

R. J. CORMAN RAILROAD COMPANIES

FREIGHT TARIFF RJC 8100-H
(Cancels Freight Tariff RJC 8100-G)

GENERAL RULES AND CHARGES
APPLYING
AT
ALL STATIONS ON THE
R. J. CORMAN FAMILY OF RAILROADS

General Rules Tariff

ISSUED: January 1, 2010

Effective: January 1, 2010

ISSUED BY:

R. J. Corman Railroad Company, Agent

For the Accounts of

R. J. Corman Railroad Company/Allentown Lines, Inc.

R. J. Corman Railroad Company/Bardstown Line

R. J. Corman Railroad Company/Central Kentucky Lines, LLC

R. J. Corman Railroad Company/Cleveland Line

R. J. Corman Railroad Company/Memphis Line

R. J. Corman Railroad Company/Pennsylvania Lines Inc.

R. J. Corman Railroad Company/Western Ohio Line

R. J. Corman Railroad Company/WV Lines

P.O. Box 788 • Nicholasville, KY 40340

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS**

SECTION 1

ITEM 5 REFERENCES TO TARIFFS, ITEMS, NOTES, RULES, ETC

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

ITEM 10 PARTICIPATING CARRIERS

R. J. Corman Railroad Company/Allentown Lines, Inc. (RJCN)
 R. J. Corman Railroad Company/Bardstown Line (RJCR)
 R. J. Corman Railroad Company/Central Kentucky Lines, LLC (RJCC)
 R. J. Corman Railroad Company/Cleveland Line (RJCL)
 R. J. Corman Railroad Company/Memphis Line (RJCM)
 R. J. Corman Railroad Company/Pennsylvania Lines Inc. (RJCP)
 R. J. Corman Railroad Company/Western Ohio Line (RJCW)
 R. J. Corman Railroad Company/WV Lines (RJCV), a division of R. J. Corman Railroad Company/Pennsylvania Lines Inc.

ITEM 15 FUEL SURCHARGE

When the average monthly price of West Texas Intermediate Crude Oil (WTI) exceeds \$23.00 per barrel, RJC will assess a fuel surcharge on all cars originating or terminating on RJC. The monthly WTI average price will be calculated using rates published in the Wall Street Journal.

The fuel surcharge percentage will be calculated monthly and applied to all cars having a bill of lading dated on or after the first day of the second calendar month following the month of any given WTI average price calculation.

Rates for fuel surcharges will be applied in accordance with the following table:

Calendar Month of Fuel Surcharge

WTI Average Price	Applied
January	March 1
February	April 1
March	May 1
April	June 1
May	July 1
June	August 1
July	September 1
August	October 1
September	November 1
October	December 1
November	January 1
December	February 1

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS**

SECTION 1 (Continued)

The fuel surcharge percentage will be applied to per car rates as published in all RJC freight tariffs. The rate will be determined in accordance with the following table:

WTI Average Fuel Surcharge	
\$23.00 and Below	No Surcharge
\$23.01 - \$24.00	0.4%
\$24.01 - \$25.00	0.8%
\$25.01 - \$26.00	1.2%
\$26.01 - \$27.00	1.6%
\$27.01 - \$28.00	2.0%
\$28.01 - \$29.00	2.4%
\$29.01 - \$30.00	2.8%
\$30.01 - \$31.00	3.2%
\$31.01 - \$32.00	3.6%
\$32.01 - \$33.00	4.0%
\$33.01 - \$34.00	4.4%
\$34.01 - \$35.00	4.8%
\$35.01 - \$36.00	5.2%
\$36.01 - \$37.00	5.6%
\$37.01 - \$38.00	6.0%
\$38.01 - \$39.00	6.4%
\$39.01 - \$40.00	6.8%
\$40.01 - \$41.00	7.2%
\$41.01 - \$42.00	7.6%

WTI Average Fuel Surcharge	
\$42.01 - \$43.00	8.0%
\$43.01 - \$44.00	8.4%
\$44.01 - \$45.00	8.8%
\$45.01 - \$46.00	9.2%
\$46.01 - \$47.00	9.6%
\$47.01 - \$48.00	10.0%
\$48.01 - \$49.00	10.4%
\$49.01 - \$50.00	10.8%
\$50.01 - \$51.00	11.2%
\$51.01 - \$52.00	11.6%
\$52.01 - \$53.00	12.0%
\$53.01 - \$54.00	12.4%
\$54.01 - \$55.00	12.8%
\$55.01 - \$56.00	13.2%
\$56.01 - \$57.00	13.6%
\$57.01 - \$58.00	14.0%
\$58.01 - \$59.00	14.4%
\$59.01 - \$60.00	14.8%
\$60.01 and Above	*

* The fuel surcharge will be 14.8%, plus an additional 0.4% of the linehaul freight charge for every \$1.00 per barrel, or portion thereof, by which the WTI Average Price exceeds \$60.00

ITEM 20

**SECURITY DEPOSITS FOR PAYMENT OF DEMURRAGE
AND OTHER ASSESSORIAL CHARGES**

A security deposit to insure payment of any demurrage, assessorial or any other charges that may accrue will be required from every customer who:

- 1) Is not on the railroad's credit list and
- 2) Fails to pay demurrage, storage and other assessorial charges after specific written demand referring to this tariff provision.

The deposit must be paid in cash, certified check, cashier's check or money order before any freight car is delivered to such customer for loading or unloading. A deposit on one unit of equipment will not be transferable to another.

The deposit for each car shall be in the minimum amount of \$200.00, or up to the maximum amount of demurrage, storage and other assessorial charges that accrued on any one car during the preceding 12 months.

However, in the case of a customer receiving multiple carloads for loading or unloading, the total amount required to be deposited shall not exceed the higher of the following two numbers: (a) \$2000.00 or (b) the amount of existing past due demurrage, storage, and other assessorial charges accrued by the customer plus \$300.00.

The deposit will be refunded after payment has been received for demurrage, storage and other assessorial charges on the corresponding equipment, should such charges have been incurred. The customer's request for refund must be made in the manner and to the office designated by the railroad. If no refund request is received by that designated office within thirty (30) days after the equipment is released, the railroad will refund the remainder of the deposit to the customer after deducting any unpaid demurrage, storage or other assessorial charges on that equipment.

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS**

SECTION 1 (Continued)

Deposits will no longer be required after the customer either:

- 1) Is placed on the railroad's credit list, or
- 2) Has paid all outstanding demurrage, storage and other assessorial charges, and has given assurance to the satisfaction of the railroad's credit office that future demurrage, storage and other assessorial charges will be paid within (30) days.

ITEM 25 BILL OF LADING CHANGE OR CANCELLATION

If a bill of lading or shipper order received by RJC is changed or cancelled by the shipper or owner of the freight prior to or after departure from the origin station in execution of original instructions and such change or cancellation does not affect the movement of the cars, a charge of \$75 per bill of lading or cancellation will apply in addition to any other applicable charges.

ITEM 30 CARS HELD FOR BILLING OR FORWARDING INSTRUCTIONS

When on shipper's instructions cars are removed from an industry and are held by RJC awaiting forwarding instructions, a charge of \$100 per car per day will be assessed against the party responsible for furnishing the forwarding instructions.

ITEM 35 CHARGE FOR TURNING CARS

When it is desired that cars be placed for loading or unloading at destination from a particular side or end of car, the car must be placarded on both sides and notation made on the bill of lading or shipping order as follows:

Notice to Carrier:

Deliver Car from Side or End Specified by Placard

On cars not properly billed and placarded that RJC is requested to turn after initial placement, a charge of \$350 per car will be assessed.

ITEM 40 EMPTY CARS ORDERED, BUT NOT LOADED

If a car order is placed for empty cars for loading and the service of constructive or actual placement has been performed and the cars are subsequently released back to RJC without being loaded and billed, the published intra-terminal or inter-terminal switching charge per car, in addition to applicable demurrage charges, will be assessed to the party ordering the equipment.

If instructions are received to cancel the car order while cars are enroute but have not yet been constructively or actually placed, a charge of \$150 per car will be assessed.

ITEM 45 FIRST PLACEMENT CONSTITUTES DELIVERY

When cars are placed for loading or unloading on assigned sidings, leased tracks, warehouses or industries, such placement shall constitute delivery of the car for loading or unloading. Any subsequent switching movement will be subject to an applicable switch charge per car. When a car is constructively placed, this shall constitute first placement. A switch charge will be assessed when the car is actually placed.

ITEM 50 PENALTY FOR CARS RELEASED NOT READY TO PULL

When a customer releases a car and it is determined upon arrival that the equipment is not ready to pull, a charge of \$500 per car will be assessed in addition to all other applicable charges. A car is considered "not ready to pull" if it contains any remaining lading, dunnage, loading and unloading equipment, and/or any miscellaneous debris, or loading has not been completed.

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS**

SECTION 1 (Continued)

**ITEM 55 PRIVATE CARS AND RAILROAD CARS HELD FOR OTHER
THAN LOADING OR UNLOADING**

When cars, loaded or empty, railroad or private, on orders, awaiting proper disposition, or as a result of conditions attributable to the consignor or consignee are held on railroad owned or leased tracks, they will be subject to a daily storage charge as follows:

Railroad Cars	\$75 per day, or fraction thereof
Private Cars	\$55 per day, or fraction thereof

Time will begin immediately upon placement of cars on railroad owned or leased track.

ITEM 60 OVERLOADED/IMPROPERLY LOADED CARS AT ORIGIN

When a car is found to be overloaded or improperly loaded per AAR specifications, the shipper will be notified and given an opportunity to take corrective action, subject to a charge of \$500 per car. In addition, a \$75 per day storage fee will be assessed for every day the car remains in overloaded status.

ITEM 65 SETBACK CHARGES FOR CARS HANDLED IN ERROR

A charge of \$500 per car will be assessed on cars interchanged to RJC due to error on the part of the carrier making such interchange.

ITEM 70 OBSERVED HOLIDAYS

RJC will observe the following holidays:

New Year's Day
 Memorial Day
 Independence Day
 Labor Day
 Thanksgiving
 Day After Thanksgiving
 Christmas Day

ITEM 75 WEIGHING

When requested by the customer, a charge of \$300 per car will be assessed for weighing cars. This charge includes applicable switching and weighing fees.

ITEM 80 RATES BETWEEN STATIONS ON RJC

In the absence of a pre-negotiated rate when cars, empty or loaded, are moved between stations on RJC, a charge of \$600 per car will be assessed on freight, all kinds (except as otherwise noted). Shipments of hazardous commodities, high and wide dimension, or excessive weight will require a pre-negotiated rate prior to movement.

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL RULES AND REGULATIONS**

SECTION 1 (Continued)

ITEM 85

SWITCH MAINTENANCE FEE

A switch maintenance fee of \$4,000 per year will be assessed to all customers served by RJC. The fee will be waived for those customers who ship/receive a minimum of one railcar per calendar year. Invoices will be mailed each January for the preceding year.

ITEM 90

CONSTRUCTIVE PLACEMENT OF HAZARDOUS MATERIALS

Immediately upon notification to the customer of constructive placement, a charge of \$500 per car will be assessed for the first twenty-four (24) hours or portion thereof. Charges will increase to \$1,000 per car per day, or portion thereof, for each day thereafter until car is spotted to customer's track. This charge will apply to all railcars, containing commodities designated as toxic/poison inhalation hazards, inhalation hazards (anhydrous ammonia), and Division 1.1 and 1.2 explosives.

ITEM 95

CLOSING DOORS

When it is necessary for RJC to close doors, hatches, gates or secure tie down devices on empty cars, a charge of \$100 per car will be assessed against the customer releasing said car. Loaded cars will not be moved unless all doors, hatches, gates and tie down devices are secured.

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL DEMURRAGE RULES AND CHARGES**

SECTION 2

ITEM 100

APPLICATION

- A. Applicable at all stations on RJC.
- 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 and privately owned cars held for or by consignors or consignees are subject to demurrage rules and charges contained in this tariff, except the following:
 - 1. Cars for loading or unloading of RJC company material while held on RJC tracks or private sidings connecting therewith.
 - 2. Cars of refused or unclaimed freight to be sold by RJC for the time held beyond legal requirements.
 - 3. Cars assigned to shippers returned empty to point of assignment, to the extent storage rules apply.
 - 4. Cars moving on own wheels under transportation charges as freight.
 - 5. Cars of railroad ownership, leased for storage of commodities, while held on lessee's tracks.
 - 6. Loaded private cars held on private tracks.
 - 7. Empty private cars held on railroad or private tracks.
 - 8. Cars especially equipped for handling welded railroad rail held for loading such rail.
 - 9. Empty cars ordered and rejected as unsuitable for loading.

ITEM 200

GLOSSARY OF TERMS

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

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

CONSIGNEE – The party to whom a shipment is consigned or the party entitled to receive the shipment.

CONSIGNOR – The party in whose name cars are ordered or the party who furnished forwarding directions.

CONSTRUCTIVE PLACEMENT – When a car cannot be actually placed because of any condition attributable to the consignor or consignee, such car will be held on RJC tracks and notice will be given to the consignor or consignee that the car is held and RJC is unable to effect actual placement. Such cars which have been placed by RJC on private or other than public delivery tracks, including lead tracks serving the consignor or consignee will be considered constructively placed without notice.

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

DIVERSION – An order from the consignor to deliver the car to other than original destination.

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

EMPTY RELEASE INFORMATION – Advice by consignee given to authorized personnel of RJC, that car is unloaded and available to RJC. Information given must include identity of consignee, party furnishing data, car initial and number.

FORWARDING INSTRUCTIONS – Shipping instructions given to RJC at the point of loading, containing all of the necessary information to transport the shipment to the final destination.

LEASE TRACK – Any trackage assigned to a user through written agreement. Lease track will be treated the same as private track in this tariff.

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL DEMURRAGE RULES AND CHARGES**

SECTION 2 (Continued)

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

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

NOTIFICATION – When required, notification will be furnished, either in writing or verbal, to all parties entitled to receive notification.

OTHER THAN PUBLIC DELIVERY TRACK – Any trackage assigned for individual use, including privately owned or leased track.

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

PRIVATE CAR – A car bearing other than railroad reporting marks and which is not a railroad-controlled car.

PUBLIC DELIVERY TRACK – Any track open to the general public for loading or unloading.

RAILROAD-CONTROLLED CAR – A car bearing other than RJC railroad reporting marks provided to the railroad directly by car companies or others for use by the railroad in serving any of its customers.

RECONSIGNMENT – An order from the consignor to bill a car to other than the original consignee. (An order to turn over the car to another party, that does not require an additional movement of the car, is not a reconsignment).

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

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

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

STOPPED IN TRANSIT – When cars are held enroute because of any condition attributable to the consignor or consignee, or owner.

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

ITEM 300

NOTIFICATION TO CONSIGNOR OR CONSIGNEE

- A. The following notifications will be furnished as indicated:
1. Cars for other than Public Delivery Tracks:
 - a. Notice of constructive placement if cars are held on RJC tracks due to reasons attributable to the consignor or consignee.
 - b. Delivery of car upon tracks of consignee will constitute notice.
 - c. When two or more parties, each performing their own switching, take delivery of cars from the same interchange track, notice will be given when cars are placed on the interchange track.
 2. Cars for Public Delivery Tracks:
Notice will be given to the party entitled to receive notification when car is actually placed.
 3. Cars Stopped in Transit:
Notice will be given to the consignor, consignee or owner responsible for the car being stopped upon arrival of the car at the point of stoppage.
 4. Refused Loaded Car:
When a loaded car is refused at destination, RJC will give notice of such refusal to the consignor or owner.
- B. Notification may be given in writing or electronically, and will contain the following:
1. Car initials and number.
 2. If lading transferred enroute, the initials and number of the original car.
 3. Commodity

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL DEMURRAGE RULES AND CHARGES**

SECTION 2 (Continued)

ITEM 400

NOTIFICATION OF RJC

- A. Empty release information shall be provided to RJC and must be in writing by either facsimile device or via email to the local agency office. Phone releases will not be accepted and cars will remain on demurrage subject to RJC 8100 Series General Rules Tariff.
- B. Loaded release information shall be provided to RJC in the form of a shipper's Bill of Lading with complete forwarding instructions.
- C. When electronic or mechanical devices are used to furnish notification to railroad, the recorded date and time that instructions are given will govern.

ITEM 500

**CARS HELD FOR LOADING –
(NOT APPLICABLE TO PRIVATE CARS)**

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

TENDER:

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

RELEASE:

- A. Date and time forwarding instructions are received
- B. Cars placed on interchange tracks of a consignor doing its own switching, also must be returned to the interchange track for release.
- C. Cars found to be improperly loaded or overloaded at origin will not be considered released until the load has been adjusted properly.

COMPUTATION:

- A. Time will be computed from the first 12:01 AM after actual or constructive placement until release.
- B. If the car is placed prior to date for which it was ordered, time will be computed from the first 12:01 AM after the date for which it was ordered until its release.

ITEM 600

**CARS HELD FOR COMPLETE UNLOADING –
(NOT APPLICABLE TO PRIVATE CARS)**

Unloading is the complete unloading of a car and advice from the consignee to the railroad that the car is empty and available to the railroad.

TENDER:

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

RELEASE:

- A. Date and time that the railroad 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 RJC, those cars will be released at the time the request to unload is received by RJC from consignee.
- D. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received.

**RULES AND OTHER GOVERNING PROVISIONS
GENERAL DEMURRAGE RULES AND CHARGES**

SECTION 2 (Continued)

COMPUTATION:

- A. Time will be computed from the first 12:01 AM after actual or constructive placement until release.
- B. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue until forwarding instructions are received.
- C. On reloaded cars, time will be computed from the first 12:01 AM after advice is received that the car is empty until release.

ITEM 700

FREE TIME

The customer will be allowed 24 hours free time for loading and 48 hours free time for unloading. Free time will be computed from the first 12:01 AM after actual or constructive placement.

ITEM 800

DEMURRAGE CHARGES

After expiration of free time allowed, a charge of \$80 per car per day, or fraction of a day, will be assessed until car is released. Demurrage charges will accrue on all Saturdays, Sundays, and Holidays subsequent to the first chargeable day.

ITEM 900

STORAGE CHARGES

After expiration of free time allowed, a charge of \$55 per car per day will be assessed for empty private cars stored on railroad tracks.

ITEM 1000

CLAIMS

In order to be allowed relief as indicated, a Claim must be presented to RJC, 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.

- A. **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.
- B. **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.
- C. **STRIKE INTERFERENCE:**
When it is impossible to load, unload or receive cars from or make cars available to RJC because of strike interference at the point where the loading or unloading is to be accomplished, such detention will be charged at a rate of \$50 per day or fraction thereof without free time allowance, provided a claim in writing is presented to RJC within thirty (30) days, after the date on which the strike interference ceases, stating the date and time strike interference began and ended.

