

TO ALL PORT CUSTOMERS:

The St. Bernard Port, Harbor and Terminal District Tariff (Violet Terminal Tariff No. 1) has been updated through December 15, 2017.

Future updated pages will be forwarded to you as published.

Additional copies of this tariff are available on request.

Sincerely,

Drew M. Heaphy
Executive Director

DMH/jrm
Attachments

VIOLET TERMINAL TARIFF NO. 1

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Issued By
St. Bernard Port, Harbor & Terminal District
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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

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SECTION I - GENERAL INFORMATION AND DEFINITIONS

APPLICATION ITEM

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 Violet Terminal.

LIST OF HOLIDAYS 102

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

New Year's Day
Mardi Gras Day
Good Friday
Memorial Day
Independence Day
Labor 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 preceding Friday will be observed.

BOARD PHONE NUMBERS 104

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

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SECTION I - GENERAL INFORMATION AND DEFINITIONS

APPLICATON

ANCHORAGE

106

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 Mile 91.6 above Head of
Passes.

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GULF SEAPORTS	108
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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

SEAMAN'S CENTERS	110
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Seamen Centers are located in New Orleans. A schedule of the centers are available through the Terminal Operator.

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SECTION I - GENERAL INFORMATION AND DEFINITIONS

APPLICATION**ITEM**

DEFINITIONS

112

Adjusted Demurrage - "Adjusted Demurrage" shall be a charge assessed against the vessel for permission to place cargo on the public wharves prior to the date assigned to the vessel to begin receiving her outward cargo.

Agent - "Agent" or "Vessel Agent" shall mean the party who submits the "Application for Berth".

Arrival at Berth - "Arrival at Berth" shall be the time when the vessel arrives alongside of the wharf with two lines made fast.

Berth - The term "Berth" means the section of a wharf including Mooring facilities and water used by a vessel while docked at wharf.

Checking - The service of counting and checking cargo against appropriate documents for the account of the cargo or the vessel, or other person requesting same.

Demurrage on Cargo - A charge assessed against cargo remaining in or on terminal facilities after the expiration of free time.

Departure from Berth - "Departure from Berth" shall be the time the last line is let go.

Dockage - The charge assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or for mooring to a vessel so berthed.

Free Time on Cargo - The specified period during which cargo may occupy space assigned to it on terminal property free of wharf demurrage immediately prior to the loading or subsequent to the discharge on or off the vessel.

Free Time on Vessels - The number of days allowed for the purpose of assembling outward cargo prior to her arrival at her assigned berth.

Gross Tonnage - As used in the "Tariff", the term "Gross Ton" with respect to vessels engaged in foreign, coastwise, or intercoastal trade shall be the tons appearing in the Certificate of Registry as the official gross tonnage of the vessel. Such gross tonnage appearing in Lloyd's Register will be acceptable as evidence thereof. Where additional gross tonnage are assigned to certain vessels in association with a tonnage mark on the vessel's sides, or otherwise, the highest of all gross tonnage shall be applicable in determining gross tonnage for the purpose of assessment of charges under this Tariff.

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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 on the terminal and railroad cars, trucks, lighters, or 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 for the receipt of outbound cargo, from shippers for vessel loading.

Sheddage - "Sheddage" shall be a charge against vessels for the use of covered wharves.

Shut-Out Cargo - "Shut-out Cargo" shall be cargo received for a particular outgoing vessel at her berth prior to the departure of the vessel.

Storage - The term "Storage" as used in this tariff means the actual physical keeping of freight or cargo in or upon designated areas of the wharves and transit sheds.

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

Usage - The use of terminal facilities by a rail carrier, lighter operator, trucker, shipper or consignee, their agents, or truck loading or unloading, or the use of such facilities for any other gainful purpose for which a charge is not otherwise specified.

Vessel - "Vessel" or "Vessels" shall mean any vessel, ship, barge, LASH barge, SEABEE barge, tug, towboat lighter, raft or other watercraft that floats. All references 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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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.

Wharf - "Wharf" or "Wharves" shall mean any public wharf, dock, berth, landing, pier, mooring facility, barge fleet mooring facility or other structure and the warehouses, sheds, or buildings thereupon, which are owned, operated, or administered by the District.

Wharfage - A charge against cargo, passing or conveyed over, onto, or under wharves or between vessels to or from barge, lighter, or water, when berthed at wharf or when moored adjacent to wharf. Wharfage is solely the charge for use of wharf and does not include charges for any other service. The wharfage charges are in cents per ton of 2000 pounds (short ton).

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SECTION II - GENERAL RULES AND REGULATIONS

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CONSENT TO THE TARIFF	200
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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
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The District shall be the sole judge as to the interpretation of this tariff.

LESSEES OF FACILITIES ADMINISTERED BY THE DISTRICT	204
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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.

PROHIBITED ACTIVITIES	206
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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.
- (2) Smoking on the open deck or in the hold 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.
- (3) The obstruction of any fire fighting appliance or apparatus on or in any wharf or roadway.

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- (4) The removal or breaking of the wire seals on fire hoses or fire water valves on or in the wharves, or the use of water from said hoses or valves, for purpose other than extinguishing a fire.
- (5) Unauthorized storage of gasoline, distillate or any liquid petroleum products other than lubricating oils or kerosene in the wharf warehouses. Gasoline, distillate or liquid products will be permitted to be received on a wharf for a vessel at the dock, but shall not be permitted to remain on the dock overnight, nor be placed in close proximity to cotton, flour or other contact-sensitive freight. Packages in a leaky condition shall not be permitted to be placed upon the wharves for shipment; such packages received as inbound cargo shall be removed from the wharf at once.
- (6) Storage or overnight parking of automobiles or trucks in or on the wharves, except as otherwise provided herein. The housing of gasoline operated truck lifts and similar equipment may be permitted only after an inspection and receipt of written permission from the Marine Terminal Operator.
- (7) Operating any vehicle on any wharf when, in the discretion of the Marine Terminal Operator, the vehicle interferes with the efficient operation of the wharf.
- (8) Dumping of oil, oily wastes or grease or other refuse matter into the water of the Port of St. Bernard. Engaging in this activity shall be in violation of national, state, and District laws and ordinances.
- (9) Blowing tubes with blowers or mechanical process or emitting dense smoke by any vessel within the limits of St. Bernard Parish.
- (10) Obstructing any wharf by stevedore's tools, equipment, donkey engines, vehicles, or any other material or object which is not part of the cargo. Engaging in this activity shall result in a \$25.00 daily charge, commencing 24 hours after notice is given by the Marine Terminal Operator, and shall result in the removal, storage and/or sale of such material at the stevedore's expense.
- (11) Failing to maintain 10 feet clearance from the nearest rail of any railroad, the obstruction of the free passage of any rail car, and endangering the safety of rail cars or operating personnel.
- (12) Vessel operations that exceed loading and strains posted on or in the wharf, or otherwise designated by the District.
- (13) Oxyacetylene, electric, or any other welding or burning or other "hot work" involving use of any open flame or heat on any wharf or inside any shed or covered facility owned, operated or administered by the District unless a current permit issued by the Marine Terminal Operator is obtained and posted at the site where cutting, welding, fumigating, shrink-wrapping of any materials with a system involving an open flame or any other "hot work" is to be performed.

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FIRE SIGNAL	208
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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.

CLEANING OF WHARF	210
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It is the responsibility of the vessel to clean, promptly, the wharf upon completion of loading/unloading operations. All dunnage, trash or debris must be removed and the wharf must be placed in a sanitary condition. Failure to maintain such state of cleanliness and sanitary condition shall entitle District , in its discretion, on one-hour's notice, to either contract with private contractors to clean such area or clean the are with District employees and the Grantee or vessel responsible for cleaning shall be obligated to pay District the contract or actual cost plus \$2,500 as a penalty.

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SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION ITEM

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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DAMAGE TO DISTRICT PROPERTY	216
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- (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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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
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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
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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.

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222

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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RESPONSIBILITY FOR RAILROAD CLEARANCE	224
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Each vessel, her owners, charterers and agents to whom any wharf or other facility of this District has been assigned, or who is using or occupying the same under any provision of this tariff, shall be responsible severally, jointly, and in solido for the maintenance of clearance of 10 feet from the center line of any railroad tracks, in order to comply with railroad clearance requirements for switching.

MOVING VESSELS TO PROTECT PROPERTY OR TO FACILITATE NAVIGATION OR COMMERCE	226
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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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ST. BERNARD PORT, HARBOR AND
 TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION	ITEM
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WAIVER OF SUBROGATION UNDER FIRE POLICIES	228
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The District waives and relinquishes any and all claims, demand, actions and rights of 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.

AUDIT OF MANIFESTS AND OTHER DOCUMENTS	230
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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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ST. BERNARD PORT, HARBOR AND
 TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION	ITEM
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MEASUREMENT OF A VESSEL	232
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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.

COMPUTATION OF TIME	234
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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.

REGULATION OF MOTOR VEHICLE TRAFFIC	236
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The Marine Terminal Operator has authority to regulate motor vehicle traffic at the Violet Terminal.

HANDLING CLASS "A" EXPLOSIVES	238
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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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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION ITEM

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 Violet 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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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION ITEM

PROCEDURES FOR SCHEDULING AND PLACEMENTS OF TRUCKS,
VANS OR TRAILERS 242

Procedures for the scheduling and placement of trucks, vans or trailers for loading or unloading of cargo, which insure equal access to all shippers, receivers and cargo owners, shall be submitted to the Marine Terminal Operator for his approval by Assignee of a Berth. A Fax fee or any similar direct or indirect charge or assessment by a Assignee, or those acting on their behalf, is strictly prohibited, except where such fee, charge or assessment is also billed to and collected from all cargo shippers, receivers or cargo owners without regard to the party performing the loading and/or unloading service provided for in Section VI of this tariff. No truck loading or unloading operations shall be conducted except in accordance with such procedures. Failure to have on file, with the Marine Terminal Operator approved procedures shall constitute cause for denying the use of District facilities or cancellations of an assignment previously made.

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

HEAVY LIFT EQUIPMENT, LEASED 246

No heavy lift equipment shall be utilized in loading, unloading or handling of freight and cargo on the premises and facilities of the St. Bernard Port unless permission is first obtained from the Marine Terminal Operator.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL 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 Violet 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.

DELAYS, DEMURRAGE OR DETENTION ON RAIL CARS 252

St. Bernard Port assumes no responsibility for delays, demurrage or detention on rail cars.

FLOOR LOAD LIMITATIONS 254

Operations by vessels, their owners, charterers, and agents, so far as they affect loading and strains on structures, shall be limited to such loading and strains as shall not be in excess of those posted in the area, or otherwise designated by St. Bernard Port.

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ST. BERNARD PORT, HARBOR AND
 TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION	ITEM
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PALLET RENTAL	256
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Cargo pallets will be rented at a charge of \$.24 cents per net ton of cargo palletized minimum charge of six dollars and ninety-six cents (\$6.96). Chocks, separators or stripping, in lieu of pallets, will be rented at a charge of \$0.16 cents per net ton of cargo placed thereon. Minimum charge of six dollars and ninety-six cents (\$6.96). The use of pallets, chocks, separators or stripping carries with it the obligation of the stevedores to return this equipment immediately to the transit shed adjacent to the ship in an acceptable manner as directed by the representative of the terminal. No pallets, chocks, separators or stripping are authorized to be removed from the Terminal by the stevedores.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY

APPLICATION	ITEM
APPLICATION FOR BERTH	300

To accommodate shipping and commerce through this Port, the District merely provides 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 the responsibility of 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 the District.

Vessels, their owners, charterers, and agents desiring a berth at the Arabi Terminal must apply to the Marine Terminal Operator (MTO) on forms furnished by the MTO, not less than forty-eight (48) hours in advance of the proposed time of use. If space is available, 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 MTO and the Vessel, her owner, grant of berth assignment does not convey absolute control of the facility assigned.

Should the vessel which has filed an Application for berth be ordered to berth, and refuse Such berth for any reason, refileing of an application will be required in accordance with the provisions of this Tariff. The MTO has the sole discretion to accept and approve the Application for Berth once received.

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 the MTO providing for their submission, within five days following the close of each calendar month, 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 MTO is assessing charges. Such barge carriers shall be billed monthly for all applicable dockage and sheddage charges.

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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY

APPLICATION	ITEM
	300

Inland barge carriers entering into such contracts shall never the less obtain oral permission from the Marine Terminal Operator for, and prior to, the berthing of any barge at the Violet Terminal.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY

APPLICATION	ITEM
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VACATING OF BERTHS	302
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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
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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.

USE OF MARSHALING YARDS, IMPROVED AND UNIMPROVED LAND AREAS	306
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The District has available land areas for use for the marshaling of containers, storage, and handling of cargo or other purposes.

Application – Persons desiring to utilize these areas should direct their written request to the Marine Terminal Operator who will contact the St. Bernard Port, Harbor, and Terminal District.

Terms and Conditions – Subject to published lease rates of the St. Bernard Port, Harbor and Terminal District.

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TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY

APPLICATION

ITEM

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION III - USE OF DISTRICT PROPERTY

APPLICATION	ITEM
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TERMINAL USE FEE	310
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For vessels berthed under GRT dockage status for the purpose to load or discharge cargo solely to or from barge, a Terminal Use Fee will be assessed at a rate of fifty-five cents \$0.55 per ton.

Minimum Charge for Vessels: \$4,000.00 per day or fraction thereof.

STEVEDORE USAGE FEE	312
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All persons allowed use of the St. Bernard Port, Harbor and Terminal District facilities for the purpose of performing stevedoring services may be assessed a Terminal Use Fee of \$12.00 per net ton. The use of the St. Bernard Port, Harbor and Terminal District facilities for these purposes shall be deemed an acknowledgement and acceptance of the terms, conditions, and obligation contained herein.

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

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 it loaded or discharged, at the applicable rate.

DUNNAGE USE FEE	313
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A fee of \$1.00 per ton applies on all cargo that requires dunnage in order to be stacked in the terminal warehouse or laydown area.

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LINE HANDLING

326

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

HARBOR TUGS

327

The MTO will provide harbor tugs for 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.

BUNKER CHARGE

328

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.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION ITEM

FREE TIME FOR ASSEMBLING OUTWARD CARGO 400

A vessel shall be allowed the use of assigned wharf space for a free time period of 30 calendar days, for the purpose of assembling cargo prior to arrival at her assigned outward berth.

PAYMENT OF ADJUSTED DEMURRAGE 402

A vessel, her owners, charterers, and agents shall be responsible for the payment of all demurrage charges.

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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
OUTBOUND DEMURRAGE	404

A vessel failing to arrive at and occupy her assigned outward berth within the free time allowed in Item 400 shall be assessed the following outbound demurrage charges, based on the cargo received and assembled for outward movement:

\$.15 per ton (or fraction) per day (or fraction)
 for the first seven days.

\$.40 per ton (or fraction) per day (or fraction)
 for the next seven days.

\$1.00 per ton (or fraction) per day (or fraction)
 for each day thereafter.

Demurrage charges shall cease at 0001 on the day of arrival of the vessel at her outward berth.

The vessel, her owners, charterers, and agents shall be responsible for the payment of all outbound demurrage charges.

At the option of the Marine Terminal Operator, the cargo may be sent to warehouse storage for account of whom it may concern.

Exceptions

Vessels assembling government relief cargo where the United States is ultimately responsible for transportation and terminal costs shall be assessed the aforesaid outbound demurrage charge. Upon expiration of the 30 days free time, the adjusted demurrage charge assessed against said cargo shall be \$.08 per ton for each five-day period or fraction. The charge shall cease upon arrival of the vessel scheduled to lift the cargo.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION ITEM

EXTENSION OF RECEIVING FOR ASSEMBLING OUTWARD CARGO 406

A request to extend the receiving date ("First Date"), specified on the Application for Berth, for assembling outward cargo shall be made in writing to the Marine Terminal Operator before 0001 of the receiving date. If time does not permit the transmission of a written request before 0001 of the receiving date, the request may be made by telephone but it must be immediately confirmed in writing. The approval of the request for the extension shall be at the full discretion of the Marine Terminal Operator. Only one such extension shall be granted.

SUBSTITUTION OF VESSELS 408

When circumstances arise which, in the opinion of the Marine Terminal Operator, are considered beyond the control of the vessel owner or agent and prevent lifting her outward cargo, another vessel may be substituted to lift the cargo provided that the substitute vessel assumes the receiving date of the original vessel and pays all applicable charges. This substitution shall not be made after the original vessel begins to load her outward cargo. Once a vessel begins to load her outward cargo, any cargo not lifted shall be classified as shutout cargo, subject to Items 440 and 442.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
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DOCKAGE CHARGES FOR VESSELS ENGAGED IN FOREIGN, COASTWISE OR INTERCOSTAL TRADE	410
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Regular Dockage Rate

Vessels that are assigned berths for the unloading and/or loading of inward and/or outward cargoes or vessels moored to vessels assigned such berths shall be assessed dockage charges. Beginning on arrival of a vessel at her berth, the dockage charges in Column 1 of Item 414 of this tariff shall be assessed continuously for each consecutive day of 24 hours, or fraction, and said charges will end on the day the vessel completes all cargo operations and releases her berth, except where a vessel is in idle status as described in Exception (1) (a) below. Vessels requesting a change in status resulting in a higher dockage rate shall be assessed such rate effective 0001 hours of the date of the change. The effective date of the change in dockage rates for vessels requesting a change in status resulting in lower rate shall be 0001 hours of the day following the change.

SPECIAL DOCKAGE RATE	411
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Vessels may be permitted to berth when neither loading nor 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 415.

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

Vessels requesting a change in status resulting in lower dockage rate shall be assessed such rate effective immediately upon completion of a twenty-four (24) hour period of Regular Dockage, Item 415, and said dockage shall end on the day the vessels departs the berth. The lower dockage shall apply for each twenty-four (24) hours, or fraction thereof.

(Item 411 continued on next page)

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
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SPECIAL DOCKAGE RATE	411
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DOCKAGE RATE: \$4,000.00 per day

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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION

ITEM

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CAPE SIZED VESSEL DOCKAGE CHARGES

413

Dockage for any cape sized vessel will be assessed at our Regular Dockage Charge rate as per item 414. The vessel will be assessed dockage at a minimum of four (4) days.

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ST. BERNARD PORT, HARBOR AND
TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
SHEDDAGE OF DOCKAGE AND SHEDDAGE AND/OR MARGINAL TRACK USAGE RATE	414

Where reference is made hereto by Item 414, 415, 416 and 312 and other provisions of this tariff, the following schedule of dockage rates per foot of vessel length shall apply on a 24 hour day basis or fraction thereof, and sheddage/marginal track rates of Column 2 shall apply for the entire period of the berth assignment:

LOA IN FEET	REGULAR DOCKAGE	SHEDDAGE	SPECIAL DOCKAGE
0-199	\$1.79	\$0.24	\$4,000.00
200-299	\$2.00	\$0.54	\$4,000.00
300-349	\$2.48	\$0.73	\$4,000.00
350-399	\$2.48	\$0.83	\$4,000.00
400-449	\$3.37	\$1.05	\$4,000.00
450-499	\$3.87	\$1.16	\$4,000.00
500-549	\$4.99	\$1.26	\$4,000.00
550-599	\$5.67	\$1.50	\$4,000.00
600-699	\$6.97	\$1.93	\$4,000.00
700-799	\$8.55	\$2.45	\$4,000.00
800-899	\$8.75	\$2.60	\$4,000.00
900-over	\$9.44	\$2.85	\$4,000.00

Charges assessed, pursuant to this provision, will be determined by multiplying the vessel length overall by the applicable rate.

Not applicable when Items 415 is utilized with respect to ships berthing at the terminal.

- a) to discharge or load cargo solely to barges or other vessels and solely from barges or other vessels, or,
- b) to discharge or load dry bulk commodities, whether to or from vessels or to or from a dock, in those instances in which the dry bulk commodities exceed fifty (50%) percent of the tonnage cargo, prorated on that portion of dry bulk commodities on the same vessel.
- c) length does not apply to Special Dockage rage.

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ST. BERNARD PORT, HARBOR
AND TERMINAL DISTRICT

VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
DOCKAGE CHARGES (G.R.T.)	415
<p>1) Dockage charges under this item shall be applicable only to that portion of dry bulk commodities loaded or unloaded from a vessel which contains dry bulk and general cargo in instances in which the dry bulk commodities to be loaded or discharged, whether to a vessel or dock, charges are sixty (.60) cents per Gross Registered Ton for the first 24 hours, or fraction thereof; if fraction is more than three (3) hours.</p> <p>2) Dockage charges on that portion of the general cargo on a vessel which contains both general and break bulk cargo in instances in which the general cargo to be loaded or discharged to the dock from vessels dockage charges shall be imposed as provided in Item 414. Dockage charges LOA prorated by that portion of the general cargo to the total tonnage of the vessel. Minimum \$5,000.00 per day, 24 hours or part thereof.</p>	

COMPUTATION OF DOCKAGE	416
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Part Day Dockage Charges

Vessels shall be assessed on full day's dockage for the first day regardless of the number of hours berthed. After the first day's charges, vessels shall be assessed 50 percent of full day dockage charges for under 12 hours and 100 percent for over 12 hours.

Alternative Basis for Computing Dockage Charges

In the event a vessel, after discharging her inward cargo, and/or lifting part of her outward cargo, departs for other United States Gulf ports, and returns classified as lift the remaining outward cargo left behind, classified as shut out cargo (see Item 440 and 442), or additional outward cargo received subsequent to her departure, dockage charges may be computed as if there were two separate and distinct vessels involved, if the total dockage charges resulting thereby are lower than the regular dockage rate computed on the basis of the continuous and uninterrupted running time, provided in Item 414. When the charges are assessed under this alternative basis, such vessel shall be required to submit separate applications for berths to cover both such arrivals or voyages. In such cases, the date originally assigned to the vessel to receive cargo shall be deemed to be the receiving date of the vessel for determining the charges for her second or return voyage, except that in the event such vessel receives additional cargo after departing this port for another United States Gulf port, then a new receiving date shall be assigned to her, beginning on the day such additional cargo is so received.

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ST. BERNARD PORT, HARBOR AND
 TERMINAL DISTRICT
 VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION

ITEM

SECURITY SURCHARGE**Item 417**

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 Chalmette Slip, Arabi Mooring Dolphins, and Violet Terminal (90.5 AHP) facilities 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.

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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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION ITEM

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DOCKAGE CHARGES FOR INLAND WATERCRAFT 420

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.....\$27.00
Over 75 feet to 100 feet.....\$39.75
Over 100 feet to 175 feet.....\$53.25
Over 175 feet to 200 feet.....\$80.00
Over 200 feet to 250 feet.....\$134.25
Over 250 feet.....\$160.00

Exceptions

- (1) Tugs or towboats landing tows will be exempt from dockage charges provided they do not remain at the wharves longer than is necessary to land the tows.

- (2) Inland barges transporting project cargos shall be assessed special dockage at rates pursuant to terms which are subject to negotiations.

- (1) Ocean barges or other non-propelled vessels may be assigned berths at rates pursuant to terms which are subject to negotiation without regard to its registered length

DOCKAGE OF VESSELS MOORED OUTSIDE OF VESSELS 421

Vessels Moored outside of vessels lying at St. Bernard Port facilities will be subject to the same charges as though moored to the St. Bernard Port facilities.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION ITEM

SHEDDAGE CHARGE FOR INLAND WATERCRAFT 422

Inland watercraft handling domestic cargo and sea barges transported aboard vessels, which make use of a shedded wharf, shall be assessed the following charges based upon the registered length:

75 feet and under.....\$11.75
Over 75 feet to 100 feet..... 17.00
Over 100 feet to 175 feet..... 23.00
Over 175 feet to 200 feet..... 34.50
Over 200 feet to 250 feet..... 57.50
Over 250 feet..... 68.75

PAYMENT OF DOCKAGE AND SHEDDAGE 424

Dockage and sheddage charges assessed against a vessel, pursuant to any provisions of this tariff, shall be payable by said vessel, her owners, charterers and agents.

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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
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WHARFAGE CHARGES	426
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This charge applies on all cargo or freight when said vessels occupy the wharf or berths, except as set forth below:

1. The base rate of wharfage on all drybulk commodities is fifty (\$0.50) per net ton of 2000 pounds.
2. With respect to ships berthing at the terminal to discharge or load cargo solely to or from the wharf, the base rate of wharfage for all commodities (other than drybulk commodities) is three dollars (\$3.00) per net ton of 2000 pounds.
3. With respect to ships berthing at the terminal to discharge or load cargo both to or from barges or another vessel and to or from the wharf, the base rate of wharfage on all commodities (other than drybulk commodities) is three dollars (\$3.00) per net ton of 2000 pounds on cargo discharged or loaded to or from the wharf and three dollars (\$3.00) per net ton of 2000 pounds on cargo discharged or loaded to or from barges or other vessels.
4. Wharfage charges are not imposed with respect to cargo (other than drybulk commodities) discharged from or loaded to ships berthing at the terminal to discharge cargo (other than drybulk commodities) solely to barges or other vessels or to load cargo (other than drybulk commodities) solely from barges or other vessels.

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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION ITEM

GENERAL AND SPECIAL WHARFAGE RATES 428

The rate of wharfage on all commodities shall be \$3.00 per ton or fraction, except as indicated below:

COMMODITY	EXCEPTIONS	WHARFAGE RATE
	(per ton, or fraction, except as otherwise indicated)	
Additives, Gasoline and other Motor Fuel, Including Anti-Knock Compounds		\$1.90
Aircraft and Aircraft Parts and Accessories		\$1.90
Automobiles and Automobile Trucks (freight and /or passenger), Automobile Tractors (with 5 th wheel) Trailers, including busses and military ordinance vehicles: Set up, 5,000 lbs., or less, per vehicle		\$2.99
Set up, over 5,000 lbs.		\$1.96
Bagged goods, consisting of edibles for human or animal consumption when for export only		\$0.46
Department of Agriculture, or donated by charitable organizations for relief purposes		\$0.23
Bricks, all kinds, including Plastic Fire Bricks, High Temperature Bonding Mortar, Fire Clay, Tank Blocks, Castables, Baffle Mix and Ramming Mix		\$1.27
Bulk Commodities in parcel lots of 3,000 tons or less, discharged to barges in conjunction with the discharge of non bulk cargoes. (See Note 5 below)		\$0.29
Bulk Commodities handled at general cargo wharves under condition set forth in Item 430		\$0.81
Caribbean Basin Initiative Commodities (See Item 430 for explanation of eligible commodities and required documents)		\$1.15
Coffee, Green in bags		\$1.50
Containers Cargo, Empty (See Note 2 below)		\$1.67
Containers, Cargo, loaded per net ton of the contents (See note 2 below)		\$1.73
Edible Oils delivered in bulk and barreled or packaged on public wharves. Rate is based on gross weight of commodity and containers		\$2.07
Grain, Grain by-products, Oilseeds, Oilseed By-Products and Rice, in bulk		\$0.92
Intra-Port Traffic (commodities not moving into or out of port limits on vessels)		\$1.32
Lead, ingots, pigs, block, etc.		\$1.04
Newsprint and other semi-processed paper		

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SECTION IV – VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
	428

Products in rolls or other packages	\$1.27
Pipeline movements of liquid cargo through privately owned pipeline passing beneath or above public wharves, per barrel of 42 gallons	\$0.40
Rubber, crude	\$1.20
Tapes, Pipe Covering and Related Primes	\$1.15
USDA Products, Chilled or Frozen	\$1.25
Vegetable Oil, edible for human consumption in tins or drums, when for export only sponsored by the United States Department of Agriculture or donated by charitable Organizations for relief purposes	\$1.50
Wood pulp/pulpboard, in rolls or other packages	\$1.19

Note 1 – Cargo of a single shipper or receiver shall be subject to the assessment, solely by the vessel's agent, of a minimum wharfage billing charge of \$35.00 per ship's manifest.

Note 2 – No wharfage shall be assessed on the tare weight of cargo containers when loaded or partially loaded. Wharfage shall be subject to a minimum charge of \$4.37 on the contents of each container. "Cargo Containers" shall include all containers used for the transport of cargo, constructed of metal, fiberglass, plastic, wood or other material, and usually 8' x 8' x 17', 20', 24', 25', 40', or 45' in dimension; but shall exclude the so-called "vans" used in connection with the shipment of household goods.

Note 3 – Cargo discharged from vessels to public wharves and transshipped on vessels calling another District facility shall not be subject to the payment of a second wharfage charge provided said cargo does not leave the District's jurisdiction.

Note 4 – A special wharfage charge of \$8.80 per dray or car, plus the regular published wharfage, shall be assessed on transshipped cargo which is inbound cargo charged by a vessel at other than a public facility of, this District for delivery or distribution.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION ITEM

SPECIAL WHARFAGE RATE EXPLANATIONS 430

Caribbean Basin Initiative – The special wharfage rate in Item 428 shall be applicable on all commodities, (except sugar, molasses, coffee and dry bulk cargoes, as well as those commodities which are not eligible articles entitled to duty free treatment under the C.B.I.), when imported from foreign countries designated by the President of the U.S., as beneficiaries under the "Caribbean Basin Economic Recovery Act (P.L. 98-67, Title II; 19 U.S.C. – 2701, et seq.) and when evidenced by copy of U.S. Customs documents, submitted with the manifest, certifying "Duty Free Entry" under said C.B.I. Program.

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PROJECT CARGO SPACE UTILIZATION - 433

St. Bernard Port, Harbor and Terminal District facilities may be made available for the import or export of project cargoes at the daily rate of \$ 50,000.00.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
COLLECTION AND PAYMENT OF WHARFAGE	434

Wharfage is due by the owners of the commodities on which wharfage is assessed, or due by the passengers carried on vessels for compensation. The collection and payments of same must be guaranteed by the vessels, her owners, charterers and agents, and the use of a public wharf or wharves shall be deemed an acceptance and acknowledgment of this guarantee.

As compensation to said vessel for such collection of wharfage, the District shall pay a collection fee of three percent of the total wharfage charges paid.

Within 10 working days after the completion of all vessel operations, the vessel shall render to the District certified manifests in either printed or electronic form, Bills of Lading or documentation approved in advance by the Marine Terminal Operator, showing the weight and description of all cargo discharged or loaded by said vessel in the Port of St. Bernard, together with such other information prescribed in forms furnished by the District for the purposes of computation and assessment of its tariff charges and shall comply with the United States Customs Automated Commercial System or the St. Bernard Port, Harbor and Terminal District.

Wharfage charges on cargo shall be assessed on the basis of manifest weights except as otherwise provided.

Within 10 working days following the departure of a vessel carrying passengers for hire, such vessel shall submit to the District certified manifests listing all such passengers so embarking and debarking.

A penalty of \$100 per day, not to exceed \$1,000 shall be assessed against said vessels, her owners, charterers, and agents should they fail to render the cargo documentation in the form and within the period provided herein.

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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
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FREE TIME FOR INBOUND CARGO	436
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The free time allowed on cargo discharged from a vessel onto public wharves shall be 30 calendar days. Free time will begin at 0001 hours of the first day following final discharge of vessel and will terminate at 2400 of the last free day.

INBOUND DEMURRAGE CHARGES	438
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Any portion of cargo discharged from a vessel remaining on the public wharves after the expiration of free time shall immediately incur the following inbound demurrage charges:

- (1) \$.15 per ton (or fraction) per day (or fraction) for the first seven days.
- (2) \$.40 per ton (or fraction) per day (or fraction) for the next seven days.
- (3) \$1.00 per ton (or fraction) per day (or fraction) for each day thereafter until cargo is removed from wharf.

The vessels discharging the cargo, her owners, charterers and agents, are responsible for the payment of the demurrage charges before the cargo is removed from the public wharves. Marine Terminal Operator shall pay to said vessel a collection fee of three percent of the total demurrage charges incurred.

At the option of the Marine Terminal Operator, the cargo may be sent to warehouse storage for account of whom it may concern.

REMOVAL OF SHUT-OUT CARGO	440
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Should a vessel shutout any cargo, the same must be removed from the wharf within 48 hours after the departure of the vessel from the wharf.

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VIOLET TERMINAL TARIFF NO. 1

SECTION IV - VESSEL CHARGES/CARGO CHARGES

APPLICATION	ITEM
SHUT-OUT CARGO DEMURRAGE CHARGES	442

The demurrage charges for shut-out cargo are \$.14 per ton for each five day period, or fraction, based on the tons of cargo shut out by the vessel. The vessel shutting out cargo, her owners, charterers and agents shall be responsible for the payment of said charges. The charges shall commence the day after the vessel shutting out of the cargo departs from her assigned berth and will cease on the date the lifting vessel begins, receiving her additional cargo, or on commencement of her regular dockage charges. If total shut out demurrage charges do not exceed \$10.00 , they shall be waived.

Within five days following the departure of the vessel shutting out cargo, the vessel shall render to the District a statement, properly certified, showing the weight and description of all such cargo shut out by the vessel and such other information prescribed in District forms for the purpose of computation and public records.

Exception

Vessels shutting out cargo of 200 tons or less shall be exempt from the shut out demurrage charge provided said cargo is not shut out a second time, the cargo does not remain on the wharves for more than 30 days after the departure of the ship for which it was first received, and the cargo does not involve expense to the District or interfere with the efficient operation of the District's property. On the thirty first day after the departure of vessels shutting out cargo, the shut out demurrage charge shall be assessed.

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ST. BERNARD PORT, HARBOR AND
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VIOLET TERMINAL TARIFF NO. 1

SECTION V - SERVICE AND EQUIPMENT CHARGES

APPLICATION	ITEM
VESSEL WATER SERVICE CHARGES	500

Potable water will be furnished to vessels berthed at a public wharf, only from approved ship service watering points, upon application to the Marine Terminal Operator and upon entering into a written contract obligating said applicant for the payment of all water charges. The applicant may be required to post, in advance, a certified or cashier's check in an amount equal to the estimated cost of furnishing such service.

FACILITY WATER SERVICE CHARGES	502
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Vessels assigned to public wharves located on the left descending bank of the Mississippi River in the Parish of St. Bernard, upon which no First Call on Berth Privilege or Preferential Assignment Agreement is in effect, shall be assessed a facility water service charge of \$165 to assist in defraying the expense of providing water service and the maintenance of the water distribution system. Such charge shall be in addition to any other charge assessed pursuant to any applicable provision of this tariff.

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VIOLET TERMINAL TARIFF NO. 1

SECTION VI - LOADING & UNLOADING (RULES, REGULATIONS & CHARGES)

APPLICATION ITEM

DEFINITION - LOADING & UNLOADING 600

Loading and unloading means the service of loading or unloading cargo between any place or point of rest on a public wharf or terminal and railcars, trucks, or any other means of land transportation. Loading and unloading, for purposes of this section shall not include the services provided in conjunction with cargo loaded or unloaded from land transportation conveyance without being placed at point of rest on the public wharf or terminal, as well as cargo loaded or unloaded, directly between carriers and barges, or directly between ocean carriers and open top railcars or open top trucks by ships' tackle.

Truck loading consists of moving cargo over the wharf or terminal facility to the truck, spotted at a place designate by the Assignee of the Berth of his designee, elevating the cargo onto the truck and stowing the cargo in the truck, but shall not include sorting or grading or otherwise selecting the cargo for the convenience of the trucker or the consignee. The service shall include loading on consignee's pallets.

Truck unloading consists of removing cargo from the body of the truck, spotted at a placed designated by the Assignee of the Berth or his designee and moving it over the wharf or other terminal facility.

Since the St. Bernard Port is not involved in loading and/or unloading trucks and/or railcars, we have not covered for same in this tariff, however, the Marine Terminal Operator will be required to address these charges in its tariff.

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SECTION VI - LOADING & UNLOADING (RULES, REGULATIONS & CHARGES)

APPLICATION

ITEM

DESIGNATION OF MARINE TERMINAL OPERATOR TO INSPECT & REPORT
LOSS DAMAGE AND SHORTAGE OF SHIPMENTS ON IMPORT CARGO 602

It shall be the obligation of the Assignee of the Berth or his designee to conduct, or cause to be conducted, as the representative of the owner or receiver of the cargo and Assignee of the Berth, a full, detailed and complete inspection of each shipment of cargo loaded into railcars, for movement under non shipside rates, and to make a written record or report of the condition and count of each such shipment, completely listing in detail all exception found with respect to the quantity and condition of each package or other until comprising each such shipment. Such inspection and record or report shall include proper notation as to overages and shortages, as well as damage found in each such shipment.

Such inspection and record or report of such exceptions, as aforesaid, shall be made on all import or other inbound shipments at the time the Assignee of the Berth or his designee loads each such shipment into the railcar and not prior thereto.

If, at the time of making such inspection there appears to be any material, substantial or unusual damage, loss or shortage in the particular shipment, it shall be the obligation of the party performing the inspection to immediately notify the owner or receiver of the cargo, or his local representative, and afford him the opportunity and privilege to promptly appear to join in the inspection and recordation of the aforesaid exceptions so found, prior to the completion of the loading. The inability or failure, for any reason, of the cargo owner, or his local representative, to make such inspection shall in no manner relieve the Assignee of the Berth from its obligations and legal liabilities. The record or report shall be executed in duplicate and shall show the name and address of the Assignee of the Berth, or his designee, and shall be signed by the person making the inspection and report on behalf of said Assignee. This form shall show the date on which such inspection and exceptions were made as so recorded in the said form of report and shall show the car number and seal numbers of the railcar into which each such shipment I loaded by said designee shall furnish copies to all necessary parties, as well as any party requesting a copy.

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