



RER Tariff of Switching Demurrage & Assessorial Services

RER 8000

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CHECK SHEET OF ITEMS AND REVISIONS

The items contained in this publication are listed consecutively by number. The paragraph that has been changed within an item will contain one of the following reference marks placed next to the item number:

- (I) Denotes increase
- (R) Denotes reductions
- (C) Denotes changes in wording which result in neither increases nor reductions in charges
- (N) Denotes new item

In addition, the effective date of the revised item will be added to this index page “CHECK SHEET OF ITEMS AND REVISIONS” to identify which item(s) have been changed.

Revision Type	Item Number and Description	Effective Date
(N)	New Publication – ALL ITEMS SHOULD BE EXAMINED	April 21, 2023

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Services

The initial placement or pick-up of railcars moving in loaded freight service at your location is included in the cost of your Rule-11 shipment or agreed upon Linehaul shipment. There may be times when you require additional services.

ITEM 10 – RER Subscriber Publications

For general rules and conditions of carriage (including credit and glossary of terms), please refer to publication RER 9000-Series. All publications for which a subscribing carrier is listed should be reviewed before shipping/receiving railcar(s).

ITEM 15 – RER Station List

This FC serves the following station(s):

Argos, IN
Rochester, IN

ITEM 20 – Reference to Tariffs, Items, Notes and Rules

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

ITEM 30 – Currency and Increases

Chargeable fees published herein are subject to increase by republication and are in United States Dollars (USD).

ITEM 40 – Cancellation Notice and Methods

Provisions in RER Tariff 8000 that are not published herein may be listed in a contract or another published Tariff in which FC subscribes. All publications and contracts should be reviewed prior to tendering shipments on any railroad.

As this tariff is supplemented, letter suffixes will be used in alphabetical sequence started with letter A. For example: RER 8000-A would cancel RER 8000, and then RER 8000-B would cancel RER 8000-A. Individual item(s) may also be handled in the supplements the same way.

ITEM 50 – Articulated Railcars

For articulated railcars, any applicable fee(s) listed in this tariff will be **doubled** and applied to each railcar.

ITEM 100 – Empty Railcars Ordered but Not Loaded

Empty railcars returned unused switching	Item 100
<p>A switch fee will be assessed when an empty railcar is furnished for loading but is not loaded or is refused by the facility.</p> <p><i>Note 1: If a railcar is furnished by a railroad and is not in proper condition for loading, fee will be assessed against the railroad furnishing the railcar.</i></p>	<p>\$600 per railcar</p> <p>Responsibility: Party that released railcar “unused” or Railroad that furnished railcar “unfit for loading”.</p>

ITEM 110 –Release without Billing

Railcars released without proper billing	Item 110
<p>When a railcar is released and removed from the location of release, and is subsequently held by the RER Subscriber awaiting forwarding instructions, a fee will be assessed.</p> <p>This applies to loads or empties.</p> <p><i>Note 1: This fee is in addition to DEMURRAGE charges (see Item 320 Exception 2)</i></p> <p><i>Note 2: If a railcar is subsequently ordered returned to the location of release, an INDUSTRY SETBACK will apply (see Item 240).</i></p>	<p>\$250 per railcar</p> <p>Responsibility: Party releasing railcar</p>

ITEM 115 – Improper Release

Improper release of railcar(s)	Item 115
<p>When the RER Subscriber is unable to remove railcar(s) because loading or unloading has not been completed or other reason not attributable to the the RER Subscriber, the railcar(s) will remain on DEMURRAGE as if the release had not been instructed and fees will be charged for each improperly released railcar.</p> <p>This applies to loads or empties.</p> <p><i>Note 1: If the placement of railcar(s) cannot be accomplished due to improper release of railcar(s), the railcar(s) attempted for placement will remain on DEMURRAGE as if the railcar(s) had not been attempted for placement and fees will be charged for each railcar that placement was attempted.</i></p> <p><i>Note 2: This includes railcars that cannot be moved until all doors, latches, gates and tie-down devices are secured and/or until railcar is safe to move.</i></p>	<p>\$1,200 per railcar (\$2,400 max per occurrence)</p> <p>Responsibility: Party releasing railcar(s)</p>

ITEM 120 – Special Switching

Service outside normal operating hours	Item 120
<p>The RER Subscriber will endeavor to meet all Customer requirements during normal operations.</p> <p>Upon written request to email for customer services listed on page 2 of this tariff (at least twenty-four (24) hours in advance of requirement for special switching service), RER Subscriber will determine ability to perform special switching service.</p> <p>If RER Subscriber receives a written request from Customer to furnish necessary locomotive(s) and crew(s) to perform service at other than normal assigned time for a specific location and RER Subscriber is accepting and able to perform requested service, this item applies.</p> <p>RER Subscriber may refuse or restrict any request for service outside of normal operating hours.</p> <p>This applies to loads or empties.</p> <p><i>Note 1: Charges shall be assessed for each railcar and will be in addition to any other chargeable services performed in connection therewith.</i></p>	<p>\$187.50 per car per hour, or fraction thereof (8hr minimum, or \$1,500.00)</p> <p>Responsibility: Party requesting service</p>

ITEM 200 – Intra-plant Switching

Intra-plant switching	Item 200
<p>An intraplant switch fee will be assessed if you request an RER Subscriber to switch specific railcars to specific spots or tracks within the confines of your facility.</p> <p>This applies to loads or empties.</p>	<p>\$300 per railcar</p> <p>Responsibility: Party requesting switch</p>

ITEM 210 – Intra-terminal Switching

Intra-terminal switching	Item 210
<p>An intra-terminal switch fee will be assessed if you request an RER Subscriber to move a railcar from one track to another track located on the RER Subscriber (other than an intra-plant switch) within the switch limits of the same station.</p> <p>This applies to loads or empties.</p> <p>Some examples include:</p> <ul style="list-style-type: none"> • When a Customer requests RER Subscriber to return a previously received private railcar to interchange without loading the railcar. • A railcar that could not be placed at a Customer’s facility and had to be brought back to the yard. • A railcar that requires movement to address an issue with the railcar or a Customer’s issue at their facility. 	<p>\$300 per railcar</p> <p>Responsibility: Party requesting switch</p>

ITEM 225 – Storage Switching

Into or out of storage & cherrypick switching	Item 225
<p>Railcars switching into or out of storage (moved between storage location and delivery point for RER Subscriber served Customers).</p> <p>This applies to loads or empties.</p> <p><i>Note 1: In the event a loaded movement (other than cherrypicking) between storage location and interchange is paid by another Carrier, this charge will not apply.</i></p> <p>Railcars switched into or out of storage, chosen by specific equipment mark/number, rather than by sequence of storage line entry (commonly referred to as cherrypicking), will receive an additional charge per railcar.</p> <p>Cherrypicking applies to both loads and empties.</p>	<p>\$300 per railcar into storage</p> <p>\$300 per railcar out of storage</p> <p>\$300 per railcar cherrypicking</p> <p>Responsibility: Party requesting switch</p>

ITEM 230 – Weighing

Weighing of Cars	Item 235
<p>FC will weigh railcar(s) for a fee.</p>	<p>\$187 per railcar</p> <p>Responsibility: Party requesting weigh</p>

ITEM 235 – Railroad Setback

Railroad Setback	Item 235
<p>Railcar(s) loaded or empty received by RER Subscriber in error from a connecting railroad that is not consigned to RER Subscriber or RER Subscriber Customers, or railroad supplied empty railcars that are unfit for loading, will be treated as mishandled railcar(s) received in error and a “SETBACK” fee will be charged against the interchanging carrier.</p> <p>This applies to loads or empties.</p> <p><i>Note 1: In the event the same charge is published against RER Subscriber in connecting carrier’s tariff, the RER Subscriber will assess the same amount that is published by the connecting carrier’s tariff.</i></p>	<p>\$600 per railcar</p> <p>Responsibility: Party requesting setback</p>

ITEM 240 – Industry Setback

Industry Setback	Item 240
<p>An industry setback fee will be assessed in each direction for railcar(s) that are requested by Customer for RER Subscriber to return a previously released railcar(s) to Customer.</p> <p>This applies to loads or empties.</p> <p><i>Note 1: In the event Item 110 applies, charges in this Item will apply in one direction (return direction) as the penalty in Item 110 applies on the release direction.</i></p>	<p>\$500 per railcar</p> <p>Responsibility: Party requesting return of railcar</p>

ITEM 245 – Stop in Transit

Stop in transit switching	Item 245
<p>Railcar(s) that are set out at any point on the RER Subscriber for a Customer requested purpose.</p> <p>This applies to loads or empties.</p>	<p>\$300 per railcar</p> <p>Responsibility: Party requesting set out service</p>

ITEM 250 – Railcar supplied for specific destination/junction

Railcar not loaded for supplied purpose	Item 250
<p>Empty railcar(s) that are ordered or supplied for specific offline destination or via specific junction/carrier that are loaded and billed to travel other than ordered/supplied route will incur an additional fee.</p> <p><i>Note 1: Charges can also be imposed by other railroads involved or car owners and are in addition to RER Subscriber's fees.</i></p>	<p>\$600 per railcar</p> <p>Responsibility: Party loading and releasing railcar</p>

ITEM 255 – Turning of Railcars

Turn charge	Item 255
<p>When a Customer requests RER Subscriber to turn a railcar, a turning charge will apply.</p> <p>This applies to loads or empties.</p>	<p>\$600 per railcar</p> <p>Responsibility: Party requesting service</p>

ITEM 260 – Additional Handling for Connection Railroad

Additional services for connecting railroad	Item 260
<p>If RER Subscriber is requested by connecting railroad to furnish necessary locomotive(s) and/or crew(s) to perform services outside any other normal interchange services. Services include, but are not limited to, removal, rotation and/or addition of railcar(s) and/or locomotive(s).</p> <p><i>Note 1: Connection railroad must provide advance notice by email to Customer Service email located on page 2 of this tariff.</i></p>	<p>\$400 per hour, or fraction thereof (8 hr minimum or \$3,200)</p> <p>Responsibility: Connecting Railroad requesting services</p>

ITEM 270 – Special Train

Additional services for connecting railroad	Item 270
<p>Special freight train service is defined as a train that is operated on an expedited schedule or under special service or transportation requirements specified by Customer at a charge in addition to the applicable freight charges. Upon received request from Customer via email to Customer Service at email address found on page 2 of this tariff and at the acceptance and convenience of RER subscriber, special freight train service may be provided.</p>	<p>\$375 per hour, or fraction thereof (8 hr minimum or \$3,000)</p> <p>Responsibility: Connecting Railroad requesting services</p>

ITEM 280 – Diversions

Diversions/Reconsignment	Item 280
<p>When a Customer needs to make a change to a waybill that affects the delivery of the railcar(s). All requests must be made to RER Subscriber in writing via email addresses found on page 2 of this tariff.</p> <p><i>Note 1: Diversions will only be accepted from authorized representatives (Example: Shipper, Consignee, Payer of Freight).</i></p> <p><i>Note 2: RER Subscriber will not accept diversion request after railcar has been interchanged to a connecting carrier, placed at RER Subscriber served facility or railcar is already blocked for movement. RER Subscriber reserves the right to reject any request for diversion.</i></p> <p><i>Note 3: RER Subscriber will not be held responsible for executing a diversion request on a specified day or time of day. RER Subscriber will not be held responsible for increased charges when the diversion is or is not accomplished.</i></p> <p><i>Note 4: Diversion charges are in addition to any/all other charges associated with each railcar.</i></p>	<p>\$300 per railcar</p> <p>Responsibility: Party requesting diversion</p>

ITEM 285 – Locomotive Switching

Locomotives, dead, on own wheels	Item 285
<p>Each time RER Subscriber moves a locomotive, dead on own wheels, a switch charge will be assessed.</p>	<p>\$500 per locomotive</p> <p>Responsibility: Party requesting locomotive move</p>

ITEM 290 – Ordering by Car Number

Ordering specific cars for placement	Item 290
<p>When cars are held by RER Subscriber under constructive placement, and Customer orders a railcar into their tracks for placement by specific railcar mark/number (as opposed to ordering in “any railcar”), then an “Ordering by Car Number” fee will be charged.</p>	<p>\$200 per railcar</p> <p>Responsibility: Party requesting empty railcar for placement</p>

ITEM 300 – General Application of Demurrage and Storage

Demurrage is a charge for detaining a railcar. Railroads charge demurrage as an incentive for Customers to load and unload railcars promptly, to prevent congestion in railroad terminals caused by idle railcars, and ultimately to improve the utilization of a valuable asset.

Storage is a charge for holding excess railcars under contract or agreement with zero rated carhire. If cars are stored on the RER Subscriber and a contract or agreement is no longer applicable, tariff charges will apply.

This publication takes precedence over any other domestic, interstate, intrastate, export or import publication, containing rules, regulations and charges on demurrage and storage for the account of RER Subscriber, and will be applied by RER Subscriber to the receiving party served by RER Subscriber and the receiving party will be responsible for payment of such charges.

*Note 1: Charges **will apply** on the effective date of this tariff against all railcars on the RER Subscriber.*

*Note 2: Charges **will not apply** against private railcars while held on private tracks.*

ITEM 305 – Notification to Customer

Email notification of railcars held on RER Subscriber under constructive placement will be furnished to the email address or addresses provided by the receiving party served by the RER Subscriber. Notification sent to email address provided will be considered as having been received. Should RER Subscriber receive a failure to deliver message due to any reason attributable to the receiver, such as invalid email address, notice will be considered to have been given on any Constructive Placement notice attempted to deliver.

Constructive placement notification occurs when due to any condition attributable to the receiving party served by the RER Subscriber which prevents RER Subscriber from making actual placement.

Actual placement of railcar(s) upon tracks of receiving party served by RER Subscriber will constitute notice.

All dates and times of constructive and actual placement by the train crew's record will govern the chargeable time as described in this tariff. The receiving party served by RER Subscriber must review and report discrepancies between receiving party's inventory and RER Subscriber reported inventory within twenty-four (24) hours of discrepancy to the RER Subscriber email addresses found on page 2 of this tariff. If communication is not received within twenty-four (24) hours, the train crew's record will govern for application of charges. For daily RER Subscriber inventory report, please make request to Customer service email address on page 2 of this tariff.

ITEM 310 – Notification to RER Subscriber

The RER Subscriber will accept forwarding instructions, empty release information, or other disposition twenty-four (24) hours via EDI and via RER Subscriber Webtool (ARMS).

Forwarding instructions, empty release or other disposition that is requested via email is subject to charges listed in publication RER 9000.

Note 1: Demurrage Charges will continue to accrue to the origin industry even when railcars are released to a Third-Party, until the time billing is received by RER Subscriber from the Third-Party (see Item 110).

Note 2: It is the origin industry's responsibility to ensure information is received by all railroads, including RER Subscriber. Charges for railcars released without proper billing are subject to Item 110.

Note 3: A charge will be assessed on railcars released prior to being fully unloaded or loaded (see Item 115).

ITEM 315 – Free Time

Chargeable days are defined as days that follow the expiration of Free Time. Free time will be allowed for each railcar as follows:

Railcars held for unloading	Forty-Eight (48) hours
Railcars held for loading	Forty-Eight (48) hours

Free time will be computed from the first 12:01 AM after placement, or after notification has been sent or given where required. For the purpose of computing free time, Saturdays, Sundays and holidays will be excluded.

Note 1: No free time will be allowed on Heavy Duty railcars, including QTTX, KRL, LNAC, and ALT marked railcars with load limits in excess of 200,000 lbs.; or on any commercial, rail-controlled railcar with a load limit in excess of 240,000 lbs.

Note 2: No free time will be allowed on railcars held for purposes other than loading or unloading or for any other purpose for which RER Subscriber is waiting on disposition.

Note 3: No free time will be allowed for cars held if Items 360, 365 or 370 apply.

ITEM 320 – Demurrage Charges

Demurrage charges	Item 320
<p>On railcars subject to demurrage charges, after the expiration of free time allowed (see Item 315), a charge per day, or fraction thereof, will be assessed against each railcar until the railcar is released (subject to Exceptions 1, 2, 3, 4 and 5 below).</p> <p>Charges will accrue on all Saturdays, Sundays and holidays subsequent to the first chargeable day.</p> <p>If the carhire cost to the RER Subscriber is greater than the demurrage charges, the actual carhire cost plus fifteen percent (+15%) will be assessed to the demurrage responsible party.</p> <p><i>Exception 1: \$90 per railcar, per day on refrigerated railcars.</i></p> <p><i>Exception 2: \$275 per railcar, per day on railcars held without proper billing (see Item 110 for other charges).</i></p> <p><i>Exception 3: Railcars containing commodities designated as hazardous materials, substances or waste as described in HAZARDOUS MATERIALS REGULATIONS of the U.S. Department of Transportation in 49 CFR or successor thereof, including railcars containing commodities designated as toxic/poison inhalation hazard (TIH/PIH) and Division 1.1 and 1.2 explosives (see Items 360 and 365).</i></p> <p><i>Exception 4: \$250 per railcar, per day on all QTTX, KRL, LNAC and APT marked railcars with load limits in excess of 200,000 lbs.; and any commercial, rail-controlled railcars with a load limit in excess of 240,000 lbs. Excludes STCCs: 3511206 – 3511209.</i></p>	<p>\$45 per railcar, per day on privately marked equipment.</p> <p>\$65 per railcar, per day on carrier/foreign marked equipment (non-private owned, non-TTX owned)</p> <p>\$120 per railcar, per day for TTX owned equipment</p> <p>Responsibility: Receiving party served by the RER Subscriber</p>

ITEM 325 – Demurrage Computation

Chargeable days calculated by subtracting Credit Days from Debit Days. At the end of each month, Chargeable days are calculated for each Customer accordingly.

Exception 1: If any of Items 360, 365 and 370 are applicable, this Item will not apply.

RAILCARS HELD FOR LOADING OR UNLOADING

Private railcars that are held on RER Subscriber under constructive placement are subject to demurrage provisions and charges in this Tariff.

Railcars (other than private railcars) that are held on RER Subscriber under constructive placement and while on private tracks are subject to demurrage provisions and charges in this Tariff.

COMPUTATION

1. Constructive Placement Time will apply from first 12:01 AM after constructive placement (CP) until actual placement (AP).
2. Industry Time will apply from first 12:01 AM after AP until release.
3. Demurrage will apply on Railroad-Owned and/or Railroad-Controlled railcars from first 12:01 AM after CP until release from AP on private track.
4. Demurrage will apply on Private railcars from first 12:01 AM after CP until AP to private track.

Note 1: On reloaded railcars, demurrage will apply from the first 12:01 AM after advice is received that the railcars is empty until the railcar is released as a load; if advise that a railcar is empty is not furnished, demurrage will continue until railcar is release as load.

RAILCARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING

All railcars that are held on RER Subscriber while awaiting disposition from the Customer or in connection with a diversion request, or for any other purpose not attributable to the RER Subscriber are subject to demurrage provisions and charges in this Tariff.

COMPUTATION

1. Constructive Placement Time will apply from first 12:01 AM after CP until AP or receipt of disposition advice is received on:
 - a. Railcars diverted, refused, reshipped or stopped in transit.
 - b. Empty railcars ordered, CP for loading, and not used in transportation service (other than a rejected railcar unfit for loading as referred to in Item 100).
 - c. Railcars waiting on payment of accrued charges.
 - d. Railcars held for other purposes which is not attributable to RER Subscriber.
 - e. Railcars with excessive lading held for reduction (see RER 9000).
2. Industry Time will apply from first 12:01 AM after received by RER Subscriber until date and time of disposition on:
 - a. Railcars received from connection railroad.
 - b. Private railcars returned to RER Subscriber railroad tracks.
3. Industry Time will apply from first 12:01 AM after AP until disposition advice is received on:
 - a. Railcars reshipped.
 - b. Empty railcars AP for loading, and not used in transportation service (see Item 100).
 - c. Railcars held for any other purpose which is not attributable to the RER Subscriber.
4. Demurrage will apply on the following from the first 12:01 AM:
 - a. Demurrage will apply on railroad owned/controlled railcars from first 12:01 AM after CP until disposition of refused railcar(s). Constructive Placement Time and Industry Time (combined and continuous).
 - b. Demurrage will apply on private railcars from first 12:01 AM after CP until AP or disposition of refused railcars(s).

ITEM 330 – Demurrage Invoicing (Average Plan)

Settlement of charges will be made on a calendar month basis on all railcars released during the calendar month. Demurrage charges will be assessed against the Customer at the facility/location served by RER Subscriber and they will be responsible for such.

Exception 1: If any of Items 360, 365 and 370 are applicable, this Item will not apply.

INVOICES

Credits earned and/or Chargeable Demurrage Days accrued will be calculated separately by the following transactions:

1. Railcars held for loading or unloading
2. Private railcars held on railroad tracks
3. Railcars held for purposes other than loading or unloading
4. Refrigerated Railcars
5. TTX Owned Railcars
6. Heavy Duty and Commercial Heavy loading of 200,000 loading or more.

Note 1: Credits earned and demurrage days accrued by Customers having two (2) or more facilities cannot be combined.

Note 2: Excess Credits on one transaction type cannot be used to offset demurrage days on another type of transaction.

Note 3: Excess Credits earned under Special Contracts or Agreements cannot be used to offset demurrage calculated per Tariff.

Note 4: Excess Credits earned in one calendar month may not be used to offset demurrage days in another calendar month.

CALCULATION OF CHARGES

The tariff or special agreement applied will be that in effect when the railcar is released.

1. Determine the total number of Chargeable Demurrage Days (debits) for all railcars.
2. Determine the total number of Credits for all railcars.
3. If total credits exceed total debits, demurrage charges will not be assessed.
4. If total debits exceed the total credits, charges will be assessed.

Credits earned and/or Chargeable Demurrage Days accrued will be calculated separately by the following transactions:

Note 1: Adjustments must be handled through the invoice claim provisions set forth in RER 9000.

*Note 2: The RER Subscriber **will not** allow relief on demurrage days for a car that has been constructively placed from the order-in date until the railcar is actually placed.*

*Note 3: **The maximum allowed credits for a railcar released before demurrage days are incurred. If a railcar is released before the demurrage clock begins, there will be a maximum of one (1) credit earned.***

ITEM 335 – Holidays

Whenever reference is made to “holidays”, it shall mean only the days listed below:

- New Year’s Day** – January 1st (*)
- Good Friday** – Friday before Easter Sunday
- Memorial Day** – Last Monday of May
- Independence Day** – July 4th (*)
- Labor Day** – First Monday of September
- Thanksgiving Day** – Fourth Thursday of November
- Friday after Thanksgiving Day**
- Christmas Eve Day** - December 24th (*)
- Christmas Day** – December 25th (*)

Note 1 – When this date () occurs on a Sunday, the following Monday will be observed as the holiday.*

ITEM 360 – Hazardous Railcars (Other than TIH/PIH)

Charges for Hazardous Railcars (Not TIH/PIH)	Item 360
<p>Settlement of charges is monthly for all railcars in storage for the previous month. In the absence of an active Agreement, storage will be assessed per this Tariff.</p> <p>SUBJECT TO TARIFF BOE 6000 (HAZARDOUS MATERIALS REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION)</p> <p>Immediately following the arrival of railcars on RER Subscriber, the railcar(s) will be considered in storage for each day or fraction thereof that the railcar is held on RER Subscriber railroad and continue until railcar(s) are released with proper forwarding instructions.</p> <p>Note 1: The charges in this Item are immediate, there will be no Free Time or Holiday Time.</p> <p>Note 2: This Item applies on loaded and residue empties containing Explosives or Hazardous Materials that is held on railroad-controlled tracks, including Team Tracks.</p> <p>Note 3: Explosives are defined as Class A, B and C Explosives as named in Tariff Bureau of Explosives (BOE 6000-Series).</p> <p>In addition to the charges in this Item, Customer shall indemnify the RER Subscriber railroad against any and all governmental fines which may be assessed for the holding of railcars on railroad controlled tracks and the Customer shall be liable for any loss, damage or delay to railcar or lading caused by an Act of God, a public enemy, the authority of law, labor strikes, acts of civil disobedience, the inherent nature or character of the lading, natural shrinkage, an act or default of the shipper/loader, owner or consignee/receiver, or from any cause whatsoever occurring while the railcar and lading is in the actual physical custody and control of the RER Subscriber. Customer will be responsible for any cost incurred by RER Subscriber for providing protection or surveillance provided in this Item while held on RER Subscriber controlled tracks.</p>	<p>\$205 per railcar, per day</p> <p>Hazardous railcars are not allowed on RER Subscriber without signed Agreement.</p> <p>Regardless of if railcar lease agreement is terminated or transferred and regardless of if storage or lease agreement is expired or cancelled, the responsibility of charges will only cease once new Agreement is in place for the railcars under new contract with new responsible party.</p> <p>Responsibility: Customer responsible for the railcars</p>

ITEM 365 – Toxic/Poison Hazardous Railcars (TIH/PIH)

Charges for Hazardous Railcars (TIH/PIH)	Item 365
<p>SPOT ON ARRIVAL: Loaded railcars and residue empty railcars containing Toxic Inhalation Hazard (TIH) or Poisonous Inhalation Hazard (PIH), as defined in AAR Circular No. OT-55, as amended from time to time, must be spot on arrival. In the event a railcar cannot be actually placed (AP) on Customer controlled tracks or facility upon arrival and the railcar must be held by RER Subscriber in constructive placement (CP), a charge per railcar per day, or fraction thereof, will be assessed until the railcar is AP.</p> <p>In the event RER Subscriber is requested to move a loaded railcar or residue empty railcar containing Toxic Inhalation Hazard (TIH) or Poisonous Inhalation Hazard (PIH), as defined in AAR Circular No. OT-55, as amended from time to time, from an industry or team track and the Customer requesting the move has not provided proper forwarding instructions and such railcar is moved by RER Subscriber to a railroad track, and is held awaiting proper forwarding instructions, a charge per railcar per day, or fraction thereof, will be assessed until proper forwarding instructions are received.</p> <p>Note 1: The charges in this Item are immediate, there will be no Free Time or Holiday Time.</p> <p>The RER Subscriber reserves the right to reject railcars at interchange if the Customer orders more railcars than can be AP at the Customer's facility.</p> <p>In addition to the charges in this Item, Customer shall indemnify the RER Subscriber railroad against any and all governmental fines which may be assessed for the holding of railcars on railroad controlled tracks and the Customer shall be liable for any loss, damage or delay to railcar or lading caused by an Act of God, a public enemy, the authority of law, labor strikes, acts of civil disobedience, the inherent nature or character of the lading, natural shrinkage, an act or default of the shipper/loader, owner or consignee/receiver, or from any cause whatsoever which occurs while the railcar and lading is in the actual physical custody and control of the RER Subscriber. Customer will be responsible for any cost incurred by RER Subscriber for providing protection or surveillance of any commodity provided in this Item while held on RER Subscriber controlled tracks.</p>	<p>\$2,500 per railcar, per day</p> <p>Hazardous railcars are not allowed on RER Subscriber without signed Agreement.</p> <p>Responsibility: Customer responsible for the railcars</p>

ITEM 370 – Storage Charges

Storage charges	Item 370
<p>Settlement of charges is monthly for all railcars in storage for the previous month.</p> <p><i>Exception 1: If either of Items 360 or 365 are applicable, this Item will not apply.</i></p> <p>In the absence of an active Agreement, storage will be assessed per this Tariff.</p> <p>Immediately following the arrival of railcars on RER Subscriber, the railcar(s) will be considered in storage for each day or fraction thereof that the railcar is held on RER Subscriber railroad and continue until railcar(s) are released with proper forwarding instructions.</p> <p><i>Note 1: The charges in this Item are immediate, there will be no Free Time or Holiday Time</i></p>	<p>\$25 per empty railcar, per day \$50 per loaded railcar, per day</p> <p>Regardless of if railcar lease agreement is terminated or transferred and regardless of if storage or lease agreement is expired or cancelled, the responsibility of charges will only cease once new Agreement is in place for the railcars under new contract with new responsible party.</p> <p>Responsibility: Customer responsible for railcars.</p>