

**R. J. CORMAN RAILROAD COMPANIES
NASHVILLE & EASTERN
NASHVILLE & WESTERN**

**FREIGHT TARIFF NERR 8100-A
AND
NWR 8100-A**

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

General Rules Tariff

ISSUED: April 1, 2019

Effective: June 1, 2019

ISSUED BY:

**R. J. CORMAN RAILROAD COMPANY
NASHVILLE & EASTERN
NASHVILLE & WESTERN**

P.O. BOX 788

NICHOLASVILLE, KY 40340-788

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

ITEM 40**APPLICATION**

- A. Applicable at all stations on NERR and NWR.
- 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 NERR and NWR company material while held on NERR or NWR tracks or private sidings connecting therewith.
 2. Cars of refused or unclaimed freight to be sold by RJ Corman 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. Cars especially equipped for handling welded railroad rail held for loading such rail.
 8. Empty cars ordered and rejected as unsuitable for loading.

ITEM 50**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 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 NERR or NWR at the point of loading, containing all 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

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 60

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 NERR or NWR 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, RJ Corman 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**

ITEM 70**NOTIFICATION TO NERR & NWR**

- A. Empty release information shall be provided to RJC and must be in writing via email to the local agency office. Phone releases will not be accepted, and cars will remain on demurrage subject to NERR & NWR 8100 Series General Rules Tariff.
- B. Loaded release information shall be provided to NERR & NWR 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 80

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

Loading is the complete or partial loading of a car in conformity with RJ Corman 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 90

**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 RJ Corman, those cars will be released at the time the request to unload is received by NERR or NWR 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 RULES AND REGULATIONS****ITEM 140 BILL OF LADING CHANGE OR CANCELLATION**

If a bill of lading or shipper order received by RJ Corman 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 \$85 per bill of lading or cancellation will apply in addition to any other applicable charges.

ITEM 150 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 \$135 per car per day will be assessed against the party responsible for furnishing the forwarding instructions.

ITEM 160 CHARGE FOR TURNING CARS

When it is desired that cars be placed for loading or unloading at destination from a specific 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 \$370 per car will be assessed.

ITEM 170 EMPTY CARS ORDERED, BUT NOT LOADED

Customers will be charged \$300 per car for cancelling (or decreasing) a railcar order less than seven calendar days prior or up to three calendar days after the order demand date.

Railcars refused for placement will be considered cancelled and will be subject to the \$300 charge.

Empty railroad cars that have been constructively or actually placed, and are released as an empty, will also be subject to the \$300 charge as well as demurrage and an intra-terminal switch charge of \$250.

ITEM 180 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 of \$250 will be assessed when the car is actually placed.

ITEM 190 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 \$525 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**

ITEM 260 **OBSERVED HOLIDAYS**

RJC will observe the following holidays:

New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving
Day after Thanksgiving
Christmas Eve
Christmas Day

ITEM 270 **RATES BETWEEN STATIONS ON NERR & NWR**

In the absence of a pre-negotiated rate when cars, empty or loaded, are moved between stations on NERR or NWR, 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.

ITEM 280 **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 290 **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. Charges will increase to \$1,000 per car per day 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 300 **OPENING & CLOSING DOORS**

When it is necessary for RJC to open or close doors, hatches, gates or secure tie down devices on empty cars, a charge of \$250 per car will be assessed against the customer. Loaded cars will not be moved unless all doors, hatches, gates and tie down devices are secured.

ITEM 310 **DEFINITION OF INTRA-PLANT SWITCHING**

A switching movement from one track to another within the same plant or industry, or from one location to another location on the same track within the same plant or industry.

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

ITEM 320 DEFINITION OF INTRA-TERMINAL SWITCHING

A switching movement of loaded or empty, railroad or private equipment (other than intra-plant switching) from one track to another track of the same railroad, or between the tracks of an industry and the track of the railroad or between the tracks of two separate industries served by the same railroad.

ITEM 330 INTRA-PLANT SWITCHING CHARGE

The NERR & NWR will perform intra-plant switching at a charge of \$250 per car.

ITEM 340 INTRA-TERMINAL SWITCHING CHARGE

The NERR & NWR will perform intra-plant switching at a charge of \$250 per car.

ITEM 350 SPECIAL SWITCHING SERVICE

When requested to NERR or NWR in writing (24 hours in advance for service Monday - Friday, 48 hours for service on Saturday and Sunday) to perform industrial switching outside of or in addition to normal operating hours, such service will be subject to the charges provided herein plus an additional charge of \$2,500 for up to eight hours of switching service. A charge of \$550 per hour or fraction thereof for each additional hour will apply, not to exceed twelve hours. Service outside of normal hours includes but is not limited to Saturdays, Sundays and holidays.