

ORIGINAL TITLE PAGE

**PORT OF PHILDELPHIA  
MARINE TERMINAL ASSOCIATION, INC.  
FEDERAL MARITIME COMMISSION NO. 201206  
(FORMERLY AGREEMENT No. 8425)**

**TERMINAL SCHEDULE NO. 1300  
CANCELS AND REPLACES  
TERMINAL SCHEDULE NO. 1200**

ISSUED BY  
FRANCIS X. SCANLAN, EXECUTIVE SECRETARY  
PORT OF PHILADELPHIA MARINE TERMINAL ASSOCIATION, INC.  
P.O. BOX 120  
BRYN MAWR, PA 19010  
(610) 525-1470

NAMING  
RULES, REGULATIONS, AND CHARGES SET FORTH HEREIN  
OF THE TERMINAL OPERATORS NAMED HEREIN

Issued: September 8, 2011

Effective: October 1, 2011

**PORT OF PHILADELPHIA MARINE TERMINAL ASSOC. INC.**  
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**BRYN MAWR, PA 19010**      **PHONE: (610) 525-1470**  
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**CORRECTION CHECK SHEET**

FUTURE CHANGES IN THIS SCHEDULE WILL BE MADE BY SUBSTITUTING  
 CORRECTED PAGES FOR PAGES HEREIN. EACH SUCH CORRECTION WILL BE  
 NUMBERED CONSECUTIVELY AT THE UPPER RIGHT CORNER OF THE  
 PAGE. TO INSURE THAT SUBSCRIBERS' SCHEDULES ARE UP TO DATE, IT  
 IS RECOMMENDED THAT THE CORRECTION NUMBERS BE CHECKED OFF  
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RULE: 34 - TERMINAL SCHEDULE

For application of individual charges, consult the subrules contained herein.

RULE: 34.1 - General Rules (C)

SCOPE:

The rules, regulations, conditions commodity rates and/or charges set forth in this Schedule apply to or from the following terminal (s).

NAME -----	ADDRESS -----
Delaware River Stevedores, Inc	Tioga Marine Terminal Philadelphia, PA 19134 Pier 122 Philadelphia, PA 19148
The Port of Philadelphia and Camden, a department of the Delaware River Port Authority	One Port Center 2 Riverside Drive Camden, NJ 08101-1949
South Jersey Port Corporation	Beckett Street Terminal Camden, NJ 08101 Piers 1 and 2 Broadway Terminal Camden, NJ 08101

Note: This Schedule does not cover West Coast Lumber or Military Cargo at any of the above terminals.

ABBREVIATIONS:

\$	-Currency	%	-Percent
Cont's	-Continued	CU FT	-Cubic Foot
CWT	-Hundred weight or per 100 pounds	DWT	-Deadweight Ton
FMC	-Federal Maritime Commission	GRT	-Gross Registered Ton
		LBS	-Pounds

RULE: 34.1 - General Rules  
(Continued)

LOA - Length Overall  
 ISO - International Standards Organization  
 NOS - Not Otherwise Specified

O/T - Other Than  
 NOIBN - Not otherwise Indicated by Name

**SYMBOLS:**

- |  |                       |
|--|-----------------------|
| (A) Denotes Increase   | (D) Denotes Deletion  |
| (B) Denotes Decrease   | (E) Expiration        |
| (C) Denotes Change in Wording which results in neither increase nor decrease in rates or charges | (R) Denotes Reduction |
| (I) Denotes New or Initial Matter  | (N) Reissued Matter   |
| (G) General Increase or Decrease   |                       |

**ITEM 101 AD Valorem Clause and Limitation of Liability**

The Terminal Operator for the services performed under this schedule assumes no liability for the loss or damage to freight or cargo handled or transhipped through the terminal including but not limited to loss or damage caused by strikes, fire, water, action of the elements, theft, or other causes.

The Terminal Operator shall be liable only for damage resulting from its failure to exercise due and proper care in performing the services and affording facilities or any other activities or goods which a Terminal Operator provides in servicing the customer's needs provided for herein. In no case shall the Terminal Operator be liable for a sum in excess of \$500.00 per package or non-packaged objects traveling as freight units unless the carrier, shipper, consignee(or), or their representatives, prior to commencement of such services or use of such facilities, declares a higher value and pays to the Terminal Operator, in addition to the other charges for such services as herein set forth, a premium computed at one percent

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RULE: 34.1 - General Rules  
(Continued)

(1%) of the declared value of each package or non-packaged freight object or customary freight unit and in such event the Terminal Operator shall be liable for the full declared value of each such package or non-packaged object for damage resulting solely from its failure to exercise due and proper care in performing the services or affording the facilities provided for herein. The word "package" shall include any van, container, other form of cargo utilization, or other freight unit. Any claim against the Terminal Operator must be filed with the Terminal Operator within ninety (90) days from the receipt or delivery of the cargo by the Terminal Operator, and any suit against the Terminal Operator must be instituted within one year from the date of receipt or delivery of the said cargo by the Terminal Operator. The remedies provided herein are exclusive and in lieu of all other remedies. Warranties or representations expressed or implied are not valid unless written and attached to the agreement. Any increased declarations of value must be in writing in accordance with the Uniform Commercial Code.

Open Piers: Acceptance for use of an open pier by a stevedore, vessel charterer or owner, or receiver of goods, is a recognition of an implied fact that cargo landed on such pier is at the risk an expense of the cargo owner.

Since no attempt is made by the Terminal Operator to supply any protection from the elements, the Terminal Operator accepts no liability or responsibility for any loss or damage that may occur to the cargo remaining on the pier at any time, nor for the injuries, damages, or delays caused by equipment, cranes, and/or operators of same leased by the terminal. (Subject to Subrule 34.1, Item 107 herein.)

**ITEM 102 TERMINAL NOT PUBLIC THOROUGHFARE.**

The Terminal property is not a public thoroughfare and all persons, equipment or vehicles entering thereon do so at their own risk. The terminal reserves the right to refuse admittance to the Terminal and to require the removal from the premises of any person, equipment or vehicle for any reason whatsoever.

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RULE: 34.1 - General Rules  
(Continued)

**ITEM 103 SHIPPER'S REQUESTS AND COMPLAINTS.**

Shipper's requests and complaints shall be promptly and fairly considered by the Association provided that they are submitted in writing to the Executive Secretary or the Association at the Address listed below:

Francis X. Scanlan, Executive Secretary  
Port of Philadelphia Marine Terminal Association  
Post Office Box 120  
Bryn Mawr, PA 19010  
(610) 525-1470

**ITEM 104 CARGO WITOUT DOCK RECEIPT.**

Cargo which arrives at a terminal without a dock receipt shall not be accepted. It shall be the responsibility of the Carrier, or other agent for the cargo, to present a dock receipt to the terminal operator before any service is performed.

**ITEM 105 HAZARDOUS CARGOES.**

In order to comply with U.S. Department of Transportation regulations (CFR 49 Parts 100-199, particularly Part 172), the following data is required for delivery of hazardous cargoes to the terminals in the Philadelphia area.

1. Complete shipper's name and address, and where possible the telephone number for emergencies.
2. Carrier's name and address.
3. Complete consignee's name and address, this is to include the overseas port of destination on exports.
4. Proper DOT shipping name, this is the technical name of the chemical involved. It must be as listed in the Code of Federal Regulation Title 49-Part 172.101. NOTE: Use an applicable description in 172.200 through 172.203.
5. Hazardous class of the material being shipped.
6. Kinds and number of containers and individual weights or total weight.
7. Labels required.

RULE 34.1 - General Rules  
(Continued)

8. Shipper's certification. A shipper's certification must appear on every bill-of-lading or shipping document provided. The correct wording of this certification is as follows:

THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY DESCRIBED, CLASSIFIED, PACKAGED, MARKED AND LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

This certification is to be accompanied by a legible signature of the person certifying.

9. Properly documented special instructions, exceptions or exemption information, if required.

All of the above must be complied with or the shipment will not be received by the terminal operators who are members of this Association.

ITEM 106 SERVICES NOT OTHERWISE PROVIDED FOR:

Nothing contained herein shall be construed as requiring a Terminal Operator to perform without charge any service not specifically provided for herein. The charge for any such service shall be mutually agreed upon.

ITEM 107 LIMITS OF LIABILITY.

No provision contained in this schedule shall limit or relieve the Port of Philadelphia Marine Terminal Association from liability for its own negligence nor require any person, vessel, or lessee to indemnify or hold harmless the Port of Philadelphia Marine Terminal Association from liability for its own negligence.

RULE: 34.2 - DOCKAGE

ITEM 108 ASSIGNMENT OF BERTH

Vessel berthing will be assigned according to availability. Vessels are to move or vacate the Terminal facilities at the direction of the Terminal Operator. When necessary for the operators of the Port, the Terminal Operator may order a vessel to move at the vessel's expense. Any vessel which is not moved promptly upon notice to do so may be shifted, and any expense, costs, idle cost for labor and

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**RULE 34.2 - Dockage**  
**(Continued)**

equipment, damage to vessel or other vessels, or to the dock, during such removal shall be charged to such vessel. Vessels berthing at the Terminal shall, at all times, have on board sufficient personnel to move said vessel for the protection of the ships and the Port.

**ITEM 201 DEFINITION AND ASSESSMENT:**

The term “dockage” shall be held to mean the privilege of berthing or making fast to the wharf and shall be charged against the vessel, it’s owners, or operators in accordance with the rates and charges hereinafter specified.

**RULE: 34.2 - Dockage (Continued)**

Dockage will be assessed against the vessel, its owners or operators on the basis of the highest net registered tonnage of the vessel for the period the vessel remains at the berth. The period of time for which dockage shall be assessed against a vessel shall commence when such vessel is made fast to the wharf, bulkhead or to another vessel so berthed, and shall continue until such vessel has completely vacated such berth.

**ITEM 202 RATES:**

**A) Self-Propelled Vessels:**

1. Working Status: Working Status shall apply to all vessels during the period that any cargo operations are being performed including loading, discharging, shoring lashing, fitting, cleaning, or where labor has been hired for such work. Forty (.40) cents per net registered ton per 24 hour period or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, with a minimum charge of One Thousand Seven Hundred Dollars (\$1,700.00) shall be assessed against all vessels berthed at a pier, while on working status.
2. Idle Status: Idle Status shall apply to all vessels which berth at a pier for the purpose of any cargo operations, as set forth in (1) above. Idle status shall cover the period of time prior to the commencement of cargo operations, as set forth in (1) above, and the period of time subsequent thereto. Thirty-one (.31) cents per net registered ton per 24 hour period, or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, with a minimum charge of One Thousand Five Hundred Dollars (\$1,500.00) shall be assessed against all vessels on idle status with the exception that:

Any Vessel which arrives at a pier or remains at a pier in excess of seventy-two (72) hours prior to the commencement of cargo operations or subsequent to the completion of cargo operations shall be assessed the lay-up berth rate referred to in (3) below for all time prior to or subsequent to the said seventy-two (72) hour period.

3. Lay-Up Status: Lay-up status shall apply to all vessels which berth at a pier for any purpose not covered by (1) or (2) above. One Thousand Five Hundred Dollars (\$1,500.00) per 24 hour period or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, shall be assessed against all vessels under six hundred feet (600') L.O.A. on lay-up status for the first thirty days.

**RULE 34.2 - Dockage**  
(Continued)

Thereafter the said rate shall be One Thousand Two Hundred Dollars (\$1,200.00) per 24 hour period. Vessels in excess of six hundred feet (600') L.O.A. shall be assessed One Thousand Nine Hundred Dollars (\$1,900.00) per 24 hour period, or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, for the first thirty days. Thereafter the rate shall be One Thousand Four Hundred Dollars (\$1,400.00) per 24 hour period. All vessels on lay-up status must comply with all appropriate rules and regulations of federal, state, and local agencies having jurisdiction over such vessels.

4. Passenger vessels where the origin or destination is Philadelphia, shall be assessed at the rate of Twenty-five (.25) per net registered ton per 24 hour period, or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, with a minimum charge of Five Hundred Dollars (\$500.00) for berthing at a pier.

Passenger vessels where the origin or destination is not Philadelphia shall be assessed at the rate of One Dollar and Ninety-five cents (\$1.95) per linear foot L.O.A. for berthing at a pier.

Misc.: Tugs, Barges and other similar vessels at less than 250 L.O.A. that are making crew changes, repairs, and/or provisioning the vessel shall pay a dockage rate of \$200.00 per day.

5. For the purpose of the rates set forth in (1), (2), (3) and (4) above, Lloyd's Register of Shipping measurements shall be used in determining net registered tons. Dockage shall be assessed against the vessel, its owners or operators on the basis of the highest net registered tonnage of the vessel.

6. Availability of Berths: All vessels which are not being worked shall be required to vacate their berths upon notice from the terminal operator. Any vessel which is not moved promptly upon notice to so move, may be shifted and any expenses involved, damage to vessels or to the pier during such removal, shall be charged to the vessel. (Subject to Subrule 34.1, Item 107 herein).

**B) Non-Self Propelled Vessels:**

1. A charge of Three Dollars and Fifty cents (\$3.50) per foot of length with a minimum charge of Six Hundred Dollars (\$600.00) per 24 hour period or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, shall be assessed against seagoing and/or interport barges berthing or making fast to the wharf, pier or dock for the purpose of loading, and/or discharging cargo directly to or from the pier.

RULE: 34.2 - Dockage  
(continued)

2. Lay-up Status. A charge of Two Dollars (\$2.00) per foot or length with a minimum charge of Five Hundred Dollars (\$500.00) per 24 hour period or fraction (with the exception of the first four hours of the last 24 hour period, which will be pro-rated on an hourly basis) thereof, shall be assessed against seagoing and/or interport barges berthing or making fast to the wharf, pier or dock solely for the purpose of lay-up status.

RULE 34.3 - WHARFAGE

ITEM 301 DEFINITIONS

Wharfage is a charge against self-propelled vessel, a non-self-propelled vessel, and/or the cargo owner for the privilege of receiving cargo for a vessel or for loading or discharging cargo to or from the vessel or embarking or disembarking passengers while docked at the wharf or pier.

Note I: The Wharfage charges listed will be assessed against the vessel and/or the cargo owner when cargo which is intended for discharge at a terminal covered by this schedule, is discharged at another port and transported by truck or rail to a terminal covered by this schedule or when cargo is received at a terminal covered by this schedule for loading on a vessel and due to the cancellation of the vessel's call the cargo is transported by truck or rail to another port.

Note II: Determination of volume under ITEM 302A shall be based on accumulative tonnage in a calendar year

ITEM 302 RATES: (Note: Net Ton refers to 2,000 lbs.)

- A) Cargo measuring up to and including 10 cubic feet per net ton:
- |                      |                    |
|----------------------|--------------------|
| 0-10,000 tons        | \$2.60 per net ton |
| 10,000 – 25,000 tons | \$2.10 per net ton |
| Over 25,000 tons     | \$1.50 per net ton |
- B) Cargo measuring over 10 cubic feet per net ton and up to and including 80 cubic feet per net ton \$2.60 per net ton

RULE: 34.3 - Wharfage  
(continued)

(C) Cargo measuring in excess of 80 cubic feet per net ton of 2,000 lbs\_ \$1.90 per measurement ton of 40 cubic feet.

Exceptions:

1. Passenger type automobiles \_\_\_\_\_ \$6.00 per automobile
2. Trucks, tractors and other wheeled vehicles \_\_\_\_\_ \$22.00 per vehicle
3. Bulk dry cargo shall be charged at the rate of one dollar and forty cents (\$1.40) per net ton.
4. Containers (loaded or empty) weight of containers and contents \_\_\_ \$2.60 per net ton.
5. Vessels carrying passengers for compensation shall be liable for and shall pay the following passenger fees:
  - Passenger Embarking \_\_\_\_\_ \$7.50 per person
  - Passenger Disembarking \_\_\_\_\_ \$7.50 per person
  - Passengers in transit \_\_\_\_\_ \$7.00 per person

The owner, agent other person in charge of a vessel carrying passengers subject to passenger fees, shall furnish to the Terminal Operator complete copies of the vessel's passenger manifest, or summary, listing passengers embarking, disembarking or in transit (transit passengers shall include the total number of passengers on board ship upon docking) at the Port of Philadelphia. This rule is subject to the provisions of this Schedule regarding the providing of vessel manifests or summaries.

RULE 34.4 - FREE TIME ON IMPORT CARGO

ITEM 401 DEFINITIONS

Free Time is the period allowed for the removal of cargo from a pier before wharf demurrage charges apply. As used herein, free time refers only to the removal of import cargo, discharged from a vessel to a pier.

ITEM 402 FREE TIME PERIOD:

Five days free time exclusive of Saturdays, Sundays and holidays listed below, and any other national holidays as may be proclaimed by executive authority,

Rule 34.4 - Free Time on Import Cargo  
(Continued)

will be allowed for the removal of inbound cargo, except as listed below, and with the exception of property of such a special nature as to require earlier removal because of local ordinances or other governmental regulations, or because piers are not equipped to care for such property for such period. Free time as indicated below will be allowed on the following cargo:

- (a) Ten days for tea, green coffee beans, cocoa beans, cocoa presscake, cocoa powder, cocoa butter and chocolate liquor.
- (b) Two days for containerized refrigerated cargo or containers which are required to be heated, with the exception of self-sustaining nitrogen gas fueled containers which will be allowed five (5) days free time.
- (c) Fresh fruit, excluding bananas and fruit requiring refrigeration, three days of free time commencing after cargo is discharged.
- (d) Multiple containers – (not refrigerated or heated – for refrigerated or heated containers see 2(b) above).
- (e) Wood products – ten days on lots of greater than 1,000 short tons to one consignee or receiver.

Where there are more than 20 containers for one consignee, from one vessel, seventeen (17) days of free time will be allowed, provided the consignee removes at least fifteen (15) containers from the Terminal during the first five (5) days of free time period. If the consignee does not remove fifteen (15) or more containers during the said five (5) day free time period, all containers covered by the bill-of-lading remaining at the Terminal shall be subject to wharf demurrage at the end of the said five (5) day period at the rates set forth in Subrule 34.6 under exceptions 3(a) and (b). When fifteen (15) or more containers are removed during the said five (5) day free time period, all containers covered by the bill-of-lading remaining at the Terminal after the said seventeen (17) day period shall be subject to a wharf demurrage at the rates set forth in Subrule 34.6, under exceptions 3(a) and 3(b).

Note I: Holidays applicable at Beckett Street Terminal and Piers One and Two at Broadway Terminal:

New Year's Day	Memorial Day	Thanksgiving Day
Martin Luther King, Jr.'s Birthday	Flag Day	Christmas Eve
Lincoln's Birthday	Independence Day	Christmas Day
	Labor Day	

Rule 34.4 - Free Time on Import Cargo  
(Continued)

Washington's Birthday  
Good Friday

Columbus Day  
Veterans Day

Note II: Holidays applicable at Tioga Marine Terminal and Pier 122:

New Year's Day

Independence Day

Martin Luther King, Jr's  
Birthday

Labor Day

President's Day

November Election Day

Memorial Day

Thanksgiving Day

Christmas Day

When one of the above holidays fall on Sunday, the following Monday will be considered a holiday in the application of free time.

Rule (1) Cargo on which free time is not allowed:

No free time shall be allowed on the following:

- (a) Cargo in Bulk
- (b) Animals and Birds
- (c) Bullion and Treasure
- (d) Dangerous and Hazardous Cargo
- (e) Jewelry, Precious Stones, etc.

ITEM 403 COMMENCEMENT OF FREE TIME:

Free time will commence at 8:00 a.m. of the first day following the completion of a vessel's discharge. However, if the first day is a Saturday, Sunday or Holiday, the free time will commence at 8:00 a.m. of the first business day thereafter.

ITEM 404 EXPIRATION OF FREE TIME:

Free time will expire at 5:00 p.m. of the final day (NOT including Saturdays, Sundays and Holidays, but including the day of commencement), after the commencement thereof as set forth Item 403 above.

Rule 34.4 - Free Time on Import Cargo  
(Continued)

**ITME 405 INABILITY OF TERMINAL OPERATOR TO MAKE CARGO AVAILABLE DURING FREE TIME:**

In the event the consignee or owner of the cargo should make application for delivery of the cargo or portion thereof during the free time period and the Terminal Operator should be unable to make available to the consignee or owner of such cargo or portion thereof, the free time shall be extended to a period equal to the duration of the Terminal Operator's inability to make the cargo available. The Terminal Operator assumes no responsibility for furnishing chassis or bogies for delivery of containers.

**ITEM 406 TERMINAL OPERATOR'S RIGHT TO STORE CARGO:**

Cargo not removed from piers within the free time period may at any time thereafter, at the option of the Terminal Operator, be placed in storage at the risk of expense of the goods subject to any changes which may have accrued prior to removal and further subject to any expenses which may accrue as a result of said removal. (Subject to Subrule 34.1, Item 107 herein.)

All wharf demurrage charges which have accrued prior to the removal of the goods from storage shall be assessed and collected.

**RULE 34.5 - FREE TIME ON EXPORT CARGO**

**ITEM 501 DEFINITION:**

Free time is the period allowed for the removal of cargo from the terminal facility before wharf demurrage charges apply. As used herein, free time refers only to the removal of cargo for export to foreign or domestic ports which is loaded from a terminal facility to a vessel.

**ITEM 502 FREE TIME PERIOD:**

Free time on export cargo shall be ten (10) days (exclusive of Saturdays, Sundays, and legal Holidays) except as listed in sub-paragraphs A and B below: (See Rule (34.5 Notes I & II below) in this Schedule for current list of legal holidays.)

Rule 34.5 - Free Time on Export Cargo  
(Continued)

A. Upon the request of the U.S. Government to the participating Terminal Operator, free time not to exceed fifteen (15) days (exclusive of Saturdays, Sundays, and legal Holidays) may be granted. This exception shall apply only to commodities shipped for the account of the U.S. Government.

B. On consolidated shipments, upon the request of export shippers or their agents to the participating Terminal Operator, consolidation time not to exceed five (5) days (exclusive of Saturdays, Sundays and legal Holidays) may be granted in addition to the ten (10) days free time provided above. Cargo upon which such consolidation time has been granted shall be designated on dock receipt and on other appropriate shipping documents as “hold-on dock for consolidation”. Cargo not so designated and cargo not actually consolidated on piers will not be entitled to the grant of consolidation time. As used in this section, “consolidated shipments” shall mean shipments which are made up of commodities from two or more supply points and which move under a single bill-of-lading to overseas consignees.

Note I: Holidays applicable at Beckett Street Terminal and Piers One and Two at Broadway Terminal:

- |                                       |                  |                  |
|---------------------------------------|------------------|------------------|
| New Year’s Day                        | Memorial Day     | Thanksgiving Day |
| Martin Luther King, Jr.’s<br>Birthday | Flag Day         | Christmas Eve    |
| Lincoln’s Birthday                    | Independence Day | Christmas Day    |
| Washington’s Birthday                 | Labor Day        |                  |
| Good Friday                           | Columbus Day     |                  |
|                                       | Veterans Day     |                  |

Note II: Holidays applicable at Tioga Marine Terminal and Pier 122:

- |                                       |                       |
|---------------------------------------|-----------------------|
| New Year’s Day                        | Independence Day      |
| Martin Luther King, Jr.’s<br>Birthday | Labor Day             |
| President’s Day                       | November Election Day |
| Memorial Day                          | Thanksgiving Day      |
|                                       | Christmas Day         |

Rule 34.5 - Free Time on Export Cargo  
(Continued)

When one of the above holidays falls on Sunday, the following Monday will be considered a holiday in the application of free time.

**ITEM 503 COMMENCEMENT OF FREE TIME:**

Free time on export cargo shall commence at 12:01 a.m. on the day after the said cargo is received at the terminal facility and terminate at 11:59 p.m. on the final day of free time. Consolidated time on export cargo shall commence at 12:01 a.m. on the day following the last day and terminate at 11:59 p.m. on the final day of consolidation of time.

**ITEM 504 EXPIRATION OF FREE TIME:**

At the expiration of the free time period, or if consolidation time has been granted, the consolidation time period demurrage charges as set forth in Rule 34.7 of this schedule shall be assessed.

**EXCEPTION**

**Assembly Free Time – Export – Outbound Project Cargo**

Cargo not subject to weather damage, destined for export movement or outbound coastwise or intercoastal movement, may be assembled and held free of wharf demurrage and storage for forty-five (45) consecutive calendar days, for delivery to vessels at wharves or piers of the participating terminals of this Association. Free time shall begin the first 8:00 a.m. after placement of cargo on the pier. Free time accorded under the provisions of this item will be subject to the availability of suitable open ground storage space and the permission of the participating Terminal Operator for use of such space in advance of the arrival of the cargo. If the vessel has not arrived at the wharf or pier before the expiration of such free time, storage charges agreed upon between the shipper and the Terminal Operator at the time permission to store is granted, shall be levied, beginning on the first 8:00 a.m. after expiration of free time for assembling cargo, but shall cease when the vessel reports ready to receive cargo.

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**RULE 34.6            - WHARF DEMURRAGE ON IMPORT CARGO**

**ITEM 601 DEFINITION:**

Wharf demurrage is a charge against the cargo if the cargo remains on the pier after the expiration of free time. As used herein, wharf demurrage applies to import cargo. Saturdays, Sundays, and Holidays shall be included in computing demurrage. (see Rule 34.5 Notes I & II of this Schedule)

**ITEM 602 RATES EXCEPT AS NOTED BELOW:**

- (a) The following rates shall apply for cargo measuring up to and including 80 cubic feet per net ton of 2,000 lbs.:

\$ .29 per 100 lbs. for the first period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00.

\$ .49 per 100 lbs. for the second period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00.

\$ .74 per 100 lbs. for the third period and each period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00 for each period.

- (b) The following rates shall apply for cargo measuring from 81 to 300 cubic feet per net ton of 2,000 lbs.:

\$ .40 per 100 lbs. for the first period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00.

\$ .74 per 100 lbs. for the second period of five calendar days or fraction thereof after the expiration of free time. Minimum charge of \$80.00.

\$1.04 per 100 lbs. for the third and each succeeding period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00 for each period.

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**RULE 34.6 - WHARF DEMURRAGE ON IMPORT CARGO**

(Continued)

- (c) The following rates shall apply for cargo measuring in excess of 300 cubic feet per net ton of 2,000 lbs.

\$.84 per 100 lbs for the first period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00.

\$1.54 per 100 lbs. for the second period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00.

\$2.24 per 100 lbs for the third and each succeeding period of five calendar days or fraction thereof after the expiration of free time. Minimum charge \$80.00 for each period.

Exceptions:

1. Passenger type automobiles - \$17.00 per automobile per day.
2. Trucks, Tractors and other wheeled vehicles - \$28.00 per vehicle per day.
3. Loaded containers.
  - (a) Containers measuring up to twenty feet:  
\$32.00 per day for each day or fraction thereof after the expiration of free time.
  - (b) Containers measuring in excess of twenty feet:  
\$43.00 per day for each day or fraction thereof after the expiration of free time
  - (c) Refrigerated containers measuring up to twenty feet and in excess of twenty feet - \$50.00 per day for each day or fraction thereof after the expiration of free time.
4. Fresh fruit, excluding bananas and fresh fruit requiring refrigeration.

\$.26 per 100 lbs for the first two days or fraction thereof after the expiration of free time. Minimum charge \$80.00.

\$.40 per 100 lbs for each day after the above first two days after the expiration of free time. Minimum charge \$80.00 per day.

Note: The Terminal Operator reserves the right to measure all cargo.

Partial Shipments: When only part of a shipment covered by a bill-of-lading becomes subject to demurrage charges and it is not possible to ascertain

Rule 34.6 - Wharf Demurrage on Import Cargo  
(Continued)

exact weight or measurement of such part shipment, the determination of weight or measurement of cargo subject to demurrage charges shall be arrived at by dividing the total number of packages stated in said bill-of-lading into the total weight or measurement, as freighted, and applying the mean average so determined to the number of packages remaining on the pier and subject to all wharf demurrage charges. All wharf demurrage charges which have accrued after the expiration of free time shall be assessed and collected.

ITEM 603 RESPONSIBILITY FOR PAYMENT OF DEMURRAGE AND OTHER CHARGES:

Except as otherwise provided above, demurrage and other charges specified herein, shall be for the account of the cargo.  
Demurrage and other charges shall be due and payable as they accrue.  
The Terminal Operator has the right to require payment in full of any and all such charges before such cargo leaves the terminal facility.  
Cargo will not be released until full payment is received or the responsible party guarantees payment of all demurrage charges.

RULE 34.7 - WHARF DEMURRAGE ON EXPORT CARGO

ITEM 701 DEFINITION:

Wharf demurrage is a charge assessed against the cargo or the vessel, as set forth herein, if export cargo remains on the pier after the expiration of free time or consolidation time.

ITEM 702 RATES:

A. The following rates shall apply for cargo measuring up to and including 80 cubic feet per net ton of 2,000 lbs.:

\$.17 per 100 lbs., per day, or fraction thereof, for the first five (5) calendar days, after the expiration of free time. Minimum charge \$50.00.

Rule 34.7 - Wharf Demurrage on Export Cargo  
(Continued)

\$.23 per 100 lbs., per day or fraction thereof, for the next five (5) succeeding days. Minimum charge \$50.00.

\$.27 per 100 lbs., per day or fraction thereof, for each succeeding day.  
Minimum charge \$50.00 per day.

B. The following rates shall apply for the cargo measuring in excess of 80 cubic feet per net ton of 2,000 lbs.:

\$.14 per cubic foot, per day or fraction thereof, for the first five (5) calendar days after the expiration of free time. Minimum charge \$50.00.

\$.15 per cubic foot, per day or fraction thereof, for the next five (5) succeeding days. Minimum charge \$50.00.

\$.16 per cubic foot, per day or fraction thereof, for each succeeding day.  
Minimum charge \$50.00 per day.

Saturdays, Sundays and Holidays shall be included in computing demurrage.  
(See Item 501 for list of current holidays.)

No demurrage shall be assessed after the vessel has commenced to load.

Note: The Terminal Operator reserves the right to measure all cargo.

Partial Shipments: When only part of a shipment covered by a bill-of-lading becomes subject to demurrage charges and it is not possible to ascertain exact weight or measurement of such part shipment, the determination of weight or measurement of cargo subject to demurrage charges shall be arrived at by dividing the total number of packages stated in said bill-of-lading into the total weight or measurement, as freighted, and applying the mean average so determined to the number of the packages remaining on the pier and subject to demurrage charges.

All wharf demurrage charges which have accrued after the expiration of free time shall be assessed and collected.

Rule 34.7 - Wharf Demurrage on Export Cargo  
(Continued)

ITEM 703 ASSESSMENT OF CHARGES:

Except as otherwise provided below, demurrage charges shall be for the account of the cargo:

- (a) When the vessel for any reason fails to meet the announced date of sailing, any demurrage accruing after such date shall be assessed in successive periods for the account of the vessel until the vessel commences to load.
- (b) In case of vessel cancellation, cargo on free time, or if a vessel has been designated, cargo on consolidation time, on the announced date of sailing shall be subjected to first-period demurrage assessed against the vessel commencing on the day when the cargo was received at the terminal facility and terminating on the said announced date of sailing unless the export shipper on or before that date has another vessel designated for loading, removes the cargo from the terminal, or elects storage if same is provided.
- (c) If the export shipper takes none of the actions mentioned in sub-paragraph (b) above, demurrage charges in successive periods shall be assessed against the export shipper after the vessel's liability for demurrage has expired. Such demurrage shall likewise terminate upon the export shipper's action as aforesaid. For cargo on demurrage on the cancelled date of sailing, demurrage shall continue for the account of the export shipper until such time as he takes one of said actions. In the event the export shipper has another vessel designated, the free time and consolidation time periods set forth herein and the wharf demurrage charges set forth herein shall apply, with the free time for the other vessel commencing on the date that the export shipper has the other vessel designated.
- (d) The announced date of sailing shall be that date(s) appearing in the Journal of Commerce or this Shipping Digest, or any other appropriate publication of general circulation, as, from time to time, may be designated in this schedule.

Rule 34.7 - Wharf Demurrage on Export Cargo  
(Continued)

**ITEM 704 ASSESSMENT OF WHARF DEMURRAGE CHARGES DUDRING  
TERMINAL TIE-UPS:**

When the loading of cargo into a vessel is prevented by reason of the pier facility or facilities being immobilized, in all or in part, by weather conditions, strikes, or work stoppages of longshoremen or personnel employed by the Terminal Operator or water carrier, cargo affected thereby shall be granted additional time free of demurrage to cover the delay if the cargo is on free time or consolidation time when such condition arises.

**ITEM 705 IDENTIFICATION OF VESSEL:**

At the time export cargo is received by the pier facility a dock receipt shall be issued evidencing receipt of the cargo, which shall show the date of receipt and, except for cargo designated on dock receipts or other appropriate shipping documents as "hold-on-dock for consolidation", shall identify the vessel on which the goods are to move. The identification of the vessel is made for the purpose of determining the application of the foregoing paragraphs.

**ITEM 706 TRANSFER OF OWNERSHIP OF CARGO FOR EXPORT:**

The transfer of ownership of cargo for export after said cargo has been received at a terminal facility shall not entitle such cargo to additional free time.

**ITEM 707 REMOVAL OF EXPORT CARGO FROM TERMINAL FACILITY  
PRIOR TO LOADING INTO VESSEL:**

- A. Subject to the provisions of Item 703, if export cargo is not loaded into a vessel and is, at any time, removed from the terminal facility, the said cargo shall be subject to demurrage rules and charges set forth above. Said charges shall be assessed from the day the cargo was received at the terminal facility to the day of its removal therefrom.
- B. In addition, said cargo shall be responsible for the receipt and delivery labor costs incurred by the Terminal Operator as a consequence thereof.

Rule 34.7 - Wharf Demurrage on Export Cargo  
(Continued)

C. Exception to the foregoing provisions shall be reported, via the Terminal Association, to the Federal Maritime Commission.

ITEM 708 RESPONSIBILITY FOR PAYMENT OF DEMURRAGE AND OTHER CHARGES:

- A. Except as otherwise provided above, demurrage and other charges specified herein, shall be for the account of the cargo.
- B. Demurrage and other charges shall be due and payable as they accrue.
- C. The Terminal Operator has the right to require payment in full of any and all such charges before such cargo leaves the terminal facility.
- D. Cargo will not be released until full payment is received or the responsible party guarantees payment of all demurrage charges.

RULE 34.8 - RAILROAD CARLOADING AND CAR UNLOADING

ITEM 801 DEFINITION:

- (a) Railroad carloading consists of removing cargo from the terminal facility and placing it in the railroad car. The charge for railroad carloading shall be assessed against the rail carrier or the party ordering the service performed where the Railroad is not responsible for the carloading charge.
- (b) Railroad Car Unloading consists of removing cargo from a railroad car and placing it on the terminal facility. The charge for railroad car unloading shall be assessed against the rail carrier or the party ordering the service performed where the Railroad is not responsible for the car unloading charge.
- (c) Usage: Usage shall mean the use of the pier, dock, wharf or other terminal property by the rail carrier, it's agents, servants and/or employees when it elects to perform its own railroad carloading and/or unloading.

Rule 34.8 - Railroad Carloading and Unloading  
 (Continued)

ITEM 802 RATES:

The rates set forth below are solely for the services of loading or unloading cargo to or from the cars at a terminal facility and are based on a net ton of 2,000 pounds.

(a) Loading or unloading of bulk  
 Freight to or from cars \_\_\_\_\_ \$18.50 per ton

(b) Loading or unloading of freight  
 (except as specifically enumerated  
 herein) to or from cars or covered  
 piers and/or box cars on open piers  
 and the loading or unloading of such  
 freight to or from open top cars to  
 or from an open pier where the said  
 open top cars are not within reach  
 of ship's tackle for direct transfer  
 from cars to vessel or from vessel to  
 cars \_\_\_\_\_ \$22.50 per ton

Note: This rate does not cover crane hire where required.

(c) Loading or unloading of freight covered  
 by (b) above when pre-palletized or  
 pre-skidded, and subject to the following  
 conditions \_\_\_\_\_ \$13.25 per unit

1. Pre-palletized or pre-skidded cargo which is pre-palletized or pre-skidded to the satisfaction of the Terminal Operator and which is situated on the terminal facility or in the car so that it can be loaded into a car or unloaded from a car by the insertion of the Terminal's forklift truck blades under the pallet or skit without any necessity of shifting the cargo prior to such insertion.
2. This rate applies only to freight in a box car, refrigerated car or insulated car where the car is completely pre-palletized or pre-skidded.

Rule 34.8 - Railroad Carloading and Unloading  
 (Continued)

- (d) Loading or unloading of bundled lumber to or from box cars; or to or from open cars on covered piers or to open cars from intermediate storage \_\_\_\_\_ \$33.50 per ton
- (e) Loading or unloading of newsprint in rolls \_\_\_\_\_ \$18.50 per ton
- (f) Import and export quantity shipments of steel and other metals – for loading and unloading open-top railroad cars including gondola and flat cars. See Rule 34.11
- (g) Loading or unloading of cocoa beans
  - 1. Up to 700 bags per car \_\_\_\_\_ \$27.50 per ton
  - 2. In excess of 700 bags per car \_\_\_\_\_ \$28.50 per ton
- (h) Loading or unloading self-propelled vehicles, wheeled units, or mobile equipment (excluding passenger type automobiles) which can be driven on or off rail cars \_\_\_\_\_ \$65.00 per unit
- (i) Loading or unloading of containers at the terminal railroad ramp point (COFC) \_\_\_\_\_ \$55.00 per container
- (j) Loading or unloading of trailers at the terminal railroad ramp point (TOFC) \_\_\_\_\_ \$70.00 per trailer
- (k) Heavy lifts over 10,000 lbs \_\_\_\_\_ Rates on Request
- (l) Usage charge \_\_\_\_\_ \$.65 per 100 lbs.

ITEM 803 ACCESSORIAL SERVICES:

- A. Conditioning box cars for outbound loading of general cargo freight:
  - 1. Cleaning cars to put them in proper condition for outbound loading.

Rule 34.8 - Railroad Carloading and Unloading  
(Continued)

2. Supplying all labor and material for (1) paper lining car doors, or (2) papering floor of car, or (3) battening car doors.
3. Supplying side door protection for general cargo including labor and materials.

B. Cleaning open top cars and all coopering, bracing, blocking and chocking, except as specifically enumerated above.

The above items will be charges as follows:

The prevailing rates per hour paid for similar labor in the Philadelphia territory at time services are performed, plus all fringe benefit funds, plus Social Security taxes and insurance, plus cost of material, plus 20% of the total of above items for overhead and supervision. The said current rates are also subject to all terms and conditions of applicable collective bargaining agreements.

**ITEM 804 OVERTIME AND HOLIDAY WORK:**

Rates named for loading and unloading, handling and other labor are based on current labor costs for straight time, i.e., 8:00 a.m. to 12:00 noon, and 1:00 p.m. to 5:00 p.m., Monday to Friday inclusive. When such services are required during overtime periods and on Saturdays, Sundays and Holidays contained in Rule 34.4 Notes I and II, prior arrangements must be made and the difference in labor costs between straight time and overtime will be charged to those responsible for authorizing such overtime.

**ITEM 805 RAILROAD CAR DEMURRAGE**

The Terminal Operator shall not be responsible for the payment of railroad car demurrage.

**ITEM 806 CHARGES PAYABLE:**

All charges for any services rendered by the Terminal Operator for which credit is granted shall be due and payable within fifteen (15) days from the date of billing.

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Rule 34.8 - Railroad Carloading and Unloading  
(Continued)

ITEM 807 CARGO WHICH WILL BE HANDLED FOR DIRECT TRANSFER  
TO OR FROM OPEN TOP RAILROAD CARS, INCLUDING GONDOLAS AND  
FLATCARS:

Subject to the completion of the necessary arrangements with the Terminal  
Operator involved prior to the arrival of the vessel, and provided the rail cars  
carrying the cargo listed below are at the pier at the time the particular cargo is  
loaded or discharged to or from the ship, the following cargo will be handled as  
Direct Transfer Cargo, as set forth herein:

- (a) Bulk dry cargo \_\_\_\_\_ Rate Upon Request
- (b) Heavy lifts of twenty-five net  
tons or more \_\_\_\_\_ Rate Upon Request
- (c) Packages or pieces of machinery or  
other cargo \_\_\_\_\_ Rate Upon Request
- (d) Steel sheets in coils \_\_\_\_\_ \$2.00 per net ton

Note: The cargo enumerated in (d) above, is subject to the following requirements:  
In order to qualify for direct transfer there must be (i) a minimum of one thousand  
tons, which is blocked stowed on a vessel; (ii) one shipper or consignee; (iii) no  
sorting required.

Any other cargo which is not enumerated above will not be accepted for Direct  
Transfer and will be handled on the pier in accordance with the rates, charges, rules  
and regulations set forth in this Schedule.

RULE 34.9 - TRUCK LOADING AND UNLOADING

ITEM 901 ABBREVIATIONS:

OFBT – Open flat bed truck.

Rule 34.9 - Truck Loading and Unloading  
(Continued)

ITEM 902 APPLICATION OF RATES:

Rates contained herein are applicable to the service of loading or unloading freight carried by or consigned for carriage by common carriers by water in foreign, domestic and/or interstate commerce and in commerce to and from territories and possessions of the United States onto or from trucks at any pier or waterfront terminal within the Port of Philadelphia and Vicinity where the participating Terminal Operator designated herein is operating.

The Port of Philadelphia and Vicinity includes the area from the Wilmington, Delaware, to Trenton, New Jersey, both inclusive.

ITEM 903 DEFINITIONS:

(A) Truck Loading: Truck loading shall mean the service of moving cargo from a place of rest on the pier which is readily accessible to the truck, elevating the cargo onto the truck and stowing of the cargo in the truck but shall not include special stowage, sorting or grading of, or otherwise selecting the cargo for the convenience of the trucker or the consignee. The service shall include loading on consignee's pallets.

The loading and stowing of cargo in the truck shall be under the supervision of the driver of the truck.

(B) Truck Unloading: Truck unloading shall mean the service of removing cargo from the body of the truck to a place of rest designated by the Terminal Operator, and shall include sorting by Port.

The unloading of cargo from a truck shall be under the supervision of the driver of the truck.

(C) Partial Loading or Unloading (Tailgate): Partial loading or unloading, commonly called "tailgate loading or unloading", shall be defined as that loading or unloading which enables the pier operator through the use of a

Rule 34.9 - Truck Loading and Unloading  
(Continued)

fork lift truck and operator only to place, or remove, cargo onto or from the tailgate of a truck. Tailgate loading shall also be defined as such when, through the use of the pier operator's platform or by removal of stakes or standards of flat bed equipment, the fork lift operator is able to place the cargo either at a point of rest on the truck or in a position for further handling by personnel of the motor carrier. All other loading and/or unloading that requires more equipment and/or personnel than one fork lift truck and operator per package or pallet shall be considered full loading or unloading.

The choice of partial or full loading and/or unloading shall be left to the discretion of the motor carrier, shipper or consignee provided the service requested comes within the provisions of this definition. (These provisions shall not be construed as compelling the Terminal Operator to provide pallets.)

Note: For full truck loading and unloading services the Terminal Operator must be notified by 3:00 p.m. the day before a full work order is requested; otherwise the necessary labor may not be available for these services.

(D) Loading and Unloading of Pre-palletized Cargo: Pre-palletized cargo is a consolidation of units of general cargo secured to a pallet to the satisfaction of the Terminal Operator. A pallet is a two level platform, constructed of wood, metal or other material, of sufficient strength to accommodate the cargo for which it is used, with at least 4 inch bearers between the two levels and open on at least two sides. The cargo must be loaded in such a manner as to cover the loading surface of the pallet, leveled at the top and squared on all four sides so that the unit forms a smooth block. The pallet must be an integral part of the cargo and must remain with the cargo when it is moved either as an export or an import shipment. Any palletization performed on the pier does not qualify for the per-palletized rate. In order to qualify for the pre-palletized rate, the minimum weight or measurement of the pallet, and cargo shall be either 1,000 pounds or 64 cubic feet, and the maximum weight shall be 10,000 pounds.

Note: Bales or bundles, skidded machinery, iron, steel and other unfinished metals and glassware are not included in this definition. Cargo in excess of 10,000 pounds shall be billed at the heavy lift charges.

Rule 34.9 - Truck Loading and Unloading  
(Continued)

- (E) Usage: Usage shall mean the use of the pier, dock, wharf or other terminal property by the trucker, shipper, or consignee, their agents, servants and/or employees, when it elects to perform its own truck loading or unloading.
- (F) Direct Transfer: Direct transfer shall mean the movement of the cargo specifically enumerated herein from an open truck or tank truck to a ship or vice versa.

**ITEM 904 RIGHT TO LOAD OR UNLOAD TRUCKS:**

A trucker, shipper, or consignee shall have the right to select one of the following services:

(A) Full or partial (tailgate) loading or unloading or loading and unloading of pre-palletized cargo which shall be performed by the Terminal Operator, his agents, servants, and employees at the rates set forth in Item 910 and subject to the rules, regulations and practices contained in this section.

(B) The trucker, shipper or consignee, at its option, may perform the truck loading or unloading at the rate set forth in Item 910 and subject to the rules and regulations contained in this section.

The trucker, shipper or consignee shall provide a truck or other vehicle which is adequate and suitable for safe loading or unloading.

**ITEM 905 EVIDENCE OF INSURANCE:**

When the trucker, shipper or consignee elect to perform its own truck loading and/or unloading it shall be required to file with the Executive Secretary of the Association, a certificate of insurance showing proper coverage for legal liability for damage to pier property, cargo and/or personal injuries in an amount of not less than \$1,000,000. No trucker, shipper or consignee shall be permitted to perform any truck loading or unloading until such certificate has been filed with the Executive Secretary. All mechanical loading or unloading equipment brought upon the pier by the trucker, shipper or consignee shall meet the Coast Guard requirements.

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Rule 34.9 - Truck Loading and Unloading  
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**ITEM 906 COLLECTION FOR SERVICES RENDERED**

1. Unless the shipper or consignee shall have made definite arrangements with the Terminal Operator for the payment of loading or unloading charges, the trucker shall assume full responsibility for the payment of the charges for such services.
2. Unless the shipper and/or consignee and/or trucker shall have made definite arrangements for credit, all charges shall be paid in cash by the driver who shall be given a receipt therefore.
3. All charges for any services rendered by the Terminal Operator for which credit is granted shall be due and payable within fifteen (15) days from the date of billing.

**ITEM 907 MINIMUM CHARGE:**

The minimum charge for all truck loading and unloading services, except fresh fruit, excluding bananas, including full, partial or tailgate, pre-palletized, and usage shall be \$150.00 per ocean bill-of-lading or dock receipt.

The minimum charge for above services for fresh fruit, excluding bananas shall be \$150.00 per truck.

**ITEM 908 OVERTIME CHARGES:**

Rates named for loading and unloading, handling and other labor are based on current labor costs for straight time, i.e. 8:00 a.m. to 12:00 noon, and 1:00 p.m. to 5:00 p.m., Monday to Friday inclusive. When such services are required during overtime periods and on Saturdays, Sundays and Holidays contained in ILA labor agreements for the Port of Philadelphia, prior arrangements must be made and the difference in labor costs between straight time and overtime will be charged to those responsible for authorizing such overtime. (For list of Holidays see Rule 34.4 Notes I and II.)

Rule 34.9 - Truck Loading and Unloading  
 (Continued)

ITEM 909 RATES:

1. The following rates shall apply for cargo measuring up to and including 300 cubic feet per net ton of 2,000 lbs. The volume rate listed herein is for the said cargo which is in excess of 1,000 tons where there is one shipper, one consignee and no sorting required.

	Regular Rate	Volume Rate
(a) Partial or tailgate loading or unloading	\$ .92 per 100 lbs.	\$ .82 per 100 lbs.
(b) Full loading or unloading	\$2.10 per 100 lbs.	\$1.95 per 100 lbs.
(c) Deleted		

2. The following rates shall apply for cargo measuring in excess of 300 cubic feet per net ton of 2,000 lbs. The volume rate listed herein is for the said cargo which is in excess of 1,000 tons where there is one shipper, one consignee and no sorting required.

(a) Partial or tailgate loading or unloading	\$2.60 per 100 lbs.	\$2.35 per 100 lbs.
(b) Full loading or unloading	\$4.75 per 100 lbs.	\$4.25 per 100 lbs.

3. The following rates shall apply to the cargo below. The volume rate listed is for the said cargo which is in excess of 1,000 tons where there is one shipper, one consignee and no sorting required.

(a) Loading or unloading pre-palletized cargo	\$.62 per 100 lbs.	\$.57 per 100 lbs.
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Note: For definition of pre-palletized  
 Cargo see 903(d).

Rule 34.9 - Truck Loading and Unloading  
 (Continued)

	Regular Rate	Volume Rate
(b) Skidded or unitized cargo, excluding bundles of random length lumber (skidded or unitized as used herein means that cargo which is secured by straps or wire to bearers constructed of wood, metal or other material which are at least 4 inches in height).	\$ .62 per 100 lbs.	\$.57 per 100 lbs.
(c) Newsprint in rolls	\$.85 per 100 lbs.	\$.75 per 100 lbs.
(d) Waste paper in bales minimum weight per bale of 1500 lbs.	\$.75 per 100 lbs.	NONE

(e) Plywood and hardboard – flat bed trucks only. The following rates will apply based on cumulative annual volume, per calendar year, to the shipper or consignee responsible for truck loading charges:

Tons	Rate
0 - 5,000	\$.60 per 100 lbs.
5,001 – 10,000	\$.56 per 100 lbs.
10,001 – 15,000	\$.49 per 100 lbs.
15,001 – 20,000	\$.44 per 100 lbs.
20,001 – 30,000	\$.38 per 100 lbs.
over 30,001	\$.33 per 100 lbs.

(f) Doorskins and plywood van loading. The following rates will apply based on cumulative annual volume, per calendar year, to the shipper or consignee responsible for truck loading charges:

Tons	Rate
0 - 5,000	\$.64 per 100 lbs.
5,001 – 10,000	\$.60 per 100 lbs.
10,001 – 15,000	\$.53 per 100 lbs.
15,001 – 20,000	\$.48 per 100 lbs.
20,001 – 30,000	\$.43 per 100 lbs.
over 30,001	\$.37 per 100 lbs.

Rule 34.9 - Truck Loading and Unloading  
 (Continued)

	Regular Rate	Volume Rate
(g) Full truck loading or unloading of cocoa beans	\$2.50 per 100 lbs.	NONE

Note: For tailgate apply rate in 909 (1) (a)  
and definition of tailgate in 903(c).

(h) Truck loading or unloading of fresh fruit,  
including staging, excluding bananas \_\_\_\_\_ \$17.20 per pallet

Note: (1) On 10 pallets or less of fresh fruit there will be a surcharge  
of \$75.00 per truck.

(2) The overtime rate for handling the above items including  
Note (1) will be a surcharge of fifty percent (50%) of the above  
rate.

**ITEM 910 HEAVY LIST CHARGES – OFBT ONLY:**

10,001 to 40,000 lbs.	\$1.50 per 100 lbs.
40,001 to 70,000 lbs.	\$1.70 per 100 lbs.
Over 70,000 lbs.	Rates upon Request

The handling of heavy lifts in excess of 10,000 lbs. for any single unit shall be subject to the completion of the necessary arrangements with Terminal Operator and shall be limited to the capacity of the Terminal Operator's equipment at that location. If the Terminal Operator has to hire extra equipment there shall be a special charge assessed against the party ordering the service. Except as otherwise noted herein the schedule rates set forth herein for other than heavy lifts are applicable to single units weighing 10,000 lbs. or less.

**ITEM 911 SPECIAL STOWAGE OF TRUCKS:**

When the truck is loaded or unloaded in a manner which requires special stowage, handling, sorting, grading or otherwise selecting the cargo for the convenience of the trucker, shipper or consignee, the Terminal Operator

Rule 34.9 - Truck Loading and Unloading  
(Continued)

shall make an extra labor charge, in addition to the applicable schedule rate, with a minimum charge of one hour for the first hour or fraction worked. The balance of time worked to be computed and charged on the basis of each fifteen minutes or fraction thereof.

ITEM 912 SERVICES NOT OTHERWISE PROVIDED FOR:

Nothing contained herein shall be construed as requiring a Terminal Operator to perform without charge any service not specifically provided for herein. The charge for any service shall be mutually agreed upon.

ITEM 913 CARGO WHICH WILL BE HANDLED FOR DIRECT TRANSFER:

Subject to the completion of the necessary arrangements with the Terminal Operator involved prior to the arrival of the vessel, and provided the trucks carrying the cargo listed below are at the pier at the time that the particular cargo is loaded or discharged to or from the ship, the following cargo will be handled as Direct Transfer Cargo, as set forth herein:

- (a) Bulk dry cargo \_\_\_\_\_ Rate upon request
- (b) Heavy lifts of twenty-five net  
tons or more \_\_\_\_\_ Rate upon request
- (c) Packages or pieces of machinery or  
other cargo exceeding 600 cubic feet  
per package or piece \_\_\_\_\_ Rate upon request
- (d) Steel sheet in coils \_\_\_\_\_ \$2.00 per net ton

Note: The cargo enumerated in (d) above, is subject to the following requirements: In order to qualify for direct transfer there must be: (i) a minimum of one thousand tons, which is blocked stowed on a vessel; (ii) one shipper or consignee; and (iii) no sorting required. Any other cargo which is not enumerated above will not be accepted for Direct Transfer and will be handled on the pier in accordance with the rates, charges, rules and regulations set forth in this Schedule.

Rule 34.9 - Truck Loading and Unloading  
(Continued)

ITEM 914 DELIVERY ORDERS:

Delivery orders may not be prelodged and must be in the possession of the truck drivers. Where there are multiple deliveries to be made against an original delivery order, subsequent drivers must possess either a duplicate of the original delivery order bearing an original signature which is the same as the original delivery order, or a copy of the original delivery order with a covering letter on the trucking firm or broker's stationery bearing an original signature of a company official.

ITEM 915 RECEIPT AND DELIVERY OF TRUCK CARGO BY APPOINTMENT:

A motor carrier shall be charged the sum of \$90.00 per truck in the event such motor carrier fails to keep an appointment on the day for which such appointment is granted.

RULE 34.10 - MISCELLANEOUS SERVICES

ITEM 1101

A) Opening and Closing Packages and/or Containers for inspection by Customs or any other governmental agencies \_\_\_\_\_ \$110.00 per package or container

B) Assisting Customs or other governmental agencies in intensive wharf inspection of containers \_\_\_\_\_ Cost plus 15% - \$250.00 minimum charge

C) Fruit terminal service charge \_\_\_\_\_ \$.09 per case of fresh fruit

D) Live cattle/livestock \_\_\_\_\_ \$3.20 per head

Rule 34.10 - Miscellaneous Services  
(Continued)

ITEM 1102

A) Servicing of passenger type automobiles \_\_\_\_\_ \$60.00 per automobile

B) Servicing of trucks, tractors, and other  
wheeled vehicles \_\_\_\_\_ \$85.00 per vehicle

C) Removal of international waste from passenger vessels.  
Waste from the passenger vessels will be placed in a large (approx. 20.30 cubic yards) disposal container specifically marked for international waste. U.S.D.A. requires that the contents of this container must be disposed of within ten days from the date of deposit of the waste products into the container. Charges for disposal will accrue as follows \_\_\_\_\_ \$150.00 per delivery to incinerator located in Chester, PA, plus \$110.00 per ton disposal fee.

Note: The above charges shall be assessed against the vessel.

ITEM 1103

Receiving export motor vehicles on the terminal \_\_\_\_\_ \$100.00 per vehicle

ITEM 1104 FRESH WATER:

Fresh water supplied to vessels during regular work hours will be as follows \_\_\_\_\_ \$375.00 per connection plus \$2.70 per ton

(Note I: If furnished on overtime will be charged for the required overtime hours.)  
(Note II: When water is furnished on Saturdays, Sundays or Holidays, there will be a minimum labor charge of four (4) hours in addition to regular charges as listed above.)

ITEM 1105 HANDLING YACHTS OR SAILBOATS:

A). Handling yachts or sailboats up to 50 feet from the pier to the water or from the pier to a truck \_\_\_\_\_ Rates upon request

Rule 34.10 - Miscellaneous Services  
(Continued)

B) Handling yachts or sailboats in excess of 50 feet  
from the pier to the water or from the pier to a truck \_\_\_\_\_ Rates upon request

C) Disposition of yacht cradles \_\_\_\_\_ \$500.00 per cradle

RULE 34.11 - SHIPMENTS OF STEEL AND OTHER METALS

ITEM 1201 IMPORT AND EXPORT SHIPMENTS LOADED OR UNLOADED TO  
OR FROM THE PIER, AND TO OR FROM FLATBED TRUCKS

1. On lots up to 500 tons (2,000 lbs. per ton) to one receiver or ultimate consignee  
where there is no sorting and no splitting of bills-of-lading:

(a) Steel sheets in coils, aluminum sheets in  
coils, tinplate in coils, with a minimum  
weight of 3,000 lbs. \_\_\_\_\_ \$.29 per 100 lbs.

(b) Blocks, bundles or packs (skidded and  
strapped) of aluminum, lead, zinc, tinplate,  
copper and steel sheets with a minimum  
weight of 1,000 lbs. and all coils weighing  
less than 3,000 lbs. \_\_\_\_\_ \$.60 per 100 lbs.

(c) Plate, structural and aluminum ingots and  
sows, pipe and bundles of wire rods, rebar,  
tubing, boiler tubes, wire (excluding heading wire) \_\_\_\_\_ \$.67 per 100 lbs.

2. Lots from 501 to 1,000 tons (2,000 lbs. per ton) to one receiver or ultimate  
consignee where there is no sorting and no splitting of bills-of-lading will be  
handled by special arrangements with the terminal operator. Grouping or  
combining of individual bills-of-lading to one receiver or ultimate consignee for  
delivery as one lot will be permitted under this section. The arrangements with the  
terminal operator must be made at least twenty-four hours prior to the arrival of the  
vessel from which the cargo is to be discharged.

Rule 34.11 - Shipments of Steel and Other Metals  
(Continued)

- (a) Steel sheets in coils, aluminum sheets in coils, tinplate in coils with a minimum weight of 3,000 lbs. \_\_\_\_\_ \$.24 per 100 lbs.
- (b) Blocks, bundles or packs (skidded and strapped) of aluminum, lead, zinc, tinplate, copper and steel sheets with a minimum weight of 1,000 lbs. and all coils weighing less than 3,000 lbs. \_\_\_\_\_ \$.35 per 100 lbs.
- (c) Plate, structural and aluminum ingots and sows, pipe and bundles of wire rods, rebar, tubing, boiler tubes, wire (excluding heading wire) \_\_\_\_\_ \$.53 per 100 lbs.
3. Lots from 1001 to 2,500 tons (2,000 lbs. per ton) to one receiver or ultimate consignee where there is no sorting and no splitting of bills-of-lading will be handled by special arrangements with the terminal operator. Grouping or combining of individual bills-of-lading to one receiver or ultimate consignee for delivery as one lot will be permitted under this section. The arrangements with the terminal operator must be made at least twenty-four hours prior to the arrival of the vessel from which the cargo is to be discharged.
- (a) Steel sheets in coils, aluminum sheets in coils, tinplate in coils with a minimum weight of 3,000 lbs. \_\_\_\_\_ \$.22 per 100 lbs.
- (b) Blocks, bundles or packs (skidded and strapped) of aluminum, lead, zinc, tinplate, copper and steel sheets with a minimum weight of 1,000 lbs. and all coils weighing less than 3,000 lbs. \_\_\_\_\_ \$.32 per 100 lbs.

Rule 34.11 - Shipments of Steel and Other Metals  
(Continued)

(c) Plate, structural and aluminum ingots and  
sows, pipe and bundles of wire rods, rebar,  
tubing, boiler tubes, wire (excluding heading  
wire) \_\_\_\_\_ \$.46 per 100 lbs.

4. Lots in excess of 2,500 tons (2,000 lbs. per ton) to one receiver or ultimate consignee where there is no sorting and no splitting of bills-of-lading will be handled by special arrangements with the terminal operator. Grouping or combining of individual bill-of-lading to one receiver or ultimate consignee for delivery as one lot will be permitted under this section. The arrangements with the terminal operator must be made at least twenty-four hours prior to the arrival of the vessel from which the cargo is to be discharged.

(a) Steel sheets in coils, aluminum sheets in  
coils, tinplate in coils with a minimum  
weight of 3,000 lbs. \_\_\_\_\_ \$.20 per 100 lbs.

(b) Blocks, bundles or packs (skidded and  
strapped) of aluminum, lead, zinc, tinplate,  
copper and steel sheets with a minimum  
weight of 1,000 lbs. and all coils weighing  
less than 3,000 lbs. \_\_\_\_\_ \$.30 per 100 lbs.

(c) Plate, structural and aluminum ingots and  
sows, pipe and bundles of wire rods, rebar,  
tubing, boiler tubes, wire (excluding heading  
wire) \_\_\_\_\_ \$.41 per 100 lbs.

ITEM 1202 IMPORT AND EXPORT SHIPMENTS LOADED OR UNLOADED TO  
OR FROM THE PIER, AND TO OR FROM OPEN-TOP RAILROAD CARS,  
INCLUDING GONDOLA AND FLAT CARS ARE SUBJECT TO RATES UPON  
REQUEST.

**Rule 35**

The following Port Security Fees will be assessed against all cargo discharged or loaded at the Port effective October 1, 2009 and until further notice:

<b>Commodity</b>	<b>Security Fee</b>
Break Bulk	\$0.20 per net ton
Vehicles	\$0.25 per unit
Full Containers – only	\$1.00 per container
Liquid Bulk	\$0.05 per net ton
Dry Bulk	\$0.05 per net ton
Live Stock	\$0.25 per unit

Unless prior arrangements are made with the Terminal Operator, the parties responsible for the Port Security Fees are the same parties responsible for Wharfage. (See Terminal Schedule NO. 1300 pages 9 and 10)

For ships or barges in a lay-up or inactive status with no cargo operations, the applicable security fee will be 2% of the dockage fee charges against that ship or barge.