

TARIFF NO. 2
ISSUED BY
BOARD OF COMMISSIONERS
OF THE
OCEAN HIGHWAY AND PORT AUTHORITY

Originally Filed January 28, 1994

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**Ocean Highway and Port Authority
Nassau County, Florida
Port of Fernandina
FMC – Tariff No. 2**

TARIFF OUTLINE

SECTION	PAGES	CONTENT
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III	37 – 45	Rules and Regulations, Break Bulk

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GENERAL RULES AND REGULATIONS

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28	<p>ITEM 3 – DEFINITIONS Effective February 15, 1999</p> <p><u>WHARFAGE</u> – Means the use of the wharves in the receipt of traffic from or delivery of traffic to ships, barges or other water craft while lying alongside the wharf of the Port facility, including traffic received from or delivered to barges, lighters or other crafts lying alongside of such vessels. No charge will be made for wharfage on ships supplies.</p> <p><u>HANDLING</u> – Means the physical handling or movement of cargo between shipside and cars, shipside and motor vehicles, shipside and storage, or loading and unloading of cars.</p> <p>Handling as defined herein does not include the segregation or separation of freight at the port.</p> <p><u>TON</u> – Shall mean a ton of 2,000 pounds, unless otherwise specified.</p> <p><u>STORAGE CHARGES</u> – Freight held in or on the Port facility premises in excess of free time allowed is subject to storage charges provided in this tariff, or at the option of Port Management may be sent to commercial storage facilities at the expense and risk of the owner. Storage charges provided in this tariff are determined by commodity and do not include the cost of handling into or out of storage. When inland rates are applicable to or from shipside, two handling charges will be added to the storage charge.</p> <p>EXCEPT as otherwise provided in this tariff, storage charges shall begin to accrue after expiration of free time.</p> <p>ON EXPORT TRAFFIC, storage charges shall cease when vessel reports ready to receive cargo;</p> <p>ON IMPORT TRAFFIC free time shall be computed from date of completion of discharge of cargo.</p>
28-A	<p>ABBREVIATIONS Effective January 28, 1994 N.H. = No Handling Facilities Available O.A. = Owners Arrangement N/A = Not Available</p>

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28-B	<p>METRIC CONVERSION TABLE Effective November 1, 2003</p> <p>The following table is published for convenience and as a guide for measurement conversion when necessary.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">TO FIND</th> <th style="text-align: left;">GIVEN</th> <th style="text-align: left;">MULTIPLY</th> </tr> </thead> <tbody> <tr> <td>Metric Tons</td> <td>Short Tons</td> <td>Short Ton by 0.907</td> </tr> <tr> <td>Short Tons</td> <td>Metric Tons</td> <td>Metric Tons by 1.1023</td> </tr> <tr> <td>Metric Tons</td> <td>Long Tons</td> <td>Long Tons by 1.016</td> </tr> <tr> <td>Long Tons</td> <td>Metric Tons</td> <td>Metric Tons by 0.984</td> </tr> <tr> <td>Kilos</td> <td>Pounds</td> <td>Pounds by 2.2046</td> </tr> <tr> <td>Cubic Meters</td> <td>Measurement Tons (40 cubic feet)</td> <td>Measurement Tons by 1.133</td> </tr> <tr> <td>Measurement Tons (40 cubic feet)</td> <td>Cubic Meters</td> <td>Cubic Meters by 0.833</td> </tr> <tr> <td>Cubic Meter</td> <td>MBF</td> <td>MBF by 2.36</td> </tr> <tr> <td>MBF</td> <td>Cubic Meter</td> <td>Cubic Meters by 0.424</td> </tr> </tbody> </table> <p>METRIC EQUIVALENTS 1 Kilo = 2,2046 Pounds 1 Metric ton = 1,000 Kilos 1 Pound = 0.4536 Kilos 1 Cubic Meter = 35.315 Cubic Feet 1 Cubic Foot = 0.0283 Cubic Meters MBF = 83.33 Cubic Feet 1 Cubic Meter = 423.792 Ft. B.M. 1 Meter = 3.2808 Feet</p>	TO FIND	GIVEN	MULTIPLY	Metric Tons	Short Tons	Short Ton by 0.907	Short Tons	Metric Tons	Metric Tons by 1.1023	Metric Tons	Long Tons	Long Tons by 1.016	Long Tons	Metric Tons	Metric Tons by 0.984	Kilos	Pounds	Pounds by 2.2046	Cubic Meters	Measurement Tons (40 cubic feet)	Measurement Tons by 1.133	Measurement Tons (40 cubic feet)	Cubic Meters	Cubic Meters by 0.833	Cubic Meter	MBF	MBF by 2.36	MBF	Cubic Meter	Cubic Meters by 0.424
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29-A	<p>SYMBOLS Effective January 28, 1994 See following subrules.</p> <p>AMENDMENT CODES Effective January 28, 1994</p> <p>CODE DEFINITION</p> <ul style="list-style-type: none"> (A) Increase. (Not a General Rate Increase in Domestic Commerce) (B) Change resulting in neither increase nor decrease in rates or charges. (E) Expirations. (Also use “A”, if the deletion results in the application of a higher “cargo, n.o.s.” or similar rate) (F) General rate increase or decrease. (Domestic Commerce) (I) New or initial matter. (K) Rate or charge filed by a controlled common carrier member of a conference under independent action. (Foreign Commerce) (M) Transportation of U.S. Department of Defense cargo by American flag common carriers under terms and conditions negotiated and approved by the Military Sealift Command “(MSC)”. (Foreign Commerce) (P) Extension of service to additional port(s) at rates already in effect for similar services at the port(s) being added; or the carrier’s establishment of additional terminal facilities at the port(s) already served, at the same rates as those currently applicable to comparable facilities of the carrier at the same port. (Domestic Commerce) Addition of a port or point. (Foreign Commerce.) (R) Reduction (Not a General Rate Decrease in Domestic Commerce). (S) Special Case matter filed pursuant to Special permission, Special Docket or other Commission direction, including a correction amendment to, or resubmission (after notice of intent or reject) of, Essential Terms; filing of material to put tariff in order after rejection or overturning of rejection; or, filing of tariff data after suspension, such as for domestic carriers and controlled carriers. Requires “Special Case Number.” (T) Terminal Rates, charges or provisions or canal tolls over which the carrier has no control. (W) Withdraw an erroneous filing on the same day. (X) Exemptions: 1. Controlled carrier data in U.S. bilateral trades or in trades served exclusively by controlled carriers; or, 2. Domestic carrier 1-day notice for certain filings.

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30	<p>Effective October 1, 2007</p> <p>A. PAPER COPIES OF TARIFF MATERIAL: Tariff subscription fee, which includes corrections, supplements, amendments, and/or reissues is \$500.00 per year or part thereof. Remittance must accompany all requests for initial copy of tariff. Payment of subscription renewals is due each January 1 for the ensuing calendar year. Requests for subscription, along with covering check, should be sent to the Issuing Office.</p> <p>Issuing Office: Ocean Highway and Port Authority C/O Nassau Terminals, LLC 501 North 3rd Street Fernandina Beach, FL 32034</p> <p>DATA ELEMENT: Access to tariff information can be obtained through two sites:</p> <ol style="list-style-type: none">1. Through contacting Publishing Office for information to sign up through Descartes' website at: http://rates.descartes.com2. Through contacting Ocean Highway and Port Authority c/o Nassau Terminals, LLC at http://www.portoffernandina.org
31	<p>SEASONAL DISCONTINUANCE Effective January 28, 1994 Not Applicable.</p>
32	<p>RESERVED FOR FUTURE USE Effective January 1994 Reserved</p>

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33	<p>PROJECT RATE Effective January 28, 1994 Not Applicable</p>
34	<p>A contractual relationship exists between the Ocean Highway and Port Authority, and Nassau Terminals, LLC. Nassau Terminals, LLC is responsible for the administration of this tariff. Any reference to Port Management, Terminal Operator, or Commercial Director refers to Nassau Terminals, LLC.</p> <p>Nassau Terminals, LLC will collect all revenues for the Port Authority. Checks should be made payable to: Kinder Morgan, Dept. 3003, PO Box 201607, Dallas TX 75320-1607.</p>
34-A	<p>ITEM 5 – APPLICATION OF TARIFF Effective January 28, 1994 The rates, charges, rules and regulations contained in this tariff shall apply equally to all users of the waterways and facilities of the Port Authority, shall apply to all traffic on the waterways and facilities on the effective date shown on this tariff or any amendments thereto.</p>
34-B	<p>ITEM 7 – ACCESS TO HARBOR Effective January 28, 1994 Notwithstanding any other provisions of this Tariff, the Commercial Director may refuse entry of any vessel to the Port of Fernandina, when, in his discretion, such refusal shall be in the best interest of the Port of Fernandina.</p> <p>No vessel shall be permitted to enter, leave or shift berths in Port of Fernandina without the authorization of the Commercial Director.</p>
34-C	<p>ITEM 10 – GENERAL RESTRICTIONS AND LIMITATIONS Effective January 28, 1994 All services undertaken to be performed by the Port Authority, under this tariff are further subject to Federal, State and Municipal laws and regulations.</p> <p>Articles of a highly explosive or inflammable nature, or articles of uncertain value, or articles of objectionable nature, will not under this tariff be provided with wharfage, handling or storage, except under advance arrangements with the management of the Authority.</p>

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34-D	<p>The Port of Fernandina is not obligated to provide storage or handling for property which has not been transported, nor intended to be transported by water to or from the Port; nor is it obligated to provide wharfage, storage, or handling services beyond reasonable capability of the facilities.</p> <p>ITEM 15 – RIGHTS RESERVED Effective October 1,2007 ALL INVOICES ARE DUE UPON RECEIPT.</p> <p>Presentation of bills to vessels is done as a matter of accommodation and convenience and shall not constitute a waiver of the lien for charges against the vessel for services or supplies furnished the vessel, for which maritime law gives a lien.</p> <p>Nassau Terminals, LLC reserves the right to estimate and collect in advance all charges which may accrue against agents or against cargo loaded or discharged by such vessels or other users of the facilities, whose credit has not been properly established or who have habitually been on the delinquent list. Use of the facilities may be denied until such advance payment or deposits are made. Nassau Terminals, LLC reserves the right to apply any payment received against the oldest bill rendered against common carriers, vessels, and their owners and/or agents, or other users of the facilities.</p>
34-E	<p>ITEM 20 – CONSENT TO THE TERMS OF THE TARIFF Effective January 28, 1994</p> <p>The use of the waterways and facilities under the jurisdiction of the Port Authority shall constitute a consent of the terms and conditions of this tariff, and evidences an agreement on the part of all vessels, their owners and agents, and other users of such waterways and facilities, to pay all charges specified in this tariff and be governed by all rules and regulations herein contained, to abide by local rules and regulations as set forth by the Port of Fernandina and to be responsible for the disciplining of any infractions thereof by such person and/or such firms and their employees.</p> <p>The Port Authority, as an agency of the State of Florida, is authorized to supervise, control, manage, and direct the docks and terminals of same and empowered to fix rates and charges for all services and for the use of all improvements and facilities of said Port Authority. Said Port Authority is authorized to formulate and promulgate rules and regulations for the operation of said facilities.</p> <p>PENALTIES: Any person, firm, association, or corporation violating any of the rules and regulations so established shall be subject to a fine not exceeding \$500.00 for each offense.</p>

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34-F	<p>ITEM 25 – RESPONSIBILITY FOR DAMAGE TO FACILITIES Effective October 1, 2007</p> <p>All vessels, their owners or agents, and all other users of the facilities, shall be held responsible for all damage to the facilities occasioned by them, except in cases of the port’s own negligence.</p> <p>The Port Authority reserves the right to repair, or replace, or contract for same, or otherwise cause to be repaired, any and all damages to docks, wharves, warehouse or transit sheds, equipment, rail or shop facilities, water, heat and light facilities caused by common carriers, vessels, their owners and/or agents or stevedoring companies or other responsible party or parties using the facilities. Such users damaging facilities shall be liable for actual cost of repair or replacement of the damaged facilities, plus fifteen percent (15%) of such costs for authority overhead and supervision, plus such other damage recoverable under the laws of the State of Florida. (See Item 20) It is the responsibility of the users of the port facilities to notify the Commercial Director immediately of damages to the facilities and to confirm the same in writing within twenty-four (24) hours. The Port of Fernandina will acknowledge the reported damages in writing.</p> <p>The Authority may detain any vessel or other watercraft responsible for damage until security has been given in the amount of one and one-half times the estimated costs of repair or replacement of the damaged facilities, plus fifteen percent (15%) for Authority overhead and supervision.</p> <p>If legal action is necessary to collect the cost of repair or replacement of the damaged facilities, the Authority shall be entitled to recover the costs of collection, including reasonable attorney’s fees, which fees shall not be less than fifteen percent (15%) of the amount of the actual costs of repair or replacement and Authority overhead and supervision, which collection costs shall be made part of any judgment obtained.</p>
34-G	<p>ITEM 30 – ACCESS TO RECORDS Effective January 28, 1994</p> <p>All vessels, their owners and agents, and all other users of the waterways and facilities, shall be required to permit access to manifests of cargo, railroad documents, and all other documents for the purpose of audit for ascertaining the correctness of reports filed or for securing necessary data to permit correct estimates of charges.</p>

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34 – H	<p>ITEM 35 – ANCHORAGE IN THE TURNING BASIN AND CHANNEL Effective October 1, 2007</p> <p>Due to navigation hazards, no person, firm or corporation shall anchor any vessel, boat, barge, or other watercraft of any kind in the turning basin or in the channel in the Port of Fernandina, except in cases of actual emergency or by prearrangement with the Commercial Director</p>
34-I	<p>ITEM 40 – OBSTRUCTION TO NAVIGATION Effective January 28, 1994</p> <p>No substance that will sink or form an obstruction to navigation, or become a nuisance, shall be deposited in the waters of the Port of Fernandina, without first obtaining permission from the U.S. Coast Guard.</p>
34-J	<p>ITEM 45 – SPEED Effective January 28, 1994</p> <p>It shall be unlawful for vessels or other watercraft to proceed at a speed which will endanger other vessels or structures or marine mammals. Official signs indicating limited speeds through critical portions of the waterways shall be strictly obeyed. All applicable Federal, State, and Local laws, rules and regulations apply.</p>
34-K	<p>ITEM 50 – COLLISIONS OR GROUNDING OF VESSELS Effective October 1, 2007</p> <p>In the event of a grounding or a collision between two vessels or between a vessel and any wharf, dock or pier, a written report of such collision or grounding shall, within twenty-four (24) hours, be furnished to the Commercial Director by the Master, owner or agent of said vessel.</p> <p>In the case of a minor collision where a vessel is under way and proceeding to the open seas, there being no need of repair, said report may be mailed by the Master of such vessel from the next port which it enters. In all cases of collision or grounding, the report of an owner or agent shall not relieve the pilot of the duty of rendering his report within the specified time.</p>
34-L	<p>ITEM 55 – MANNING OF VESSELS AND MOBILE CONDITION Effective October 1, 2007</p> <p>Every vessel must at all times have on-board at least one person in charge with authority to take any action as may be directed by the Commercial Director. Every vessel must at all times be kept in a mobile condition and have on-board sufficient crew members to operate or handle the vessel should movement of the vessel be ordered by the Commercial Director.</p>

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34-M	<p>ITEM 60 – MOORING Effective October 1, 2007 Vessels shall at all times be secured to the dock in a manner satisfactory to the Commercial Director.</p>
34-N	<p>ITEM 65 – LIGHTS AT NIGHT Effective January 28, 1994 All vessels, barges, or other watercraft, while anchored in the waterways of the Port of Fernandina, must at all times of the night show proper lights.</p>
34-O	<p>ITEM 70 – POLLUTION OF AIR AND WATER Effective January 28, 1994 It shall be unlawful for any person, firm or corporation, to deposit, place or discharge into the waterways of the Port of Fernandina, either directly or through private or public sewers, any sanitary sewage, butcher’s offal, garbage, dead animals, gaseous liquid, solid matter, oil, gasoline, residuum of gas, calcium chloride, trade waste, tar, refuse, or any other matter which is capable of producing floating matter or scum on the surface of the water, sediment or obstruction in the bottom of the waterways, or the odors and gases or putrefaction.</p> <p>Should any vessel cause pollution of any kind within the Port, the vessel shall have the first responsibility for taking effective corrective action.</p> <p>It shall be the responsibility of the vessel to have on hand, at all time, adequate personnel to eliminate any contamination caused by petroleum products being discharged into the waters of the Port of Fernandina. Any penalties imposed by the United State of America or the State of Florida upon the vessel shall be in addition to the foregoing.</p> <p>Vessels discharging oil from bilges or tanks or solid matter into the waters of Port of Fernandina will be reported to the U.S. Coast Guard. The cost of cleaning, plus twenty-five (25) percent will be assessed against the vessel causing the contamination.</p> <p>All vessels, firms and persons using the Port facilities shall take all precautions practical to prevent pollution of the air.</p> <p>Requirement of the Pollutant Spill Prevention & Controls Act, Chapter 376 of the Florida Statutes, the Environmental Protection Agency laws and the U.S. Coast Guard regulations must be stringently observed.</p>

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34-P	<p>ITEM 75 – NUISANCE CREATED BY VESSEL Effective January 28, 1994 No vessel shall permit excessive smoke, cleaning of boilers, blowing tubes, or creating similar conditions while the vessel is in the channel, turning basin or in berth.</p> <p>Except as provided by law, the blowing of whistles and horns is prohibited.</p>
34-Q	<p>ITEM 80 – VESSELS SEIZED AND/OR DERELICT Effective January 28, 1994 All vessels entering the Port of Fernandina that are derelict or seized by regulatory agencies will be subject to Admiralty Law Procedures. Such vessels are subject to standard dockage charges.</p>
34-R	<p>ITEM 85 – PAYMENT OF CHARGES AND INVOICES Effective October 1, 2007 Vessels, their owners and Agents, by loading of cargo from the wharves or discharging the cargo thereon, thereby contract to pay all wharf demurrage and wharf storage charges then accrued or which may accrue from the removal of such cargo to another part of the wharves, or storage elsewhere.</p> <p>The Port Authority does not recognize the numerous shippers or consignees and cannot attempt to collect or assist in collecting wharfage and similar bills which may be passed on to the shippers and consignees by the vessel, its owners and Agents; Charges must be paid by the vessel, its owners, or its Agent regardless of when the vessel, its owners or Agents are reimbursed.</p> <p>This provision applies to all charges assessed under this tariff. The arrest or attachment of any vessel or cargo by court process shall not relieve the Agent of responsibility for terminal charges, dockage and related charges, as accrued while the vessel or cargo remains in court custody at the facilities of the Port of Fernandina.</p> <p>The carrier, vessel, owner, shippers, receiver, or Agent who shall fail to pay any invoice when due shall be placed on the Delinquent List (conditions of which are defined in Item 90.) Invoices must be paid, when and as presented. Errors, if any, will be rectified by the Commercial Director</p>

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RULE #	APPLICATION
34-S	<p>ITEM 90 – DELINQUENT LIST Effective February 17, 1995</p> <p>All common carriers, vessels, their owners, and/or Agents, forwarders, or other users of the Port’s facilities, who may be placed on the Delinquent List, for reasons stated heretofore, will be denied further use of the facilities until all outstanding charges together with any other charges currently due, shall have been paid.</p> <p>Any users of the Port’s facilities who remain on the Delinquent List for thirty (30) days shall be liable for all costs, expenses and reasonable attorney’s fees that the Port of Fernandina may incur in connection with collection of any charges or bills due, whether or not actual litigation is instituted or prosecuted to a judgment, which costs, expenses and fees shall be considered as part of the above referenced outstanding charges.</p>
34-T	<p>ITEM 95 – INDEMNITY BOND Effective October 1, 2007</p> <p>a) Users of the Port facilities may be required to furnish the Commercial Director with an indemnity bond insuring the Port against loss of any funds accruing from charges assessed for service rendered and for usage of the facilities. The Commercial Director is authorized to determine the amount of the indemnity bond.</p> <p>b) No provision contained in this Tariff shall limit or relieve the Port Authority from liability for its own negligence nor require any user to indemnify or hold harmless the Port Authority from liability for its own negligence.</p>
34-U	<p>ITEM 100 – PERFORMANCE BOND Effective October 1, 2007</p> <p>Stevedores and/or Cargo Handlers of any cargo consisting of liquid or dry bulk, general cargo or any other type of cargo, moving over the docks or within the confines of the Port property may be required to post a Bond, as determined by the Commercial Director to be adequate, payable to the Port Authority, conditioned according to law for the faithful performance of duties, services and operations proposed to be provided.</p>
34-V	<p>ITEM 110 – INSURANCE Effective January 28, 1994</p> <p>The charges provided in this tariff do not include any expense for fire or storm insurance covering owner’s interest in the property nor will such insurance be affected by parties to this tariff under their policies.</p>

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RULE #	APPLICATION
34-W	<p>ITEM 115 – RESPONSIBILITY FOR CARGO Effective October 1, 2007</p> <p>Export cargo, while on the Port facilities is in the custody, care and the control of vessel, its Agents, or the shipper; full responsibility shall be assumed by the vessel, its Agents, or the shipper.</p> <p>Import cargo, while on the Port facilities is in the custody, care and control of the vessel, agents, importer, or Agents of importers thereof, and full responsibility for forwarding rests with one or the other of these parties.</p>
34-X	<p>ITEM 120 – BONDED WAREHOUSE STORAGE Effective January 28, 1994</p> <p>Any charges assessed against the Port Authority by the United States Customs for handling or for other services in connection with goods placed in, or withdrawn from bonded storage shall be collected from the owner.</p>
34-Y	<p>ITEM 125 – REQUIREMENT OF PRIOR INSTRUCTIONS Effective January 28, 1994</p> <p>Forwarders or owners of cargo shall furnish written specific instructions for the disposition of all cargoes to be received from railroad cars or trucks for outbound water movement, in advance of receipt of the cargo at the Port’s facilities. Demurrage resulting from lack of instructions shall be the responsibility of the cargo and/or forwarder. Cargo unloaded from railroad cars or trucks placed in the transit shed shall be assessed additional handling charges if instructions for marking, stenciling, or segregation have not been received prior to placement of cargo.</p>
34-Z	<p>ITEM 126 – ACCESS TO PORT BY MOTOR VEHICLES Effective January 28, 1994</p> <p>Motor carriers delivering cargo to or receiving cargo from the Port of Fernandina facilities will strictly abide by local and state regulations regarding designated truck routes in and around the City of Fernandina and Nassau County.</p>
34-AA	<p>ITEM 130 – CARGO STATEMENTS REQUIRED Effective October 1, 2007</p> <p>All vessels, trucks, barge lines, importers, exporters, freight forwarders, custom house brokers, shippers and their Agents, and all other users of the facilities and waterways, shall upon arrival, report to the Commercial Director all cargo placed on the Port facilities.</p>

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Such report shall be in the form of copies of the ships' manifest, or certified statements, and shall show number of units, commodity, weight, destination, consignee, and all other information which the Port of Fernandina deems necessary for the compilations of commercial statistics, for the reserving of necessary warehouse or wharf space, or other purposes.

34-AB	ITEM 135 – DELIVERY ORDERS
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Effective January 28, 1994

For the protection of cargo, all drivers must have written "Delivery Order" for each truck to be loaded at the Port of Fernandina. This "Delivery Order" should be on an order form or letterhead of the firm owning the cargo and must be signed by an official of the company, or person authorized to sign such orders. The "Delivery Order" shall describe the cargo, the lading number and marks, if any, on cargo. Any driver not having this written order will not be permitted to load or leave the Port premises without surrendering a copy to the appropriate Port representative.

34-AC	ITEM 140 – DEMURRAGE OF VESSELS
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Effective January 28, 1994

The Port of Fernandina does not assume responsibility for demurrage to vessels under any circumstances. This provision is subject to Rule 34 sub-rule T paragraph b.

34-AD	ITEM 145 – SEPARATION
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Effective January 28, 1994

The charges for separation will be on the basis of an additional applicable handling charge. Separation or segregation means the placing of the contents of a car or truck in more than one place or pile or the arranging of said contents in one place or pile or the arranging of said contents in one place or pile according to size, grade, brand, kind, mark, submark or other identification or unit in accordance with designation, request or instructions from the shippers, exporter or steamship line or their Agents, given either verbally or by writing contained in the bill of lading or elsewhere.

34-AE	ITEM 150 – POINT OF REST
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Effective January 28, 1994

All cargo will be received and delivered to a "Point of Rest" in space assigned in transit shed, or on apron adjacent to berth assigned to a ship.

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34-AF	<p>ITEM 155 – UNCONSIGNED CARGO Effective January 28, 1994 Cargo arriving at the Port of Fernandina transit sheds not consigned to a specific agent shall be assigned an agent at the Authority’s discretion.</p>
34-AG	<p>ITEM 160 – ABANDONED CARGO Effective October 1, 2007 Any cargo on which charges have not been collected within 90 days shall be considered abandoned cargo. The Port Authority reserves the right to remove any or all of such property to another part of the premises or to remove it and place in storage off of the Port at the risk and expense of the owner. The Port Authority may retain possession of the property until all charges have been paid. When the Commercial Director determines final abandonment of the cargo in any instance, he shall dispose of same under established legal procedures.</p>
34-AH	<p>ITEM 165 – WHARFAGE EARNED Effective January 28, 1994 All cargo placed on a wharf, in transit sheds, covered storage sheds, open storage areas, shipside or on any Port owned property, land or facilities shall be considered to have earned wharfage when so placed and wharfage will be collected on it whether or not it is eventually loaded on a vessel.</p> <p>Exception: No charge will be assessed for Ship’s stores.</p>
34-AI	<p>ITEM 170 – FURNISHING CHECKER FOREMEN Effective January 28, 1994 When vessels are loading or discharging cargo the Port may furnish Check-Foremen to supervise the release of cargo being loaded and/or cargo being discharged. The charge for each man furnished will be based on the labor-furnished rates for foremen with the Port reserving the right to furnish as many men as they deem necessary to protect their interests. Charges for this service will be rendered against the vessel, their owners or Agents.</p>
34-AJ	<p>ITEM 175 – WHARF OBSTRUCTION Effective October 1, 2007 Stevedore’s tools, appliances, equipment, gear, vehicles, or any other material objects which are not part of the cargo, will not be permitted to remain on the wharves or Port facilities except at the discretion of the Commercial Director.</p>

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34-AK	<p>If such obstruction is not removed within 24 hours after notification by the Commercial Director, such equipment, and material will be stored and \$50.00 charged for each day it remains unclaimed, together with the expense of removal, storage or sale.</p> <p>ITEM 180 – VEHICLES Effective October 1, 2007 All vehicles enter the port at their own risk. The Terminal Operator and the Port Authority will accept no responsibility for any damage whatsoever to vehicles operated on the Port facility.</p> <p>It shall be unlawful, for the owner or driver of any automobile, truck, trailer, or other vehicle, to allow same to remain parked on any wharf, apron, or on the inside of the wharf, transit shed, or warehouse, or on any roadway on the Port facilities for a longer period than is necessary to load or unload its cargo or passengers. No vehicles shall be driven closer than 100 feet to any vessel handling flammable cargo or materials without specific permission from the Commercial Director.</p>
34-AL	<p>ITEM 185 – ABANDONED VEHICLES Effective January 28, 1994 Any vehicle of any description which is left unclaimed for a period of twenty-four (24) hours on the Port facilities shall be deemed abandoned. Subject vehicles may be removed or ordered removed by the Port at the sole risk and expense of the owner. This provision is subject to Rule 34 sub-rule T paragraph b.</p>
34-AM	<p>ITEM 190 – CLEANING CARS & TRUCKS Effective October 1, 2007 Cars and Trucks will not be cleaned on Port Authority property without special permission from the Commercial Director.</p>
34-AN	<p>ITEM 195 – WORKING HOURS, RECOGNIZED Effective November 1, 1999 The recognized working hours of the Port Authority shall be 8:00 a.m. to 5:00 p.m. Monday through Friday, holidays excepted. During the recognized working hours, services will be charged for on a straight time basis. Trucks with non-containerized cargo must arrive at the Port Terminal for loading or unload prior to 4:00 p.m. Monday through Friday.</p>
34-AO	<p>ITEM 200 – RESERVED FOR FUTURE USE Effective November 1, 1999</p>

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34-AP	<p>ITEM 205 – LIST OF HOLIDAYS Effective November 1, 2001 When reference is made in this tariff to “holidays” it means the following days:</p> <p>New Year’s Day Martin Luther King’s Birthday Memorial Day (Last Monday in May) Independence Day Labor Day Veterans Day Thanksgiving Christmas Eve Day Christmas Day</p> <p>Christmas Day and Thanksgiving Day are “no work holidays”. In the event one of the above holidays falls on Sunday, the following Monday will be observed. In the event a holiday falls on Saturday, the Friday before will be observed.</p>
34-AQ	<p>ITEM 210 – APPLICATION FOR BERTHING SPACE Effective October 1, 2007 No vessel shall enter the Port of Fernandina until such time as the vessel has received authorization from the Commercial Director.</p> <p>Any vessel desiring a berth at the Port of Fernandina shall as far in advance as possible, but not less than 72-hours prior to the time of docking, make application to the Commercial Director of Nassau Terminals, LLC for a berth. Such applicant shall specify the date and time of arrival, estimated time of sailing, and the nature and quantity of cargo to be handled. All vessels must provide a firm 24-hour estimated time of arrival.</p> <p>Any vessel which does not conform with the 72-hour berth application or 24-hour firm estimated time of arrival and conflicts with berth assignments made, may be assigned an alternate berth or await the vacancy of a preferred berth.</p> <p>All vessels, including coastwise or foreign seagoing barges, but not including internal barge movement will be assigned berthing facilities by the Commercial Director on a “first come, first served” basis. Additionally, the Commercial Director reserves the right to assign berths for the best utilization of Port facilities.</p> <p>The Commercial Director reserves the right to refuse entry to any vessel carrying explosives, or hazardous cargo or determined to be hazardous or not in a seaworthy condition.</p>

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34-AR	<p>No vessel will be allowed to remain idle in berth if another vessel is waiting berthage and prepared to work.</p> <p>All vessel owners, operators or agents are required to consult with the Pilots Association prior to calling at the Port of Fernandina regarding pilotage requirements for existing conditions at the Port.</p> <p>ITEM 215 – FREE TIME ALLOWED ON IMPORT AND EXPORT TRAFFIC Effective October 1, 2007 EXCEPT AS PROVIDED ELSEWHERE HEREIN:</p> <p>Cargo will have 15 consecutive calendar days free time. A two day grace period will be added to the first period of storage. If during the free time period, cargo is loaded into or on cars or trucks at option of the Port Authority, to relieve wharves, the remainder of the free time period will be applicable to the cargo so held in cars and trucks.</p> <p>Any project cargo not susceptible to weather damage, when for International commerce, outbound coastwise or intercoastal movement, will be granted up to seventy five (75) days free time, subject to the following provisions:</p> <ol style="list-style-type: none"> (1) The availability of suitable open ground storage space and (2) Prior approval from Commercial Director.
34-AS	<p>ITEM 220 – OVERTIME, WORKING REQUIRMENTS OF VESSELS Effective October 1, 2007</p> <p>The agents and/or owners of all vessels which are accepted for berthing at the Port facilities of the Port of Fernandina may be required to work the vessel continuously to completion with overtime for ship’s account, when the berth assigned to the vessel or the facility of the Port of Fernandina is declared by management of the Port to be congested.</p> <p>Any vessel in berth which refuses to work continuously to completion shall vacate the berth upon orders of the Port of Fernandina. When a vessel loses her right to a berth by refusing to work continuously to completion, such vessels shall forfeit her turn at the berth assigned and go to the bottom of the list of vessels which are assigned to the berth or facility.</p> <p>In the event of a disruption of the vessel’s power or any other impairment of its loading or unloading facilities, rendering it unable to continue discharging or taking on cargo, the Port of Fernandina reserves the right to order the vessel moved from its berth to a more suitable location pending necessary repairs.</p>

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34-AT	<p>If in the opinion of the Commercial Director, a vessel is working at reduced rate or reduced gangs, for any reason, including breakdown of equipment, such vessel shall vacate its berth when ordered to do so by the Commercial Director in order to avoid overall delays and/or congestion and to permit better utilization of the Port facilities.</p> <p>Shall any vessel fail to vacate the berth upon the above conditions, the Port of Fernandina shall have the right, authority and privilege to move the vessel at the vessel's own risk and expense.</p> <p>ITEM 225 – RAILCARS, PLACING, LOADING AND UNLOADING OF Effective January 28, 1994</p> <p>All cars placed by the line-haul railroads will be accepted as good order cars and will be loaded or unloaded, except those cars improperly loaded will not be handled at regular tariff rates. The line-haul railroad will be called and special contract entered into covering unloading of improperly loaded cars. Failure of line-haul carrier to have cars cleaned before placing will place on carrier the responsibility for contamination and for detention of cars until they are properly cleaned.</p> <p>Any services required by line-haul carrier will be performed on a basis of cost plus twenty-five percent (25%).</p>
34-AU	<p>ITEM 230 – AUTHORITY HELD HARMLESS Effective February 20, 2007</p> <p>All users of Authority facilities agree to indemnify and save harmless the Authority and Nassau Terminals, LLC/Kinder Morgan, the Terminal Operator, from and against all losses, claims, demands and suits for damages, including death and personal injury, and including court costs and attorney fees, incident to or resulting from their operations on the property of the Authority and the use of its facilities. This provision is subject to Rule 34 Subrule T paragraph b.</p>
34-AV	<p>ITEM 235 – LOSS OR DAMAGE, LIABILITY FOR Effective February 20, 2007</p> <p>Except as may be caused by its own negligence, Port Authority and/or Nassau Terminals, LLC/Kinder Morgan, the Terminal Operator, shall not be liable for injury to or loss of any cargo, container, or chassis, being loaded, unloaded, handled, or stored at the facilities, nor for injury to or loss of cargo on or in its facilities, by fire, or stored at the facilities, nor for injury to or loss of cargo on or in its facilities, by fire, leakage or discharge of water from fire protection sprinkling system, collapse of buildings, sheds, platforms, wharves, subsidence of floors or foundations; breakage of pipes, nor for loss of injury caused by rats, mice, moths, weevils or other animals or insects; frost or the elements, nor shall they be liable for any delay, loss or damage arising from combination of strikes, tumults, insurrections, or acts of God, nor from any of the consequences of these contingencies. Nothing herein shall relieve the port from liability resulting from its own negligence.</p>

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34-AW	<p>ITEM 240 – PASSENGERS, EMBARKING OR DISEMBARKING Effective October 1, 2007</p> <p>For passengers embarking or disembarking over the Port Authority docks, there will be an assessed charge of \$7.50 per person per day – with a minimum charge of \$750 per day per passenger vessel.</p> <p>When passengers embark or disembark from a vessel loading or unloading cargo at the docks, no charge will be assessed.</p>																		
34-AX	<p>ITEM 250 – WATER, FRESH Effective October 1, 2011</p> <p>Charges for fresh water will be assessed at \$3.30 per ton. (Minimum of \$90.00 for each service)</p>																		
34-AY	<p>ITEM 255 – DOCKAGE Effective October 1, 2011.</p> <p>Dockage charges will be computed on LOA of vessel as published in Lloyd’s Register of Shipping per the schedule below.</p> <p><u>Early Dockage</u> Vessels making regular scheduled calls to the Port of Fernandina may be granted early dockage, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Availability of the berth and approval of the Commercial Director. 2. Docking is done in the evening prior to working the following morning and with labor scheduled not later than 0800 hours following morning. 3. Dockage charge will commence at 0600 hours. <p>The following charges are assessed against vessels or barges using authority facilities: VESSELS:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>To 250’</td> <td>\$2.95 per linear foot each day or fractional part.</td> </tr> <tr> <td>251’ – 300’</td> <td>\$3.50 per linear foot each day or fractional part.</td> </tr> <tr> <td>301’ – 400’</td> <td>\$4.55 per linear foot each day or fractional part.</td> </tr> <tr> <td>401’ – 500’</td> <td>\$5.45 per linear foot each day or fractional part.</td> </tr> <tr> <td>501’ – 600’</td> <td>\$6.75 per linear foot each day or fractional part.</td> </tr> <tr> <td>601’ and over..</td> <td>\$7.00 per linear foot each day or fractional part</td> </tr> </table> <p>Refrigerated Cargo Vessels \$4.90 per linear foot each day or fractional part.</p> <p>Note: In computing dockage a two (2) hour grace period will be added to the last day.</p> <p>BARGES:</p> <p>Ocean Going Barges</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>\$3.15</td> <td>Per linear foot each day or fractional part.</td> </tr> </table> <p>River Barges</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>\$2.10</td> <td>Per linear foot each day or fractional part.</td> </tr> </table> <p>Cruise Vessels</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>\$7.75</td> <td>Per linear foot each day or fractional part.</td> </tr> </table>	To 250’	\$2.95 per linear foot each day or fractional part.	251’ – 300’	\$3.50 per linear foot each day or fractional part.	301’ – 400’	\$4.55 per linear foot each day or fractional part.	401’ – 500’	\$5.45 per linear foot each day or fractional part.	501’ – 600’	\$6.75 per linear foot each day or fractional part.	601’ and over..	\$7.00 per linear foot each day or fractional part	\$3.15	Per linear foot each day or fractional part.	\$2.10	Per linear foot each day or fractional part.	\$7.75	Per linear foot each day or fractional part.
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34-AY-1	<p>ITEM 256 – FREQUENT USERS Effective November 1, 1999 Any vessel operator making eight (8) or more port calls per calendar quarter will receive a 25% discount on dockage rates in the subsequent calendar quarter.</p> <p>Dates of port calls will be determined by departure dates. Calendar quarters are as follows:</p> <p>January through March April through June July through September October through December</p>
34-AZ	<p>ITEM 260 – VESSELS EXEMPT FROM DOCKAGE CHARGES Effective October 1, 2007 Dockage shall not be charged against:</p> <p>1) Vessels that are engaged exclusively in non-commercial exhibition, and training vessels owned or operated by charitable organizations, provided such charge is waived by the Commercial Director.</p> <p>2) At the discretion of the Commercial Director, Government vessels not engaged in commerce may be exempt from the charges shown in this tariff, or a reduction in rates and charges may be granted.</p> <p>3) Tow boats or landing boats engaged in service to vessels utilizing the port.</p>
34-BA	<p>ITEM 265 – UNAUTHORIZED DOCKAGE Effective October 1, 2007 Any vessel berthed in an unauthorized manner, unassigned berth, or shifted without the approval of the Commercial Director shall be subject to dockage in an amount equal three (3) times the published rate. Such vessel may be moved at the Commercial Director option to a properly designated berth without notice at the owner’s risk and expense.</p>
34-BB	<p>ITEM 270 – CHANGE OF VESSEL LOCATION Effective October 1, 2007 Every vessel, boat, barge or other watercraft must at all times, have on board a person in charge with authority to take such action in any actual emergency as may be necessary in order to facilitate common navigation or commerce, or for the protection of other vessels or property.</p>

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	<p>In the event that no person is on board, the Commercial Director may place such personnel on the vessel as he deems necessary for the protection of other vessels or property or to facilitate navigation or commerce. In such cases, the expenses involved will be charged to the master, owner, or agent of such vessel.</p> <p>The Commercial Director is authorized and may direct or order and enforce the removal or change of location of any vessel, boat, barge or other watercraft to such place as may be designated, for the purpose of facilitating navigation or commerce, or for the protection of other vessels or property. It shall be unlawful for the master, owner, or agent of such vessel to fail, neglect, or refuse to obey such order of the Commercial Director. Such removal or change in location will be at the owner's risk and expense.</p>
34-BC	<p>ITEM 275 – FIRE SIGNAL Effective January 28, 1994</p> <p>In the event of fire occurring on board any vessel in the Port Authority, except vessels under way, such vessels may sound five (5) prolonged blasts of the whistle or siren to indicate fire on board or at the dock. Signal shall be repeated at intervals to attract attention in addition to other means of reporting a fire. The word "prolonged blast" used in this rule shall mean a blast of from four to five seconds in duration.</p>
34-BD	<p>ITEM 280 – SMOKING RESTRICTIONS Effective January 28, 1994</p> <p>Smoking is strictly prohibited in transit sheds, warehouses, or on apron of the wharves, and on vessels handling dangerous, hazardous or inflammable cargo. Smoking is also strictly prohibited in any areas where gasoline or like materials are being handled.</p>
34-BE	<p>ITEM 285 – BILL POSTING PROHIBITED Effective October 1, 2007</p> <p>No person shall post, distribute, or display signs, advertisements, circulars, or written matter at the Port facility without prior written permission of the Commercial Director.</p>
34-BF	<p>ITEM 290 – SOLICITATION Effective October 1, 2007</p> <p>It shall be unlawful for any person or firm to solicit or carry on any business on the Port of Fernandina property without first obtaining a permit or franchise from the Commercial Director of the Port of Fernandina, as required by this Tariff.</p>

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34-BG	<p>ITEM 295 – LOITERING ON PREMISES Effective January 28, 1994 It shall be unlawful for any person to loiter in or on any of the Port facilities or properties. It shall be unlawful for any unauthorized persons to enter cargo handling areas.</p> <p>Persons using the Port facilities do so at their own risk. The Port of Fernandina will assume no responsibility for injuries, or damages sustained.</p>
34-BH	<p>ITEM 300 – SIGNS Effective October 1, 2007 Signs of any kind erected on Port property or painted on structures of facilities will be furnished by the Port user. All signs must be approved by the Commercial Director.</p>
34-BI	<p>ITEM 310 – MISCELLANEOUS CHARGES Effective January 28, 1994 Special services will be performed if requested in advance. Contact Port Management for charges.</p>
34-BJ	<p>ITEM 315 – MINIMUM INVOICE CHARGES Effective October 1, 2008 Unless otherwise specified in individual items, the minimum charge on a single invoice on any one shipment shall be \$35.00.</p> <p>In assessing minimum charges shown above, each dock receipt or shipping order tally will be considered as constituting a single shipment.</p>
34-BK	<p>ITEM 320 – LABOR, FURNISHED Effective January 28, 1994 When services are performed by the Port for which no specific rates are published in this tariff, the rates will be the total cost of the personnel performing such services, plus 25% for overhead and administration.</p>
34-BL	<p>ITEM 321 – MATERIALS, FURNISHED/RATES Effective January 28, 1994 Any materials furnished by the port will be charged on the basis of actual cost, plus 20% for purchasing and handling.</p>

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GENERAL RULES AND REGULATIONS

RULE # APPLICATION

34-BM ITEM 330 – CLEANING (GENERAL)

Effective January 28, 1994

All vessels, their owners and agents, and all other users of the facilities, shall be held responsible for cleaning such facilities after they have used them, including adjacent aprons and gutters. If the facilities are not properly cleaned, the Port Management reserves the right to have such facilities cleaned and bill the user of the facilities.

34-BN ITEM 350 – LINE HANDLING

Effective October 1, 2011

The Port Operator will assess the following charges for the service of handling lines and shifting vessels at the Port of Fernandina.

For vessels less than 325 feet in length:

	Straight Time	Overtime
Mooring	\$205.00	\$250.00
Unmooring	\$150.00	\$185.00
Shifting from one berth to another	\$205.00	\$250.00

For vessels more than 325 feet in length:

	Straight Time	Overtime
Mooring	\$345.00	\$455.00
Unmooring	\$195.00	\$250.00
Shifting from one berth to another	\$345.00	\$455.00

For Barges:

	Straight Time	Overtime
Mooring	\$155.00	\$165.00
Unmooring	\$155.00	\$165.00

Detention or Stand-By rates per half hour or fractional part thereof. Applicable after first two hours:

	Straight Time	Overtime
Mooring	\$95.00	\$130.00
Unmooring	\$70.00	\$80.00
Shifting from one berth to another	\$95.00	\$130.00

All vessels, boats, or other watercraft, except tug boats, must use linehandlers.

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GENERAL RULES AND REGULATIONS

RULE #	APPLICATION
34-BO	<p>ITEM 355 – STEVEDORE USE FEE Effective January 1, 1995 Bulk Cargo \$.08/ton General Cargo \$.67/ton</p>
34-BP	<p>ITEM 360 – BULK MATERIAL Effective January 28, 1994 The wharfage charge on bulk commodities, not otherwise specified, handled through the Port of Fernandina facilities, is \$.60 per net ton.</p>
34-BQ	<p>ITEM 370 – STORAGE Effective January 28, 1994 Contact Port Management for availability and storage rates.</p>
34-BZ	<p>ITEM 375 – Security Fees Effective October 1, 2009</p> <p>Breakbulk \$0.19 per short ton Containers \$0.45 per container Dockage \$0.19 per LOA Cruise Passenger \$1.65 per passenger embarking or disembarking Escort fee for non-TWIC holders \$75.00 per visitor</p>
34-DH	<p>Item 675- Fuel Surcharge Effective May 14, 2011</p> <p>Breakbulk \$0.15 per short ton Containers \$0.60 per container</p>

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RULES AND REGULATIONS - CONTAINERS

RULE #	APPLICATION
34-BR	<p>ITEM 380 – CONTAINERS, GENERAL Effective October 1, 2007</p> <ol style="list-style-type: none">1) The term “Container” refers to the so-called “Standard 20-foot, or 40-foot sea-going container”. Note: The so-called “vans” used in connection with the shipments of household goods are not included within this definition and they are not subject to the Rules, Regulations and Charges as shown in this tariff.2) The term “Marshalling Yard”, refers to the designated area in the Port facility where loaded or empty sea-going containers can be physically exchanged by the inland carrier (or its contractual agent) and the ocean or water carrier (or its authorized Agent) through the terminal.3) The term “Open Storage” or “Parking Area” refers to the designated open storage or parking area where loaded or empty containers, when on wheels or chassis (furnished by owner or Agent) or employ chassis or underframes may be held in custody of Nassau Terminals, LLC on instructions by the vessel and/or its authorized Agent.4) The term “Rehandling Container” refers to the moving or towing of a Standard 20-foot or 40-foot sea-going container, upon instructions from the vessel and/or its authorized Agent, to or from “Point of Rest” to or from designated point on the facility.5) The term “Receiving or Delivering Container” refers to physical acceptance or delivery of a container by Nassau Terminals, LLC. <p>Nassau Terminals, LLC will perform the following functions to effect physical exchange of a container between the inland carrier and the water carrier berthing at the Port facilities.</p> <ol style="list-style-type: none">a) Upon instructions from the vessel and/or its authorized Agent, a wheeled container appropriately moved into position in the Marshalling Yard by the inland carrier will be removed from the wheels, bogies, chassis, frame, or flat-bed trailer by Nassau Terminals, LLC. In turn, the container will be grounded or stacked by Nassau Terminals, LLC in the Marshalling Yard at a “Point of Rest” and then transported to the vessel during shiploading.

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RULES AND REGULATIONS - CONTAINERS

RULE #	APPLICATION
	<p>b) Likewise, Nassau Terminals, LLC will receive a container without wheels, from the vessel and/or its<u>its</u> authorized Agent for delivery to an inland carrier. Nassau Terminals, LLC will ground or stack the container in the Marshalling Yard at a “Point of Rest” designated by Nassau Terminals, LLC. When so requested by the vessel and/or its authorized Agent, Nassau Terminals, LLC with its labor and mechanical equipment, will remove the container from “Point of Rest” and place the container on wheels, chassis, frames or flat-bed trailer for delivery to the inland carrier.</p> <p>c) Nassau Terminals, LLC will exercise physical control over the container the entire time that the container is in the Marshalling Yard.</p> <p>d) Nassau Terminals, LLC will accept a container from or release a container to the inland carrier<u>carrier</u> upon instructions from the vessel and/or its authorized Agent.</p> <p>e) Receiving or delivering container and underframes includes execution of interchange form for the steamship line.</p> <p>f) A wheeled container which is “Received” by Nassau Terminals, LLC in the “Open Storage” or “Parking Area” from an inland motor carrier and upon instructions from the vessel and/or its authorized Agent, released to an inland motor carrier, rather than being interchanged with a water carrier, Nassau Terminals, LLC will consider this procedure to be two separate “Receiving” operations. Nassau Terminals, LLC will then assess a dual “Receiving” and/or “Delivery” charge to the vessel and/or its Agent.</p> <p>g) A “Wheeled Container” is a container as described in this item, loaded or empty, on own sheels, bogies, frames, chassis or flat bed trailer, furnished by owner or Agent.</p> <p>6) The term “Pre-mounting/Delivery” or “De-mounting/Receiving Container”, refers to the physical placing or removal by Nassau Terminals, LLC of a container, empty or loaded, to or from its own wheels, chassis, bogies, or frames (same to be furnished by the vessel or its authorized Agent) upon instructions from the vessel and/or its authorized Agent, at a time other than delivering or receiving the container to or from the inland carrier.</p> <p>7) The term “Segregation of Containers” refers to the movement of a container from one location to another location, in close proximity, in the Marshalling Yard.</p>

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RULES AND REGULATIONS - CONTAINERS

RULE #	APPLICATION
	<p>8) Paragraph 8 is deleted.</p> <p>9) The term “Handling of Container to the CFS” refers to the movement of containers on terminals wheels from the Marshalling Yard to the CFS and back to the Marshalling Yard.</p> <p>10) Nassau Terminals, LLC will furnish electrical power to refrigerated containers at rates published herein. If requested, Nassau Terminals, LLC will provide temperature monitoring service for refrigerated containers at actual cost of labor, materials and equipment, plus percent (20%).</p> <p>Nassau Terminals, LLC will not be responsible for any repairs to mechanical equipment and will not be responsible in the event of electrical failure.</p> <p>11) Nassau Terminals, LLC will grant seven (7) consecutive calendar days “Free Time” beginning with the first 8:00 a.m. after placement of containers, loaded or empty in wheel operation and on containers without wheels, bogies, chassis or frames in stacked operations. The “Free Time” applies to the ocean carrier only and all storage charges are for the account of the ocean carrier.</p> <p>EXCEPTION: Nassau Terminals, LLC may grant additional free time on empty containers to vessels maintaining a regular scheduled service in the Port of Fernandina.</p> <p>12) The term “Containers Interchanged Between Water Carriers” refers to containers (loaded or empty) interchanged between water carriers and moving over the piers, wharves or bulkheads of the Port facilities and is assessed against the receiving water carrier. This charge is applicable only upon proper notification to Nassau Terminals, LLC prior to the discharge of the delivering vessel. If proper notification is not received, the charge as applicable in Paragraph 5 of this item will apply.</p> <p>13) The term “Positioning Container From Marshalling Yard to Container Repair Area” refers to the handling of containers from the Marshalling Yard to the repair area and the return of the container to the Marshalling Yard.</p>

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RULE #	APPLICATION
34-BS	<p>ITEM 385 – RECEIVING OF CONTAINER HAVING DIMENSIONAL LENGTH OTHER THAN 20-FOOT OR 40-FOOT Effective October 1, 2007 Prior arrangements must be made with Nassau Terminals, LLC by the authorized Agents of the vessels before sea-going containers having dimensional length other than 20-foot or 40-foot will be accepted by Nassau Terminals, LLC.</p>
34-BT	<p>ITEM 390 – RECEIVING OF CONTAINERS HAVING DAMAGE OR VARIANCES WHICH IMPEDE NORMAL MOVEMENT Effective October 1, 2007 Sea-going containers, as described in Item 380, having damage or variances which may impede normal movement with the Port facilities mechanical equipment will not be “Received” in the Marshalling Yard unless arrangements have been made with Commercial Director of Nassau Terminals, LLC.</p>
34-BU	<p>ITEM 395 - CHARGE FOR RENTAL OF CONTAINERS HANDLING EQUIPMENT Effective October 1, 2007 Multi-use equipment rates will be negotiated by Nassau Terminals, LLC with shipper. Rates for specialized container handling will be established when such equipment is made available.</p>
34-BV	<p>ITEM 400 – CHARGES FOR CONTAINERS Effective October 1, 2011 The following charges apply on containers and/or chassis owned or leased by the steamship line not exceeding 40 feet in length or loaded in excess of rate capacity. These charges are assessed against the vessel or its Agent:</p> <p style="margin-left: 40px;">Wharfage on empty containers.....No charge Wharfage on loaded container, per net ton of contents..... \$2.40 Rehandling Container (see Item 380 par. 4), per container..... \$21.65 Receiving or Delivering Containers (see Item 380 par 5), per container..... \$52.00 Receiving or Delivering Containers-wheeled operations (see Item 380 par. 5)..... \$34.00 Premounting / Delivering or Demounting/ReceivingReceiving Containers (see Item 380 par. 6) \$59.50 Segregation of Containers (see Item 380 of par. 7), per container..... \$38.35</p>

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RULE #	APPLICATION
	<p>Handling of Container from Marshalling Yard to CFS (see Item 380 par. 9)..... \$68.75</p> <p>Receiving or Delivering Empty Chassis – wheeled operation (see Item 380 par. 5), per empty chassis \$19.90</p> <p>Furnishing Electrical Power Service (see Item 380, par. 10), Per 24 hours \$38.85</p> <p>Positioning Container from Marshalling Yard to Container Repair Area (see Item 380, par. 13) \$68.75</p> <p>Store Charges on Containers Held Beyond Free Time (see Item 380, par. 11), are as follows:</p> <p>Per Container</p> <p>Chassis or Underframe:</p> <p>Not Exceeding 20’ in length \$1.35/day</p> <p>Over 20’ but not exceeding 40’ length..... \$1.85/day</p> <p>Chassis \$2.05/day</p> <p>(Long term open storage is available only on prior arrangement.)</p> <p>Charge for Interchanging Containers Between Water Carriers and Moving over Piers (see Item 380, par. 12), per container..... \$19.00</p>
34-BW	<p>ITEM 401 - SPECIAL RATES Effective November 1, 1999 Containers loaded with coffee will be allowed (30) days free time.</p> <p>Containers returning from repair depots will be received at no charge.</p>
34-BX	<p>ITEM 405 – CONTAINER LOADED IN EXCESS OF RATED CAPACITY Effective February 17, 1995 The Rates, Rules, Regulations and Charges published in this tariff are not applicable to standard sea-going containers loaded in excess of their Rated Capacity.</p> <p>The Port will not permit its mechanical equipment (designed for movement or carriage of containers) or its container crane to be used in any way to lift, move or transport a container which is loaded in excess of the rated capacity.</p>

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RULES AND REGULATIONS - CONTAINERS

RULE #	APPLICATION
34-BY	<p>The party or parties, causing such unauthorized use shall be held liable for all losses, claims, demands, and suits for damages, including court costs and attorney's fees, incident to or resulting from such unauthorized use.</p> <p>ITEM 410 – EQUIPMENT DAMAGE Effective January 28, 1994 Neither the Port Authority or <u>Neither the Port Authority nor</u> the Terminal Operator will be responsible for damage to containers or chassis which occurs during normal course of handling, except in cases of negligence.</p>

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RULES AND REGULATIONS – BREAK BULK CARGO

RULE #	APPLICATION			
34-CA	<p>RULES AND REGULATIONS – BREAK BULK CARGO Effective October 1, 2005 Charges for Wharfage, Handling and Storage, in dollars per ton of 2,000 pounds, unless otherwise specified. Handling and storage charges shown in Item 500 through 670 are subject to application on the basis of adequate handling equipment owned by the Port Authority or Terminal Operator.</p> <p>See following subrules.</p>			
	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* <small>(*Unless Otherwise Described</small>
34-CB	<p>ITEM 500 – NAME OF COMMODITY, GENERAL Effective October 1, 2011 Articles – General (not otherwise herein) subject to weight or measurement, whichever results in higher charges with a measure ton consisting of 40 cubic feet.</p>	\$2.98	\$7.75	\$3.20
34-CC	<p>ITEM 505 – AUTOMOBILES, TRUCKS, RAILERS, CHASSIS, OR OTHER MOTOR VEHICLES</p> <p>Effective October 1, 2011 Automobiles, trucks, trailers, chassis, or other motor vehicles set up or not requiring use of handling equipment upon delivery:</p> <p>A) 4,000 lbs. or less B) Over 4,000 lbs. C) Chassis *per unit</p>	<p>\$18.35* \$47.00* \$18.35*</p>	<p>\$18.45* \$26.00* \$18.45*</p>	<p>\$18.00* \$26.00* \$18.00*</p>

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RULES AND REGULATIONS – BREAK BULK CARGO

	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* (*Unless Otherwise Described)
34-CD	ITEM 510 – BOXES, PULPBOARD, OR FIBERBOARD Effective October 1, 2008 Boxes, Pulpboard, or Fiberboard (paper Boxes) KD, flat or folded flat	\$2.98	\$8.10	\$3.20
34-CE	ITEM 512 – BULK COMMODITIES Effective December 1, 1995 Bulk Commodities	\$0.60	O.A.	O.A.
34-CF	ITEM 515 RESERVED FOR FUTURE USE			
34-CG	ITEM 525 – CEMENT BLOCKS Effective October 1, 2011 Cement Blocks A) Crated or packed on skids B) Loose C) Panels	\$2.98 \$2.98 \$2.98	\$5.00 \$9.25 \$5.45	\$1.55 \$1.55 \$1.55
34 – CH	ITEM 530 – CHIPBOARD, HARDBOARD ECUABOARD, ROCK LATH, BUNDLED Effective October 1, 2008 Chipboard, Hardboard, Ecuaboard, Rock Lath bundled. *First 15 day period. After 30 days free time. ** Any additional 15 day period(s).	\$2.98	\$6.15	\$2.00* \$3.70**

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	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* (*Unless Otherwise Described)
34-CI	ITEM 531 – COFFEE, GREEN Effective October 1, 2008 Coffee, green. A. Loose bags B. Unitize, supersacs	\$2.98 \$2.98	\$8.85 \$6.60	\$3.70
34-CJ	ITEM 540 – BAGGED PRODUCTS (NON – HAZARDOUS) Effective October 1, 2008 Products in bags or Barrels, except as Otherwise provided in this Tariff. A. Palletized / Supersacs B. Unpalletized	\$2.98 \$2.98	\$6.35 \$10.90	\$3.25 \$3.25
34-CK	ITEM 555 – GLASS, PLATE Effective October 1, 2008 Glass, plate	\$2.98	\$12.95	\$3.70
34-CM	ITEM 565 – HOUSEHOLD GOODS (in vans) Effective October 1, 2008 Household goods – new or used and/or Personal effects *per van	\$2.98	\$9.15*	\$5.50*

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	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* (*Unless Otherwise Described)
34-CN	<p>ITEM 570 – IRON AND STEEL ARTICLES Effective October 1, 2011 Iron and Steel Articles, structural shapes Plates, angles, pipe, castings, and forgings</p> <p>STEEL REBAR - Up to 40' (bundled) - Over 40' (bundled) *Outside storage at designated areas (1) 30 days free time</p>	<p>\$2.98</p> <p>\$2.98</p> <p>\$2.98</p>	<p>\$6.90</p> <p>\$5.90</p> <p>\$7.30</p>	<p>(1) \$2.80*</p> <p>(1) \$2.80*</p> <p>(1)\$2.80*</p>
34-CO	<p>ITEM 575 – LOGS, POLES, WOODEN PILINGS, CROSS TIES Effective October 1, 2011 Logs, Poles, Wood Pilings, Cross Ties A. Bundled B. Loose When treated with creosote A. Bundled B. Loose</p> <p>*30 days free time</p>	<p>\$2.98</p> <p>\$2.98</p> <p>\$2.98</p> <p>\$2.98</p>	<p>\$4.95</p> <p>\$7.45</p> <p>\$9.30</p> <p>\$12.80</p>	<p>\$2.80*</p> <p>\$2.80*</p> <p>\$2.80*</p> <p>\$2.80*</p>
34-CP	<p>ITEM 576 – LINERBOARD AND STOCKBOARD Effective October 1, 2011 Linerboard and Stockboard - Truck _ Rail</p> <p>*30 days free time Storage per 15 days or fraction thereof</p>	<p>\$2.98</p> <p>\$2.98</p>	<p>\$4.90</p> <p>\$4.90</p>	<p>\$1.90*</p> <p>\$1.90*</p>

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	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* (*Unless Otherwise Described)
34-CQ	<p>ITEM 580 – LUMBER Effective October 1, 2011 Bundled per thousand board feet</p> <p>*First 15 day period after 30 days free time. **Any additional 15 day period(s).</p>	\$2.98	\$5.85	\$2.00* \$3.70**
34-CR	<p>ITEM 581- PLYWOOD / VENEERS Effective October 1, 2011</p> <p>*First 15 day period after 30 days free time. ** Any additional 15 day period(s).</p>	\$2.98	\$5.60	\$2.00* \$3.70**
34-CS	<p>ITEM 582 – MACHINERY Effective October 1, 2008 Under 50,000 lbs. Over 50,000 lbs. *The greater of weight or measurement. Measurement ton based on 40 cubic feet per ton.</p> <p>Heavy weight surcharge (in addition to handling rates) 75,000 to 99,999 lbs 100,000 – 150,000 lbs</p>	\$2.98 \$2.98	\$7.30* O.A.	\$3.50* \$3.50*
34-CT	<p>ITEM 585 – MOBILE EQUIPMENT Effective October 1, 2008 Mobile Equipment – including trailers *per unit</p> <p>Heavy weight surcharge (in addition to handling rates) 75,000 – 99,999 lbs 100,000 – 150,000 lbs</p>	\$80.00*	\$80.00*	\$80.00*
			Plus \$280.00 Plus \$375.00	
			Plus \$280.00 Plus \$375.00	

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	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction (*Unless Otherwise Described)
34-CU	ITEM 590 – MOBILE HOMES (per unit) Effective October 1, 2008 Mobile Homes (Including House Trailers And Recreational Vehicles) * Subject to prior approval of space availability	\$95.00	\$95.00	\$95.00*
34-CV	ITEM 605 – NEWSPRINT Effective October 1, 2008 Newsprint, printing, or wrapping paper - in rolls or palletized *30 days free time	\$2.98	\$6.45	\$2.80*
34-CW	ITEM 610 PVC PIPE Effective October 1, 2008 PVC Pipe **Outside storage *The greater of weight or measurement. Measurement ton based on 40 cubic feet per ton.	\$2.98	\$6.80*	\$1.60**
34-CX	ITEM 615 – SHIP’S STORES Effective December 1, 1995 Ships Stores	No Charge		
34-CY	ITEM 625 – TISSUE PAPER, ROLLS Effective October 1, 2008 Under 2,000 lbs each 2,000 lbs and over each *First 15 days period after free time **Any additional 15 day period or fraction thereof after 15 days free time.	\$2.98 \$2.98	\$11.80 \$8.30	\$3.95* \$5.00** \$3.95* \$5.00**

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	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* (*Unless Otherwise Described)
34-CZ	<p>ITEM 630 – WASTEPAPER Effective October 1, 2008 Wastepaper:</p> <ul style="list-style-type: none"> - In bundles or bales - In rolls under 1,000 lbs. each - In rolls of 1,000 lbs. and over each <p>*Subject to prior approval of space availability.</p>	<p>\$2.98</p> <p>\$2.98</p> <p>\$2.98</p>	<p>\$13.00</p> <p>\$8.90</p> <p>\$5.70</p>	<p>\$2.95*</p> <p>\$2.95*</p> <p>\$2.95*</p>
34-DA	<p>ITEM 635 – WOODPULP Effective October 1, 2008 Woodpulp, unitized, each unit Less than 3,000 lbs. Exceeding 3,000 lbs.</p> <p>*30 days free time imports</p>	<p>\$2.98</p> <p>\$2.98</p>	<p>\$4.90</p> <p>\$4.40</p>	<p>\$2.25*</p> <p>\$2.25*</p>
34-DB	<p>ITEM 645 – YACHTS OR BOATS (per linear foot) Effective October 1, 2011 Yachts or Boats:</p> <ul style="list-style-type: none"> - Boats up to 30' - Boats over 30' – 45' - All boats received from the water Up to 45' Boats over 45' 	<p>\$1.60</p> <p>\$1.60</p> <p>\$1.75</p> <p>\$2.05</p>	<p>\$5.45</p> <p>\$9.00</p> <p>Plus \$310.00</p> <p>\$14.80</p> <p>Plus \$345.00</p> <p>O.A.</p>	<p>\$2.60</p> <p>\$2.60</p> <p>\$2.60</p> <p>\$2.90</p>
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	COMMODITY	WHARFAGE/ TON	HANDLING TON	STORAGE 15 days or fraction* (*Unless Otherwise Described)
34-DC	ITEM 650 – WOODEN FENCE Effective October 1, 2008 A. Wooden Fence Posts B. Wooden Fencing *First 15 day period. After 30 days free time. ** Any additional 15 day period(s).	\$2.98 \$2.98	\$6.75 \$6.10	\$2.10* \$3.75** \$2.10* \$3.75**
34-DD	ITEM 655 – PULPWOOD Effective October 15, 1998 Pulpwood – Bundled Bulk Commodities	\$.60	O.A.	O.A.
34-DE	ITEM 660 – PALLETS Effective October 1, 2008 Shipped Empty in Uniform Stacks *The greater of weight or measurement. Measurement ton based on 40 cubic feet per ton.	\$2.98	\$6.70*	\$3.20*
34-DF	ITEM 665 – CORNERBOARD Effective October 1, 2008 Banded on Pallets	\$2.98	\$8.80	\$3.20
34-DG	ITEM 670 – NONFERROUS ITEMS Effective October 1, 2008 Nonferrous (Aluminum, Brass, Chrome, Copper, Tin or Zinc), In Uniform Bundles – Bars, Billets, Ingots, Pigs, Rods, and Slab *Outside storage at designated areas (1) 30 days free time	\$2.98	\$6.85	(1)\$2.80*

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COMMODITY

WHARFAGE/
TON

HANDLING
TON

STORAGE
15 days or
fraction*
(*Unless Otherwise
Described

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