cars on the patron's siding are not empty at the time of alleged switching failure, allowance will be for the car so ordered and not placed.

(b) When a car is ordered for placement or delivery and this is not accomplished because non-service, allowance will be given for delay in placement. This allowance will apply to the car ordered placed, when held under constructive placement on NPB tracks.

(c) The allowance day(s) will be deducted from the Car Days for all day(s) after which the placement order was given to, but not including, the day on which the car is actually placed.

(d) For example, if a car is ordered placed on day 3 of the month, but not actually placed until day 5 of the month, day 4 of the month will be an allowance day and not a chargeable demurrage day for that car and all cars held under constructive placement on NPB tracks during that time.

ITEM 450 - CARS AWAITING CUSTOMS INSTRUCTIONS PAYMENT OF DUTIES:

Cars delayed on carriers' tracks longer than forty-eight (48) hours, awaiting completion of customs documentation or payment of duties, will begin to accrue normal demurrage charges.

Item 500 - CARS SUBJECT TO DEMURRAGE

GENERAL APPLICATION

(A) Applicable at all points on NPB.

(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) All railroad controlled cars held for or by consignors or consignees for any purpose are subject to demurrage rules and charges in this section, except as follows:

(1) Cars moving under freight rates requiring application of special demurrage rules - When authorized in contracts or other agreements.

(2) Private cars are not subject to demurrage rules.

(3) Cars containing freight refused or unclaimed to be sold by NPB for the time held beyond legal requirements.

(4) Cars assigned to shippers returned to points of assignment under load when material is authorized to be returned without freight charges under provisions of freight publication.

(5) Cars assigned to shippers returned empty to point of assignment while subject to storage rules.

(6) Empty railroad equipment moving on own wheels under transportation charges as freight.

(7) Cars of railroad ownership, leased for storage of commodities, while held on lessee's tracks.

(8) Empty cars placed and not used for loading subject to switching charges, unless rejected and found as unsuitable for loading

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

ITEM 600 - RULE GOVERNING CARS HELD FOR LOADING:

Loading: - is the complete or partial loading of a car in conformity with NPB loading and clearance rules, including the furnishing of forwarding instructions.

Tender: - The notification, actual or constructive placement of an empty car placed on orders of the consignor.

Release:

(a) On date forwarding instructions are received; when received by U.S. mail, such instructions will be considered received after 0001 hours (See Car Days, Item 200) on date received.

(b) On empty cars placed on interchange tracks of consignor performing his own switching, time will also continue until cars are returned to an interchange track.

(c) On cars found to be overloaded or improperly loaded while at origin will not be considered released until the load has been adjusted.

Computation:

(a) Car Days will be computed from the first 0001 hours (See Car Days, Item 200) after tender (i) until released with forwarding instructions for Railroad Controlled Cars, or (ii) until placement is made for Private Cars. In the case of Private Cars, the separate calculation for originating storage charge will be computed from the time that the loaded car is pulled and held on railroad controlled tracks by NPB without forwarding instructions to time of receipt of required forwarding instructions.

(b) On cars placed prior to date for which ordered, Car Days will be computed from the first 0001 hours (See Car Days, item 200) after ordered until release.

(c) On empty cars placed, without being ordered, will be considered as having been ordered and actually placed on that day.

Credits:

(a) Three (3) credits will be earned for each Railroad Controlled car released on which disposition is given.

(b) Two (2) credits will be earned for each private car under constructive placement.

(c) Zero (0) credits will be earned for each private car pulled for which forwarding instructions have not been received.

(d) Zero (0) credits will be earned when an empty private car is actually placed in lieu of being constructively placed.

Calculation: See Demurrage/Storage Calculation Item 950

ITEM 700 - RULES GOVERNING CARS HELD FOR UNLOADING:

Unloading is the complete unloading of a car and advice from consignee to NPB that the car is empty and available or a car has been reloaded and forwarding instructions are received.

Tender: - The notification, actual or constructive placement of each loaded car.

Release:

(a) Date and time that NPB receives advice that the car is empty.

(b) Cars placed on interchange tracks of a consignee doing its own switching, must also be returned to the interchange track for release.

(c) When cars are unloaded by NPB, those cars will be released at the time the request to unload is received by NPB from the consignee.

(d) When the same car is unloaded and reloaded, when forwarding instructions are received.

Computation: Car Days will be computed from the first 0001 hours (See Car Days, Item 200) after tender until release.

Credits:

(a) Three (3) credits will be earned for each Railroad Controlled car released on which disposition is given.

(b) Two (2) credits will be earned for each private car under constructive placement.

(a) One (1) additional credit will be provided when the same car is reloaded.

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

ITEM 800 - RULE GOVERNING CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING

Applicable to Cars Held:

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

Disposition: That information, which allows NPB to either tender or release the car from the consignee's account.

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

Release: Date and time that NPB receives advice that the car is reloaded and on which disposition is given on cars.

Computation: Car Days will be computed from the first 0001 hours (See Car Days, Item 200).

- (a) After tender until release, on cars: (1) Partially unloaded. (2) Reconsigned. (3) Stopped in transit.
- (b) After tender until date of refusal on refused loaded cars (consignee).

Credits: No credit days will be earned for a car that is released.

ITEM 900 – DEMURRAGE/STORAGE PLAN

- 1. Billing will be tendered on a monthly basis for all cars released during a calendar month.
 - 2. Customers having facilities at separate stations cannot be combined.
 - 3. Credit days and car day charges for cars held for unloading or other purposes will be kept separately from cars held for loading.
 - 4. Credit days earned in one calendar month cannot be carried over to another month.
 - 5. 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.
 - 6. Customer having two or more facilities at the same station with NPB may combine the accounts into one if requested in writing.
 - 7. All days count including Saturday and Sundays. Seven (7) holidays will not be subject to demurrage (See Holidays, Item 200).
-

ITEM 950 – DEMURRAGE/STORAGE CALCULATION:

- A.
 - 1. Total car days for all Railroad-Controlled cars will be added. (Car/days are net of holidays (See Holidays, Item 200) and non-service allowance days).
 - 2. Total credits for all Railroad-Controlled cars will be added.
 - 3. If total credits equal or exceed total net car days, demurrage charges will not be assessed.
 - 4. If total net car days exceed the total credits, calculation of charges will be made as follows:
 - (a) Subtract total credit days from total car days to determine chargeable days.
 - (b) The number of chargeable days will be assessed \$60.00 per day.
 - B.
 - 1. Total car days for all private cars will be added. (Car/days are net of holidays (See Holidays, Item 200) and non-service allowance days).
 - 2. Total credits for all private cars will be added.
 - 3. If total credits equal or exceed total net car days, storage charges will not be assessed.
 - 4. If total net car days exceed the total credits, calculation of charges will be made as follows:
 - (a) Subtract total credit days from total car days to determine chargeable days.
 - (b) The number of chargeable days will be assessed \$20.00 per day.
-

RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS

ITEM 1000 - STORAGE OF EXPLOSIVES, HAZARDOUS MATERIALS, SUBSTANCES OR WASTES (SUBJECT TO PUBLICATION BOE 6000 - hazardous materials regulations of the department of transportation)

Application: This item applies to cars held on NPB tracks (excluding leased tracks) containing:

- (a) Class A, B or C Explosives, named in Part 172 Commodity List, Publication BOE 6000.
- (b) Hazardous materials, substances, or wastes requiring the use of 4-digit identification number on shipping document, placards or panels, as named in Part 11 Section 172.101, Publication BOE 6000.

Demurrage charges for railroad-controlled cars will be in addition to charges provided in this item and Storage Charges on private cars will be in addition to this item.

Storage Days will Commence: After the date of constructive placement and on each car, two free days are given to the Consignee. Storage days commence from the third day 0001 hours (See Time, Item 200) and continue until the car is ordered placed on private tracks or released.

Storage Plan:

1. Total car days for all hazardous material cars will be added. (Car/days are net of holidays (See Holidays, Item 200) and non-service allowance days).
 2. Total credits for all hazardous material cars will be calculated as private cars (Item 700) and added.
 3. If total credits equal or exceed total net car days, demurrage charges will not be assessed.
 4. If total net car days exceed the total credits, calculation of charges will be made as follows:
 - (a) Subtract total credit days from total car days to determine chargeable days.
 - (b) The number of chargeable days will be assessed \$50.00 per day.
-