

ST. BERNARD PORT, HARBOR  
AND TERMINAL DISTRICT  
  
VESSEL MOORING  
MISS. RIVER M.P.86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

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Reverend Henry Ballard  
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As Agent

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Issued By:  
St. Bernard Port, Harbor and Terminal District  
9000 W. St. Bernard Highway, P.O. Box 1331  
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VESSEL MOORINGS  
MISS. RIVER MP 86.5, 89.5 & 90.5

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SECTION I - GENERAL INFORMATION AND DEFINITIONS  
APPLICATION

ITEM

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PORT LIMITS

100

In accordance with Act #40 of the 1992 legislature section, the St. Bernard Port has jurisdiction over International Trade in all facilities which are wholly owned by the Port. At this time on the Mississippi River this will include the Arabi Terminal. (Chalmette Slip).

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LIST OF HOLIDAYS

102

When reference is made in this tariff to "Holidays", it means the following days:

New Year's Day  
Mardi Gras Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Christmas

When one of the above holidays fall on Sunday, the following Monday will be observed. When one of the above holidays falls on Saturday, the proceeding Friday will be observed.

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BOARD TELEPHONE NUMBER

104

Administrative Office (504) 277-8418  
Arabi Terminal (504) 277-8418

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ANCHORAGE	105
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General Anchorage Limits

The General Anchorage for the Port of St. Bernard is co-existent with New Orleans.

The promulgation and enforcement of rules and regulations concerning the General Anchorage is the responsibility of the U.S. Coast Guard.

Vessels anchored in the river, except as below noted, shall be anchored in that General Anchorage.  
Exception 1 - Quarantine Anchorage.

Vessels awaiting inspection by U.S. Public Health Officials shall be anchored in an area along the right descending bank, .7 miles long and 800 feet wide, extending from Mile 90.9 to 91.6 above Head of Passes.

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GULF SEAPORTS 106

The Port of St. Bernard is a member of the Gulf Seaports Marine Terminal Conference which may agree upon rates, charges, rules and regulations that are subsequently published. Written requests and complaints regarding these agreements should give full particulars, including all facts, conditions, and circumstances and be forwarded to A.J. Reixach, Chairman, P.O. Box 615, Freeport, TX 77541. The complaint will be notified on the Conference's docketing of the matter and time of meeting. He shall have a hearing where requested in advance. Other conference members include:

Board of Commissioners of the Port of New Orleans  
Board of Commissioners of Lake Charles Harbor & Terminal District  
Greater Baton Rouge Port Commission  
Orange County Navigation & Port District, Orange, Texas  
Mississippi State Port Authority of Gulfport  
Board of Commissioners of the Port of Beaumont Navigation  
District of Jefferson County, Texas  
Port Commission of the Port of Houston Authority of  
Harris County, Texas  
Board of Trustees Galveston Wharves  
Alabama State Docks Department - Port of Mobile  
South Louisiana Port Commission, LaPlace, Louisiana  
Tampa Port Authority of Hillsborough County, Florida  
Brownsville Navigation District of Cameron County, Texas  
Port of Port Arthur Navigation District of Jefferson County, Texas  
Port of Pensacola - Pensacola, Florida  
Panama City Port Authority - Panama City, Florida  
Brazos River Harbor Navigation District of Brazoria County, Texas  
Port of Corpus Christi Authority - Corpus Christi, Texas  
Port of Pascagoula - Pascagoula, Mississippi

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SEAMAN'S CENTERS 107

Seamen Centers are located in New Orleans. A schedule of the centers are available through the Terminal Operator.

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APPLICATION

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SECTION 1  
DEFINITIONS

Agent or Vessel Agent	The party or entity which submits the application for berth.
Arrival at Berth	The time when vessel arrives alongside of the Dolphins with two lines made fast shall be considered as the arrival time.
Berth	The area of mooring facilities, used by a vessel while secured.
Day	A consecutive 24-hour period or fraction thereof.
Departure	The time the last line is let go shall be considered as the departing time.
Dockage	The charge assessed against a vessel for securing at mooring dolphin. Wherever used in this tariff, the term "Inland Watercraft" shall include all vessels, Watercraft private and public, ordinarily operated on rivers, lakes, canals, and other inland waterways employed in any maritime service, task, venture, voyage, or mission, commercial or non-commercial, of a private or public nature. The term "Inland Watercraft" shall not apply to any vessel in tow by another vessel or barges used in movement aboard ocean vessels entering or leaving the harbor destined to or from any point via the Gulf of Mexico.
Liner Service	Vessels making regularly scheduled calls for the receipt and deliver of cargo.
Loading or Unloading	The service of loading or unloading cargo to or from the terminal facility.
Mooring Dolphin	Any stationary structure to which a vessel may make fast or which may be utilized in the transit or handling of cargo of which vessels may lie or which are suitable for and are used in the loading, unloading, assembling, distribution, or handling of cargo.
MTO	Marine Terminal Operator – The Person or Legal Entity having operational control over the Marine Terminal.

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Handling - The service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of ship's tackle.

Inland Watercraft - "Inland Watercraft" shall include all vessels, private and public, operated exclusively on the United States inland waterways.

Loading and Unloading - The service of lading and unloading cargo between any place at the terminal and ships, barges, or any other means of conveyance to or from the terminal facility.

Marine Terminal Operator - "Marine Terminal Operator" is the person or legal entity having operational control over the marine terminal.

Point of Rest - The area on the terminal facility assigned for receipt of inbound cargo from the ship and from which inbound cargo may be delivered to the consignee, and the area, which is assigned from the receipt of outbound cargo, from shippers for vessel loading.

Ton - "Ton" shall be a net ton of 2,000 pounds, unless otherwise indicated.

Vessel - "Vessel" or "Vessels" shall mean any vessel, ship, barge, LASH barge, SEABEE barge, tug, towboat lighter, raft or other watercraft that floats. All reference to "Vessel" or "Vessels" in this tariff shall include, without exception, her owner, charterer, and agent.

Vessels Engaged in Foreign, Coastwise or Intercoastal Trade - The term "Vessels engaged in foreign, coastwise or "Intercoastal Trade" shall include all ocean vessels, private and public, employed in any maritime service, task, venture, voyage, or mission, commercial or non-commercial, of a private or public nature, other than inland watercraft as defined herein.

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Ship Any self-propelled seagoing vessel.



Shipside	The location of cargo within reach of ship's tackle or in barge space, in accordance with the customs and practices of this port.
Stevedore	One who works at or is responsible for the loading or unloading of a ship or vessel within the jurisdiction of dolphin lessee.
Ton	A unit of weight of 2,000 pounds.
Tugs and Towboats	Vessels which do not carry freight or passengers, but are habitually used to tow other vessels or barges.
User	A user of the facilities owned, leased, and/or controlled by the St. Bernard Port, Harbor and Terminal District shall include any vessel or person using any St. Bernard Port, Harbor and Terminal District properties, facilities, or equipment, or to whom or for whom any service, work, or labor is furnished, performed, done, or made available by the St. Bernard Port, Harbor and Terminal District, or any person owning or having custody of cargo moving over such facilities.
Vessel	Includes within its meaning every description of watercraft or other artificial contrivance whether self-propelled or non-self-propelled, used, or capable of being used, as a means of transportation on water, and shall include in its meaning the owner thereof.
Vessels Engaged in Foreign and Coastwise Trade	Wherever used in this tariff, the term "Vessels Engaged in Foreign and Coastwise Trade" shall include all vessels, private and public, whether self propelled or in tow, or barges used in the movement aboard ocean vessels, entering or leaving the harbor destined to or from any point via the Gulf of Mexico, employed in any maritime service, task, venture, voyage, or mission, commercial or non-commercial of a private or public nature.

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Vessel Length - For the purpose of the computation of charges under this Tariff, the term "length" or "overall length" of a vessel shall be that length measure from the extreme forward point to the extreme after point of the vessel as may appear in the Certificate of Registry of the vessel. With respect to vessels engaged in foreign, coastwise, or intercoastal trade, such overall length appearing

in Lloyd's Register will be acceptable as evidence thereof. In the event of any dispute regarding the official or actual overall length of a vessel the Marine Terminal Operator reserves the right to actually measure such vessel for the purpose of determining vessel's overall length.

Vessel Operations - Whenever used in this tariff, vessel operations shall mean the loading and/or discharging of cargo from or to a vessel.

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ITEM

Abbreviations #	c	Cents
(A)	\$	Dollars
	%	Percent
	(A)	Addition
	(D)	Deletion
	(C)	Change in wording which results in neither increase nor reduction
	(I)	Increase
	(N)	New Item
	(R)	Reduction
	Cont'd	Continued
	Cu.Ft.	Cubic Feet
	cwt	Hundred Pound Weight
	FMC	Federal Maritime Commission
	FTZ	Foreign Trade Zone
	GRT	Gross Registered Ton
	ISO	International Standardization Organization
	Lbs.	Pounds
	LOA	Length-Over-All
	MFB	Thousand Board Feet
	MT	Metric Ton
	NOS	Not Otherwise Specified
	O/T	Other Than
	#	The rate, rule, or regulation bearing this reference mark is published pursuant to agreement of Gulf Port Members of the Gulf Seaports Marine Terminal Conference.

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION ITEM

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CONSENT TO THE TARIFF 200

Use of the wharves, other facilities, or property under the jurisdiction of the District shall constitute a consent to the terms and conditions of this tariff and evidences an agreement on the part of all vessels, their owners, charters and agents, or other users to pay all applicable charges and abide by all rules and regulations or ordinances of the District, and abide by the rules and regulations of this tariff.

---

INTERPRETATION OF TARIFF 202

The District shall be the sole judge as to the interpretation of this tariff.

---

LESSEES OF FACILITIES ADMINISTERED BY THE DISTRICT 204

Notwithstanding any provision of this tariff to the contrary, lessees of facilities administered by the District shall pay such fees, rates, rents or other charges as shall be established by negotiation with the District, and shall be required by the lease, contract or other document governing their occupancy, to publish a tariff containing rates and charges applicable to any operation of the leased facilities to service the business of third parties, said lease and tariff to be in conformity with La, R.S. 34:1701, et seq.

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PROHIBITED ACTIVITIES 206

The following activities are prohibited:

- (1) Smoking on or in the public wharves or other facilities under District jurisdiction and the approaches within 50 feet of the wharves or facilities, except in specially designated areas.
- (1) Smoking on the open deck or in the hole of any vessel moored at a wharf in the Port of St. Bernard or tied to another vessel made fast thereto, as well as throwing any lighted object from a vessel.
- (1) The obstruction of any fire fighting appliance or apparatus on or in any wharf or roadway.

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SECTION II - GENERAL RULES AND REGULATIONS

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FIRE SIGNAL

208

Where fire occurs on board any vessel in the Port of St. Bernard, the vessel shall sound five prolonged blasts of the whistle or siren, each blast to be four or six seconds duration. Such signal may be repeated at intervals to attract attention and shall be used in addition to other means of reporting a fire.

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APPLICATION

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MINIMUM INSURANCE REQUIREMENTS

212

Assignees of a Berth shall be responsible for furnishing to District evidence of insurance

coverage, including but not limited to Workers' Compensation, Comprehensive General Liability, Stevedore and Terminal Operator's Liability (Grantee or Assignee) and such other insurance, in such forms and with such minimum limits as the District may require.

Failure to obtain and retain or submit evidence of the insurance coverage required by the District shall constitute cause for denying the use of the District's facilities or cancellation of an assignment previously made.

---

PAYMENTS OF CHARGES

214

All charges incurred under the provisions of this tariff shall be payable within 30 days from the date of bill or invoice. Interest of .0333 percent per day, or approximately 12 percent per year, shall be assessed on the balance due on invoices more than 30 days old.

The District reserves the right to place a user on a cash basis, or to deny the use of the District's facilities to any user until all outstanding delinquent charges have been paid.

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SECTION II - GENERAL RULES AND REGULATIONS

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DAMAGE TO DISTRICT PROPERTY

216

- (1) In the event any damage is caused to District's property, the vessel or parties causing such damage, and the vessel or parties to whom such property has been assigned, or who are using or occupying same under any provision of the District's tariff, shall

give a full report to the District, including the date and time the damage occurred, a description thereof, the names, addresses and business connections of such vessels or parties causing such damage and the witnesses to the occurrence, and all other available pertinent facts and information.

- (2) Each vessel, her owners, charterers and agents, to whom any property of the District has been assigned, or who are using or occupying same under any provision of the District's tariff, shall be held responsible and shall be liable, severally, jointly and in solido, for any and all damage occurring to such property and the expense of the repair or replacement of such property: except as provided in subparagraph (3).
- (3) Any such vessel described in subparagraph (2) above may be released from such liability aforesaid upon furnishing to the District sufficient facts, evidence and other proof legally establishing the identity of the party or parties causing, or contributing to the cause of, any damage to such property of the District; provided that the vessel described in subparagraph (2) may be released from said liability by establishing sufficient facts to show that the damage was not caused by any watercraft operating on or in connection with the business of the said vessel.
- (4) Where sufficient facts are furnished under subparagraph (3), or the damaged District property has not been assigned to a vessel or is not used or occupied by a vessel under any provision of this tariff, themselves and all parties responsible for damage to or destruction of District property shall be held liable for the expense of the replacement or repair of the property.

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SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION

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DISTRICT HELD HARMLESS

218

Each vessel, her owners, charters and agents, to whom any wharf or other property of the District has been assigned, or who are using or occupying same under any provision of the District's tariff, shall be responsible for and shall be liable for, severally, jointly and in solido, any licensed independent lift operator or cargo owners shall be responsible for and take over and administer, any and all claims in any manner arising out of or connected with the performance of loading/unloading services by such Assignee of the Berth, or licensed independent lift operator or cargo

owner, including, but not limited to, any and all claims for bodily injury, death, or property (including cargo) damage, loss or shortage and/or for detention, demurrage or delay and shall defend, indemnify and hold harmless the District from and against any and all such claims, provided however, that this provision will not relieve the District from any liability which may arise out of its own negligence.

---

RESPONSIBILITY FOR LOSS OR DAMAGE TO CARGO

220

Shippers or receivers of cargo, the vessel, her owners, charterers, and agents, or those acting for them, must protect such cargo from loss or damage from any cause, including but limited to loss of damage from pilferage, rodents, insects, shrinkage, wastage, decay, seepage, heat, cold, evaporation, fire, leakage, or discharge from sprinkler system, rain, floods, or the elements, defects or leaks in or around buildings or other structures, war, riots, strikes, civil commotion, acts of third persons, or other causes whatsoever, provided however that this provision will not relieve the District from any liability which may arise out of its own negligence.

---

SUBSTANCE ABUSE POLICY

222

The District recognizes the severity and gravity of the national substance abuse crisis. While widespread substance abuse is a threat to the general health and morals of the public, in the workplace it frustrates the achievement of safety, performance and productivity goals. In an effort to assist in controlling the scope and effect of substance abuse in the Port, the District has adopted a substance abuse policy to maintain safety, productivity and quality standards among its employees. The District recognizes the importance of employee education and rehabilitation regarding substance abuse.

It is similarly the goal of the District to provide a safe workplace for all those employed on the District's wharves and property. No person by whoever employed may work on the District's wharves or any of its properties while under the influence of alcohol or illegal drugs. Each employer of individuals who work on the District's wharves or properties shall have in place a substance abuse policy which subjects employees to post-accident drug-testing and drug-testing on reasonable suspicion of intoxication and which provides for appropriate subsequent action. All employee drug tests shall be conducted in compliance with applicable federal and state laws.

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SECTION II - GENERAL RULES AND REGULATIONS

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MOVING VESSELS TO PROTECT PROPERTY OR TO FACILITATE NAVIGATION OR COMMERCE	226

In the event it becomes necessary to move any vessel in order to facilitate navigation, or commerce, or to protect other vessels or property, the Marine Terminal Operator is authorized to order and enforce the removal of such vessel at its own expense to such place as he may direct. Upon the failure or refusal of the person in charge of such vessel to change the position as directed, the Marine Terminal Operator is authorized and under a duty to board vessel with any necessary assistance and change the position thereof at the expense of such vessel.

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

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SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION

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WAIVER OF SUBROGATION UNDER FIRE POLICIES

228

The District waives and relinquishes any and all claims, demand, actions and rights to action, which it may hereafter have or acquire against any person for or on account of any loss or damage to the District's wharves or other facilities covered by a berth assignment, resulting from fire or explosion, to the extent only that the same is covered by policies of insurance carried by the District, and to the extent only that this waiver does not vitiate such insurance under the terms thereof. The word "person" includes the grantee of a berth assignment, their agents, employees, and principals, the vessel or craft using the wharves or other facilities in connection with the business of such grantee or holder, her owners, charterers, operators, and agents, as well as the contracting stevedores and other subcontractors of any of the foregoing, and all others entering upon or using such wharves or other facilities in connection with the business of any of the foregoing, and the underwriters of each of the foregoing. Nothing herein shall affect loss by or damage or injury to anyone other than the District.

The vessel, her owners, charterers and agents, assignees of a berth, and those persons using facilities for purposes of performing cargo operations with their permission of such vessel, Assignee shall permit District access to all cargo documents including, but not limited to, cargo manifests, delivery tickets, dray receipts, hatch lists, or invoices for services and furnish to District such other documentation, reports or information as it may require, for purposes of audit so as to secure necessary data to permit correct billing for charges incurred under this tariff. Failure to provide such information upon request will constitute cause for denial of use of the District's facilities.

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1<sup>st</sup> Revised PAGE 16

VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION ITEM

MEASUREMENT OF A VESSEL 232

In the event of a dispute regarding the registered length of a vessel, the District reserves the right to actually measure such vessel for the purpose of determining her over-all length.

GROSS TONNAGE 233

As used in this tariff the term Gross Tonnage, Gross Registered Tonnage or Gross Tons with respect to vessels engaged in foreign, coastal or intercoastal trade shall be the tons appearing in Lloyd's Register as the official gross tonnage of the vessel. Where two gross tonnages are assigned to certain vessels in association with a Tonnage Mark on the vessel's sides, the higher figures will be applicable in determining gross tonnage for the purpose of assessment of charges under this tariff.

All charges are based on straight running time expressed under the 24 hour clock, except where otherwise stated. A day shall commence when the vessel arrives at her berth.

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HARBOR TUGS

235

ATSB will provide harbor tugs for the berthing and departure of ALL vessels and ocean barges. A MINIMUM of one tug is required for berthing and departure. ATSB reserves the right to amend the number of tugs requested. Refer to the Berth Application for harbor tug information or call the Terminal Office for information and current rates.

All costs associated with Harbor Tug assistance are solely for the account of the vessel, including those required for high water conditions. High water shall mean any river condition where the depth at the Carrollton River Gauge is at ten (10) feet or above.

Whenever high water conditions exists, all vessels entering any of ATSB's Moorings shall be required to be assisted by three (3) adequate tugs as determined solely by ATSB's management.

All tugs shall assist any arriving vessel until released by the compulsory pilot.

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REGULATION OF MOTOR VEHICLE TRAFFIC

236

The Marine Terminal Operator has authority to regulate motor vehicle traffic at the Arabi Terminal.

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EFFECTIVE: FEBRUARY 16, 2009

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6/4/2015

VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION

ITEM

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LAUNCH SERVICE

237

ATSB will provide a Launch Boat Service for ship personnel and agents of others having official business on the vessels moored at Mile Post 86.5 AHP Buoys through Mile Post 89.5 AHP buoys. All launch fees and any additional surcharge(s) are solely for the account of the vessel.

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HANDLING CLASS "A" EXPLOSIVES

238

Persons desiring to handle, load, transport or discharge commercial Class "A" or military explosives shall file a written application with the Marine Terminal Operator, which application shall be accompanied by all permits or approvals required by applicable local, state or federal laws, regulations, or ordinances.

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EFFECTIVE: July 10, 2015

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## VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 &amp; 90.5 AHP

## TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

<u>APPLICATION</u>	<u>ITEM</u>
MARPOL	240

## Annex I

Under Annex I of the International Convention for the Prevention of Pollution from Ships (MARPOL), a vessel desiring to discharge oily wastes shall arrange the discharge with a company approved by the Captain of the Port, United States Coast Guard. All inquiries regarding approved companies should be directed to the Captain of the Port. Discharge operations shall be reported to the Marine Terminal Operator in charge prior to the actual discharge.

## Annex V

Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78 and the United States Coast Guard's Implementing Regulations (33 CFR, parts 151, 158) require that reception facilities be available for those vessels which have indicated, in advance, the need to dispose of ship-generated garbage.

In order to accommodate the needs of shipping and commerce through this Port, the Marine Terminal Operator has filed an application for a certificate of adequacy with the Captain of the Port, United States Coast Guard for garbage reception facilities. Assignees of a berth, or their designees, shall provide, upon request, the reception facilities, which meet the requirements contained in the appropriate regulations. Assignees, or their designees shall require a 24-hour notice of vessel's intent to discharge garbage at the Arabi Terminal so as not to cause any undue delay to vessels.

Reception facilities for food, plant, meat, and other potentially infectious waste shall be provided by assignees, when requested by the vessel, in accordance with the above and with the requirements set forth in 7 CFR 330 and 9 CFR 94. These regulated food wastes must be handled at a facility approved by the Animal and Plant Health Inspection Service (APHIS). A listing of approved transporters and treatment facilities is available from the Marine Terminal Operator.

Assignees, or their designees, shall provide the necessary reception facilities, when requested to do so for other than APHIS-regulated garbage from any commercial, full-service solid waste firm. Inquiries regarding facilities available for disposal of materials covered by Annex V may be directed to the Marine Terminal Operator.

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION

ITEM

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WATCHMAN

244

Any vessel lying at the wharves shall at all times have on board at least one person in charge of said vessel who has authority to take action, in any emergency, as may be required.

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EFFECTIVE: SEPTEMBER 1, 1999

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION

ITEM

CONTROL OF LOADING, UNLOADING AND HANDLING OF ALL CARGO

248

St. Bernard Port reserves the right to control the loading, unloading and handling of all freight and cargo on premises and facilities under its control. No others will be allowed to perform such handling without special permission from the Marine Terminal Operator. If and when such permission is granted, the charges to be assessed are those published in the St. Bernard Port tariff. When another party is permitted to handle freight, the Marine Terminal Operator shall be paid by such party for the use of its facilities at rate to be named, depending upon commodity handled and conditions pertaining thereto.

WORKING HOURS

250

The recognized working hours of the Arabi Terminal shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday, holidays excepted. Trucks must arrive at the terminal for loading and unloading prior to 4:00 p.m.

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY  
APPLICATION

ITEM

APPLICATION FOR BERTH

300

To accommodate the shipping and commerce through this port, this District merely provides and makes available wharves and other facilities to vessels or other persons for their use and performs no services of any kind. The parties assigned the use of such facilities shall perform or cause to be performed any and all services, and conduct all operations necessary in connection with the berthing of vessels, the handling of cargo or property, or other use by the assignee. In all cases, the care, custody and control of such vessels, cargo or other property,

shall at all times be and remain in the vessel, her owners, charterers, and agents, and in no case shall the assignment of a berth, wharf or other facility be deemed or construed as placing such vessel, cargo or other property, in the care, custody or control of this District.

Vessels, their owners, charterers, and agents desiring a berth at the Arabi Terminal Mooring Dolphins must apply to the Marine Terminal Operator on forms furnished by his office, prior to the date for receiving cargo for outbound movement or not less than forty-eight (48) hours in advance of date for discharging inbound cargo at the Arabi Terminal. The Marine Terminal Operator will notify the applicant of a berth assignment by returning a signed copy of said form.

The signed application form, or an authenticated electronic application, and grant of berth assignment shall constitute a contract, subject to the rates, rules and regulations and provisions contained in this tariff and the ordinances of this District, by and between the St. Bernard Port, Harbor and Terminal District and the Vessel, her owner, grant of berth assignment does not convey absolute control of the facility assigned.

Exception - Inland Barge Carriers

Inland barge carriers regularly operating at this port may be relieved of filing an "Application for Berth" by entering into a written contract with this district providing for their submission, within five days following the close of each calendar month, of a list of all barges docked or berthed at the Arabi Terminal during the said calendar month, indicating the name or number of each inland watercraft (including barges), the length thereof, the name or location of the public wharf, the date and hour of the arrival and departure of each, sheddage and such other information necessary to assist the District is assessing charges. Such barge carriers shall be billed monthly for all applicable dockage and sheddage charges.

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY  
APPLICATION

ITEM

VACATING OF BERTHS

302

When there are more vessels assigned to specific berths than can be accommodated at one time, vessels already in berth shall, upon order of the Marine Terminal Operator, be required to work overtime at their own expense to expedite vessel handling. A vessel refusing to work overtime shall be deemed to have been ordered to vacate, and shall vacate promptly its berth. When a berth assignment is made under Item 408, and the berth is required for other public purposes, the vessel shall, upon order of this District, immediately vacate the berth. Failure to timely vacate when ordered shall subject the vessel to the additional dockage charge of \$2,500.00 per hour or fraction. Assessment of this additional dockage charge shall not affect the right of the District to remove a vessel at its risk and expense.

FIRST CALL ON BERTH PRIVILEGE

304

Definition - First Call on Berth Privilege is a prior claim to be assigned the use of a particular



public wharf and berth by vessels pursuant to a written grant to the owners or agents, and shall not be construed as granting exclusive use or absolute control of a particular wharf and berth.

Application - First Call on Berth Privilege may be granted, upon a particular wharf, when available, upon application to the Marine Terminal Operator.

ISSUED: AUGUST 1, 1999

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY

<u>APPLICATION</u>	<u>ITEM</u>
STEVEDORE USE FEE	308

All persons utilizing the public facilities of this District for the purposes of performing stevedoring services, pursuant to an application filed in accordance with Item 300, shall be assessed a Stevedore Use Fee (fee). The use of a public wharf for these purposes shall be deemed an acknowledgment and acceptance of the terms, conditions and obligations contained herein.

The fee due solely by the party performing the service(s), is in addition to any other charge(s), and shall be based on the number of net tons of all cargo handled at the facility and assessed as follows:

- (1) Per net ton of bulk cargo .....\$.08
- (2) Per net ton of all other cargo.....\$.80

In those instances where a vessel is loaded or discharged by more than one stevedore, each stevedore shall be assessed a fee, based on the actual number of tons which he loaded or discharged, at the applicable rate.

For purposes of this item, cargo handled shall be all cargo for which wharfage shall be assessed in accordance with Item 424.

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1<sup>st</sup> Revised Page  
ORIGINAL PAGE 24

VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY  
APPLICATION

ITEM

TERMINAL USAGE FEE

309

All persons utilizing the public facilities of this Terminal for the purpose of performing stevedoring services of loading or discharging cargo to or from the wharf or to or from barges or other vessels when berthed at the wharf, shall be assessed a Terminal Usage Fee of five dollars (\$5.00) per net ton of 2000 pounds of cargo loaded or discharged (other than drybulk commodities). The fee, due solely by the party performing the stated stevedoring service(s) is in addition to any other charge.

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4<sup>th</sup> Revised PAGE 25

VESSEL MOORINGS - MISS. RIVER AP 86.5, 89.5 & 90.5 MHP

TARIFF NO. 1

SECTION IV - CHARGES WHICH MAY BE INCURRED BY VESSELS  
APPLICATION

ITEM

REGULAR DOCKAGE CHARGES

414

Dockage charges will be assessed for vessels unloading and/or loading cargo.

Dockage will be assessed against the vessel, its owners, agents, or operators, at a rate of fifty-five (.55) cents per Gross Registered Ton, for the first twenty-four (24) hours and each succeeding twenty-four (24) hours, or fraction thereof if such fraction is more than three (3) hours. Gross Registered Tonnage is based on the Gross Tonnage of ships as shown in the current "Lloyd's Register of Ships".

Minimum Charge:  
Vessels...\$4,000.00 per 24-hour day or part thereof.

---

PERIOD OF TIME FOR DOCKAGE

415

The period of time for which dockage shall be assessed against a vessel shall commence when Arrival at Berth and shall continue until Departure From Berth.

Vessels moored outside of vessels lying at District Facilities will be subject to the same charges as though moored to the District Facilities.

---

DOCKAGE CHARGES ASSESSED AGAINST VACATED VESSELS

416

When a vessel is required to vacate a berth pursuant to a request by MTO, dockage charges against the vessel will cease at the time the dock is completely vacated. When Vessel is next allowed to berth, dockage charges will be in accordance with Item 130.

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2<sup>nd</sup> Revised PAGE 26  
 9/14/10

VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION IV - CHARGES WHICH MAY BE INCURRED BY VESSELS

<u>APPLICATION</u>	<u>ITEM</u>
CHARGES WHICH MAY BE INCURRED BY VESSELS ENGAGED IN FOREIGN AND COASTWISE TRADE	417

Vessels may be permitted to berth when neither loading or discharging of cargo. Beginning on arrival of the vessel at berth, the Special Dockage Rate shall be assessed continually for each twenty-four (24) hours, or fraction thereof, and said charge shall end when vessel departs the berth or changes in status to a higher dockage charge, See Item 130.

A change in status resulting in a higher dockage rate shall be assessed such rate effective at the first 0700 or 1900 prior to call out labor gang(s) to being stevedoring operations.

Vessels requesting a change in status resulting in a lower dockage rate shall be assessed such rate effective immediately upon completion of a twenty-four (24) hour period of Regular Dockage, Item 130, and said dockage shall end on the day the vessel departs the berth. The lower dockage shall apply for each twenty-four (24) hours, or fraction thereof.

SCHEDULE OF SPECIAL DOCKAGE:

Vessel Length Over-All In Feet	Rate Per Foot (See Item 120)
0 - 399	\$1.20
400 - 599	\$2.15
600 - 799	\$2.70
Over 800	By Special Rate Negotiation

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LINE HANDLING	418
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St. Bernard Port, Harbor and Terminal District requires that line handlers be provided by MTO for berthing and departure of all ships and ocean barges. Refer to the Berth Application for line handling information or call the Terminal Office for information and current rates.

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BUNKER CHARGE	419
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All vessels receiving bunkers from a barge while moored at MTO facilities will be assessed a charge of \$ 4,000.00.

Bunker intentions must be noted on the Berth Application.

ISSUED: AUGUST 1, 1999

EFFECTIVE: October 15, 2010

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VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION IV - GENERAL RULES AND REGULATIONS

APPLICATION

ITEM

SECURITY SURCHARGE

**420**

A security surcharge, as described in this tariff item shall be assessed against, and collected from, all vessels, barges and cargo interests utilizing services of the Arabi Mooring Dolphins (AMD) facility at the St. Bernard Port, Harbor and Terminal District in accordance with notice filed with the Federal Maritime Commission by the Gulf Seaports Marine Terminal Conference. **These security surcharges will only be applicable to the AMD at Mississippi River MP 90.5 AHP due to the facility having land access.**

The security surcharge is assessed to recover costs incurred for security assessments, security plans, equipment purchase, installation and maintenance and staffing required to implement and maintain surveillance, access controls, and other mandates by the Maritime Transportation Security Act of 2002 and U.S. Coast Guard regulation 33 CFR 105.

The security surcharge will be assessed against vessels and barges as a percentage of total dockage charged, and as a tonnage fee against cargo, with the exception of containers, which will be assessed on a per unit basis. The security surcharge will be assessed in addition to all other fees which may be due under this tariff as follows:

**VESSELS and BARGES:** Five (5) percent of total dockage assessed per port call.

**CARGO:**

- Break-bulk \$ .10 cents per ton
- Bulk \$ .02 cents per ton
- Liquid Bulk \$ .02 cents per ton
- Containers \$ 2.00 per box
- Railcars \$ 2.00 per railcar (loaded or unloaded)

Users of the St. Bernard Port, Harbor and Terminal District facilities who withhold, refuse or otherwise fail to pay properly assessed security surcharges, shall be subject to all the collection terms and procedures contained in items 200 & 214 of this tariff. Additionally, at the sole discretion of the St. Bernard Port, Harbor and Terminal District, such users may be denied service or required to deposit estimated port charges in advance of using port authority facilities or receiving services.

This security surcharge is effective on June 1, 2005, and shall remain in effect until revised, rescinded or cancelled by the St. Bernard Port, Harbor and Terminal District.

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Issued Date: March 21, 2005

Effective Date June 1, 2005

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1<sup>st</sup> Revised PAGE 28  
6/4/2015

VESSEL MOORINGS - MISS. RIVER MP 86.5, 89.5 & 90.5 AHP

TARIFF NO. 1

SECTION IV - CHARGES WHICH MAY BE INCURRED BY VESSELS  
APPLICATION

ITEM

PROVISION OF GANGWAY

421

For all vessels berthing at the Arabi Mooring Dolphins, Mile 90.5 (A.M.D.), Associated Terminals of St. Bernard will provide a safe working gangway for the purpose of embarking and disembarking the vessel. All gangway fees are solely for the account of the vessel.

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DOCKAGE CHARGES FOR INLAND WATERCRAFT

500

Inland watercraft shall be assessed dockage charges, based upon the registered length, at the following rates per vessel, per day, or fraction.

75 feet and under.....\$14.50  
Over 75 feet to 100 feet.....\$21.50  
Over 100 feet to 175 feet.....\$28.75

Over 175 feet to 200 feet.....\$43.25  
Over 200 feet to 250 feet.....\$72.50  
Over 250 feet.....\$86.50

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