

FT ACWR 6004-A  
(Cancels FT ACWR 6004)

# ABERDEEN CAROLINA & WESTERN RAILWAY COMPANY



## FREIGHT TARIFF ACWR 6004-A (Cancels Freight Tariff ACWR 6004)

NAMING  
RULES AND CHARGES  
GOVERNING  
DEMURRAGE, SWITCHING, LOCAL  
AND  
MISCELLANEOUS RULES AND CHARGES  
ON THE  
ABERDEEN CAROLINA & WESTERN RAILWAY COMPANY

## LOCAL TARIFF

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular rates and provisions contained herein.

ISSUED: March 26, 2011

EFFECTIVE: May 1, 2012

### ISSUED BY

Robert Menzies, President  
102 Depot Street  
Star, NC 27356

**FT ACWR 6004-A**

| <b>CANCELLATION NOTICE</b>   |             | <b>TABLE OF CONTENTS</b>  |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
|--|-------------|---|--|-------------|------|---|--|----------------------------------|-----|----------------------------------|-----|---|-----|--|-----|---------------------------------|-----|--|-----|--|-----|--------------------------------------|-----|---------------------------|-----|---|-----|---|-----|--|-----|---|-----|--------------------------------------|-----|---------------------------------------|-----|--------------------------------------|-----|---|-----|-------------------|-----|---|-----|--------------------------|-----|--|-----|---|-----|---|-----|--|-----|---|-----|---|-----|--|-----|-----------------------|-----|-----------------------|-----|---|--|--|-------|
| FT ACWR 6004-A cancels FT ACWR 6004, in its entirety. Provisions formerly shown in FT ACWR 6004 and not brought forward in FT ACWR 6004-A are hereby canceled. |             | <table border="1"> <thead> <tr> <th>DESCRIPTION</th> <th>ITEM</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>SECTION 2 – SWITCHING, LOCAL AND MISCELLANEOUS CHARGES</b></td> </tr> <tr> <td>Application and Definitions.....</td> <td>200</td> </tr> <tr> <td>Definition of Shop Facility.....</td> <td>205</td> </tr> <tr> <td>Non-Application of Intra-Plant Switching Charges.....</td> <td>210</td> </tr> <tr> <td>Switching and Holding Charges on Cars Held for Instructions.....</td> <td>215</td> </tr> <tr> <td>Private or Industry Tracks.....</td> <td>220</td> </tr> <tr> <td>Empty Cars Returned Unfit for Loading.....</td> <td>225</td> </tr> <tr> <td>Empty Cars Ordered but not Loaded.....</td> <td>227</td> </tr> <tr> <td>Definitions of Switching Limits.....</td> <td>230</td> </tr> <tr> <td>Package Requirements.....</td> <td>235</td> </tr> <tr> <td>Switching of Excessively Loaded Cars.....</td> <td>240</td> </tr> <tr> <td>Prepayment of ACWR Switching Charges.....</td> <td>250</td> </tr> <tr> <td>Early Release of Cars Placed for Loading or Unloading.....</td> <td>255</td> </tr> <tr> <td>Empty Cars of Private Ownership Upon Which Empty Movement is Ordered.....</td> <td>260</td> </tr> <tr> <td>Extra and Special Train Service.....</td> <td>265</td> </tr> <tr> <td>Switching Empty Cars for Repairs.....</td> <td>270</td> </tr> <tr> <td>Definition of "Privately Owned".....</td> <td>275</td> </tr> <tr> <td>Car(s) Received in Interchange in Error or Without Forwarding Instructions.....</td> <td>280</td> </tr> <tr> <td>Re-Switching.....</td> <td>285</td> </tr> <tr> <td>Intra-Plant, Intra-Terminal and Inter-Terminal Switching Charges.....</td> <td>290</td> </tr> <tr> <td>Turning of Railcars.....</td> <td>295</td> </tr> <tr> <td>Unit Train - Additional Cut Charges.....</td> <td>300</td> </tr> <tr> <td>Unit Train - Additional Switch Charges.....</td> <td>310</td> </tr> <tr> <td>Unit Train - Switching Charges within Unit Train.....</td> <td>320</td> </tr> <tr> <td>Local Rates on Freight, All Kinds.....</td> <td>330</td> </tr> <tr> <td>Congestion Resulting from Rail Customer may result in an Embargo.....</td> <td>340</td> </tr> <tr> <td>Special Type- Heavy Duty Flat Cars Held For Loading or Unloading.....</td> <td>350</td> </tr> <tr> <td>Charges for Special Type Heavy Capacity Flat Cars.....</td> <td>360</td> </tr> <tr> <td>Use of Idler Car.....</td> <td>370</td> </tr> <tr> <td>Weighing Charges.....</td> <td>375</td> </tr> <tr> <td colspan="2"><b>EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</b></td> </tr> <tr> <td>Abbreviations and Reference Marks, Explanation of.....</td> <td>99999</td> </tr> </tbody> </table> |  | DESCRIPTION | ITEM | <b>SECTION 2 – SWITCHING, LOCAL AND MISCELLANEOUS CHARGES</b> |  | Application and Definitions..... | 200 | Definition of Shop Facility..... | 205 | Non-Application of Intra-Plant Switching Charges..... | 210 | Switching and Holding Charges on Cars Held for Instructions..... | 215 | Private or Industry Tracks..... | 220 | Empty Cars Returned Unfit for Loading..... | 225 | Empty Cars Ordered but not Loaded..... | 227 | Definitions of Switching Limits..... | 230 | Package Requirements..... | 235 | Switching of Excessively Loaded Cars..... | 240 | Prepayment of ACWR Switching Charges..... | 250 | Early Release of Cars Placed for Loading or Unloading..... | 255 | Empty Cars of Private Ownership Upon Which Empty Movement is Ordered..... | 260 | Extra and Special Train Service..... | 265 | Switching Empty Cars for Repairs..... | 270 | Definition of "Privately Owned"..... | 275 | Car(s) Received in Interchange in Error or Without Forwarding Instructions..... | 280 | Re-Switching..... | 285 | Intra-Plant, Intra-Terminal and Inter-Terminal Switching Charges..... | 290 | Turning of Railcars..... | 295 | Unit Train - Additional Cut Charges..... | 300 | Unit Train - Additional Switch Charges..... | 310 | Unit Train - Switching Charges within Unit Train..... | 320 | Local Rates on Freight, All Kinds..... | 330 | Congestion Resulting from Rail Customer may result in an Embargo..... | 340 | Special Type- Heavy Duty Flat Cars Held For Loading or Unloading..... | 350 | Charges for Special Type Heavy Capacity Flat Cars..... | 360 | Use of Idler Car..... | 370 | Weighing Charges..... | 375 | <b>EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</b> |  | Abbreviations and Reference Marks, Explanation of..... | 99999 |
| DESCRIPTION  | ITEM        |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>SECTION 2 – SWITCHING, LOCAL AND MISCELLANEOUS CHARGES</b>  |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Application and Definitions.....   | 200         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Definition of Shop Facility.....   | 205         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Non-Application of Intra-Plant Switching Charges.....  | 210         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Switching and Holding Charges on Cars Held for Instructions.....   | 215         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Private or Industry Tracks.....  | 220         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Empty Cars Returned Unfit for Loading.....   | 225         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Empty Cars Ordered but not Loaded.....   | 227         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Definitions of Switching Limits.....   | 230         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Package Requirements.....  | 235         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Switching of Excessively Loaded Cars.....  | 240         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Prepayment of ACWR Switching Charges.....  | 250         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Early Release of Cars Placed for Loading or Unloading.....   | 255         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Empty Cars of Private Ownership Upon Which Empty Movement is Ordered.....  | 260         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Extra and Special Train Service.....   | 265         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Switching Empty Cars for Repairs.....  | 270         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Definition of "Privately Owned".....   | 275         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Car(s) Received in Interchange in Error or Without Forwarding Instructions.....  | 280         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Re-Switching.....  | 285         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Intra-Plant, Intra-Terminal and Inter-Terminal Switching Charges.....  | 290         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Turning of Railcars.....   | 295         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Unit Train - Additional Cut Charges.....   | 300         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Unit Train - Additional Switch Charges.....  | 310         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Unit Train - Switching Charges within Unit Train.....  | 320         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Local Rates on Freight, All Kinds.....   | 330         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Congestion Resulting from Rail Customer may result in an Embargo.....  | 340         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Special Type- Heavy Duty Flat Cars Held For Loading or Unloading.....  | 350         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Charges for Special Type Heavy Capacity Flat Cars.....   | 360         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Use of Idler Car.....  | 370         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Weighing Charges.....  | 375         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS</b>  |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Abbreviations and Reference Marks, Explanation of.....   | 99999       |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>TABLE OF CONTENTS</b>   |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>DESCRIPTION</b>   | <b>ITEM</b> |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>RULES AND REGULATIONS - GENERAL</b>   |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Uniform Freight Classification.....  | 5           |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Station List and Conditions.....   | 10          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Method of Canceling Items.....   | 20          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Supplements and Reissues.....  | 30          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Explosives and Dangerous Articles.....   | 40          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>RULES AND REGULATIONS - UNLIMITED</b>   |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Condition of Empty Cars Furnished to Connecting Lines.....   | 45          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Terminal and Special Services.....   | 50          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Capacities and Dimensions of Cars.....   | 55          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Non-Application Private Car Mileage Allowance.....   | 60          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Credit Terms.....  | 75          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Security Deposits for Payment of Demurrage and other Accessorial Charges.....  | 80          |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| <b>SECTION 1 - DEMURRAGE AND STORAGE</b>   |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Application.....   | 100         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Definitions.....   | 120         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Notification to Consignor or Consignee.....  | 130         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Notification to ACWR.....  | 140         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Car(s) Held for Loading.....   | 150         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Car(s) Held for Complete Unloading.....  | 160         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Private and Railroad Car(s) Held for Other Than Loading or Unloading.....  | 170         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Demurrage Charges.....   | 180         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Storage of Loaded Hazardous Commodities.....   | 190         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Storage of Empty Cars Formerly Containing Hazardous Commodities.....   | 193         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Hazardous Materials Standard Transportation Commodity Code (STCC)...   | 195         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Allowances Permissible for Relief of Demurrage Charges.....  | 196         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Demurrage and Storage Disputes.....  | 197         |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| Demurrage Dispute Form.....  | Page 17     |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |
| For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.  |             |   |  |             |      |   |  |                                  |     |                                  |     |   |     |  |     |                                 |     |  |     |  |     |                                      |     |                           |     |   |     |   |     |  |     |   |     |                                      |     |                                       |     |                                      |     |   |     |                   |     |   |     |                          |     |  |     |   |     |   |     |  |     |   |     |   |     |  |     |                       |     |                       |     |   |  |  |       |

**FT ACWR 6004-A**

| <p align="center"><b>RULES AND OTHER GOVERNING PROVISIONS<br/>RULES AND REGULATIONS - GENERAL</b></p>   | <p align="center"><b>RULES AND OTHER GOVERNING PROVISIONS<br/>RULES AND REGULATIONS - UNLIMITED</b></p>  |
|---|--|
| <p><b>ITEM 5</b><br/>[A]<br/><b>DESCRIPTION OF UNIFORM FREIGHT CLASSIFICATION</b></p> <p>This tariff is governed, except as otherwise provided herein, by Uniform Freight Classification UFC 6000 Series and all supplements thereto or reissues thereof.</p>   | <p><b>ITEM 45</b><br/>[A]<br/><b>CONDITION OF EMPTY CARS FURNISHED TO CONNECTING LINES</b></p> <p>If ACWR delivers empty cars to connecting lines in interchange service and connecting lines accept such cars, ACWR will not be responsible for any car cleaning charges.</p>   |
| <p><b>ITEM 10</b><br/>[A]<br/><b>STATION LIST AND CONDITIONS</b></p> <p>This tariff is governed by the Official Railroad Station List, OPST 6000-Series, Railinc, Agent, to the extent shown below:</p> <p>For addition and abandonment of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance of delivery of freight and changes in station facilities. When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station, as published in this tariff, are inapplicable on and after that date.</p> | <p><b>ITEM 50</b><br/>[A]<br/><b>TERMINAL AND SPECIAL SERVICES</b></p> <p>Except as otherwise provided herein, shipments made under the rate contained in this tariff are entitled also to terminal and transit services and privileges and are subject to the charges, allowances, rules and regulations legally applicable thereto as provided in separately lawfully published tariffs.</p> |
| <p><b>ITEM 20</b><br/><b>METHOD OF CANCELING ITEMS</b></p> <p>As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A.</p> <p>Example: Item 445-A cancels Item 445 and Item 365-B cancels Item 365-A in a prior supplement which in turn canceled Item 365.</p>  | <p><b>ITEM 55</b><br/>[A]<br/><b>CAPACITIES AND DIMENSIONS OF CARS</b></p> <p>For marked capacities, lengths, dimensions, and cubical capacities of cars, see the Official Railway Equipment Register, RER 6414-Series, issued by National Railway Publication Company, Agent.</p>   |
| <p><b>ITEM 30</b><br/>[A]<br/><b>SUPPLEMENTS AND REISSUES</b></p> <p>When reference is made in this tariff, or supplements, to other publications for rates or other information, it includes "Supplements thereto or successive issues thereof." Where reference is made in this tariff to items, it includes "reissues" of such items.</p>  | <p><b>ITEM 60</b><br/>[A]<br/><b>NON-APPLICATION PRIVATE CAR MILEAGE ALLOWANCE</b></p> <p>The ACWR does not participate in nor does it abide by the Items or Rules stated in Tariffs RIC 6007-Series.</p>  |
| <p><b>ITEM 40</b><br/>[A]<br/><b>EXPLOSIVES AND DANGEROUS ARTICLES</b></p> <p>For rules and regulations governing the transportation of explosives and other dangerous articles by freight, also specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Tariff BOE 6000-Series.</p>  |  |
| <p align="center">For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |  |





**FT ACWR 6004-A**

| SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES  | SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES   |
|--|---|
| <p><b>ITEM 120</b> (Cont'd)<br/>[C]</p> <p align="center"><b>DEFINITIONS</b> (Cont'd)</p> <p><b>LOADED CARS</b> - A car(s) that is completely or partially loaded.</p> <p><b>LOADED RELEASE INFORMATION</b> - Advice by consignor, loader, consignee, unloader or Care-of-Party given to authorized railroad personnel that a car(s) is available to railroad. Information must include Customer, car initial, number, consignee, destination, STCC and route.</p> <p><b>LOADER</b> - Party physically loading a car at origin. Demurrage charges will be assessed against the Loader who will be responsible for payment of charges accrued at origin.</p> <p><b>LOADING</b> - The complete or partial loading of a car(s) in conformity with applicable loading and clearance rules.</p> <p><b>NOTIFICATION</b> - When required, written or verbal notification will be furnished to the parties entitled to receive notice that the car(s) is available for loading, unloading, or otherwise impacted by demurrage provisions.</p> <p><b>OTHER THAN PUBLIC DELIVERY TRACK</b> - Any trackage assigned for individual use, including privately owned or leased tracks.</p> <p><b>ORDER-IN CUSTOMER</b> - A Customer who, by prior arrangement, has notified ACWR that cars shall not be placed for loading or unloading, or considered to be placed, until ACWR has received an order for placement from said Customer, subject to rules and provisions of this tariff.</p> <p><b>PARTIAL UNLOADING</b> - The partial unloading of a car(s) and furnishing of the proper forwarding or handling instructions.</p> <p><b>PRIVATE CAR(S)</b> - A car(s) bearing other than railroad reporting marks that is not railroad owned or controlled.</p> <p><b>PRIVATE TRACK</b> - Tracks that are not owned or leased by the railroad.</p> <p><b>PUBLIC DELIVERY TRACK</b> - Track that is open to the general public for loading and unloading.</p> <p><b>RAILROAD CONTROLLED CAR(S)</b> - A car(s) bearing other than railroad reporting marks that is either leased or controlled by a railroad.</p> <p align="center">(Continued in next column)</p> | <p><b>ITEM 120</b> (Cont'd.)<br/>[C]</p> <p align="center"><b>DEFINITIONS</b> (Cont'd.)</p> <p><b>RAILROAD PREMISES</b> - All tracks which ACWR provides for its own use and purposes or for general public use and all other tracks located inside of its right-of-way or yards and terminals, except tracks located on or within the confines of property or leased by a Customer.</p> <p><b>RECONSIGNMENT</b> - An order provided by consignor to bill a car(s) to other than the original consignee. (An order to turn over the car(s) to another party that does not require any additional movement of the car(s), is not a reconsignment).</p> <p><b>REFUSED LOADED CAR(S)</b> - When the original loaded car(s) is refused at destination without being unloaded.</p> <p><b>RELOADING</b> - When a car(s) is held for loading after being released as an empty.</p> <p><b>RESHIPMENT</b> - A new document by which the entire original shipment is forwarded in the same car(s) to another destination.</p> <p><b>SERVING YARD</b> - A classification yard where the local train serving the Customer originates.</p> <p><b>SHIPPER ASSIGNED CAR(S)</b> - Specific empty car(s) assigned to a particular shipper for their exclusive use.</p> <p><b>STOPPED IN TRANSIT</b> - When a car(s) is held en route due to any condition attributable to the consignor, loader, consignee, unloader, Care-of-Party or owner.</p> <p><b>TENDER</b> - The notification, actual or constructive placement, of an empty or loaded car(s).</p> <p><b>TIME</b> - Local time is applicable and is expressed on the basis of the 24-hour clock.</p> <p><b>Example:</b> 06:01 AM is expressed as 0601 Hours.</p> <p><b>UNLOADER</b> - Party physically unloading a car at destination.</p> <p><b>UNLOADING</b> - The complete unloading of a car(s), and the advice received from the consignee or unloader that the car (s) is empty and available to the railroad.</p> |
| <p align="center">For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>  |   |

**FT ACWR 6004-A**

| SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES  | SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES   |
|--|---|
| <p><b>ITEM 130</b><br/>[C]</p> <p align="center"><b>NOTIFICATION TO CONSIGNOR OR CONSIGNEE</b></p> <p>A. ACWR will furnish the following notifications as indicated:</p> <ol style="list-style-type: none"> <li>1. Cars for other than public delivery tracks:               <ol style="list-style-type: none"> <li>a. Notice of constructive placement if car(s) are held on ACWR tracks due to reasons attributable to the consignor, loader, consignee, Care-of-Party or unloader.</li> <li>b. Delivery of car(s) upon tracks of consignee will constitute notice.</li> <li>c. When two or more parties, each performing their own switching, take delivery of cars from the same interchange track, notice will be given when cars are placed on the interchange track.</li> </ol> </li> <li>2. Cars for public delivery tracks:               <ol style="list-style-type: none"> <li>a. Notice will be given to the party entitled to receive notification when car(s) is actually placed.</li> </ol> </li> </ol> <p>B. Notification may be given in writing or electronically, and will contain the following:</p> <ol style="list-style-type: none"> <li>1. Car initials and number.</li> <li>2. If lading transferred en route, the initials and number of the original car.</li> <li>3. Commodity.</li> </ol> | <p><b>ITEM 150</b><br/>[C]</p> <p align="center"><b>CAR(S) HELD FOR LOADING</b></p> <p><b>TENDER:</b></p> <p>A. The notification, actual or constructive placement, of empty car(s) placed on orders of the consignor.</p> <p><b>RELEASE:</b></p> <p>A. Date and time forwarding instructions are received by ACWR.</p> <p>B. Car(s) placed on the interchange tracks of a consignor, who performs its own switching, must be returned to the interchange track for release.</p> <p>C. Improperly loaded or overloaded car(s) at origin will not be considered released until the load has been adjusted properly.</p> <p><b>COMPUTATION:</b></p> <p>A. Time will be computed from the first 0601 hours after tender until the release.</p> <p>B. Notwithstanding the foregoing, when a private car is actually placed on a private track, demurrage charges shall not apply to such private car.</p> |
| <p><b>ITEM 140</b><br/>[C]</p> <p align="center"><b>NOTIFICATION TO ACWR</b></p> <p>A. ACWR will accept forwarding instructions, empty release information or, other disposition twenty-four hours a day via ShipXpress@.</p> <p>B. When electronic or mechanical devices are used to furnish notification to ACWR, the recorded date and time that the instructions are received by ACWR will govern.</p> <p>C. Faxed forwarding instructions (Fax: 910-428-9930) and/or e-mail (RRAccountant@ACWR.com), empty release information, or other disposition will be accepted during normal business hours (7:00 AM to 4:30 PM, Monday through Friday).</p>   |   |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |   |

**FT ACWR 6004-A**

| SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES  | SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES  |
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| <p><b>ITEM 160</b><br/>[C]<br/><b>CAR(S) HELD FOR COMPLETE UNLOADING</b></p> <p><b>TENDER:</b></p> <p>The notification, actual or constructive placement, of a loaded car(s).</p> <p><b>RELEASE:</b></p> <p>A. Date and time that the railroad receives advice that the car(s) is empty.<br/>           B. Car(s) placed on the interchange tracks of a consignee who performs its own switching must be returned to the interchange track for release.<br/>           C. When the same car is unloaded and reloaded, empty release information must be furnished at the time the car is made empty. If not furnished, demurrage will continue on the car until the forwarding instructions are received by ACWR.</p> <p><b>COMPUTATION:</b></p> <p>A. Time will be computed from the first 0601 hours after tender until the release.<br/>           B. When the same car is unloaded and reloaded, time will be computed from the first 0601 hours after advice is received that the car(s) is empty until the car(s) is released.<br/>           C. When the same car is unloaded and reloaded, empty release information must be furnished. If not furnished, demurrage will continue on the car until the forwarding instructions are received by ACWR.<br/>           D. Notwithstanding the foregoing, when a private car is actually placed on a private track, demurrage charges shall not apply to such private car.</p> | <p><b>ITEM 170</b><br/>[C]<br/><b>PRIVATE CAR(S) AND RAILROAD CAR(S) HELD FOR OTHER THAN LOADING OR UNLOADING</b><br/>(See Item 215)</p> <p>Applies to car(s) held:</p> <p>A. On orders of consignor, loader consignee, Care-of-Party or unloader.<br/>           B. Awaiting proper disposition from the consignor, loader, consignee, Care-of-Party or unloader.<br/>           C. As a result of conditions attributable to consignor, loader, consignee, Care-of-Party or unloader.</p> <p><b>DISPOSITION:</b></p> <p>That information, including forwarding instructions or empty release information, which allows the railroad to either tender or release the car from the to consignor, loader, consignee, Care-of-Party or unloader.</p> <p><b>TENDER:</b></p> <p>The notification, actual or constructive placement of a loaded car(s).</p> <p><b>RELEASE:</b></p> <p>Date and time that the railroad receives advice that the car is empty, or that forwarding instructions are received.</p> <p><b>COMPUTATION:</b></p> <p>Time will be computed from the second 0601 hours:</p> <p>A. After tender, until release, on car(s):<br/>           1. Diverted<br/>           2. Empty for loading – ordered and not used (other than a rejected car)<br/>           3. Partially unloaded<br/>           4. Reconsigned<br/>           5. Reshipped<br/>           6. Stopped in transit</p> <p>B. After car(s) are received by ACWR until date of disposition on:<br/>           1. Car(s) received from interchange from connecting carrier<br/>           2. Loaded private car(s) returned to railroad tracks<br/>           3. Empty car(s) moving as freight with STCC 37 422 XX</p> <p>C. After tender until date of refusal on:<br/>           1. Refused loaded car(s) (consignee)</p> <p>D. After tender until date of disposition on:<br/>           1. Refused loaded car(s) (consignor)</p> <p>E. After tender until release or placement on private tracks on:<br/>           1. Loaded private car(s) – while held on railroad tracks<br/>           2. Empty car(s) moving as freight with STCC 37 422 XX</p> |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |  |

**FT ACWR 6004-A**

| SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES  | SECTION 1<br>CAR DEMURRAGE AND STORAGE<br>RULES AND CHARGES  |
|--|--|
| <p><b>ITEM 180</b><br/>[I]</p> <p align="center"><b>DEMURRAGE CHARGES</b></p> <p>A. Settlement of charges will be made monthly on all car(s) released during each calendar month.</p> <p>B. After the expiration of free time allowed as defined in Item 120, the following charges per car per day, or fraction of a day, will be made until car is released:</p> <p style="padding-left: 40px;">\$50.00 for each of the first four chargeable days,<br/>\$75.00 for each subsequent day</p> <p>The applicable charge will accrue on all Saturdays, Sundays and holidays subsequent to the first chargeable day, including a Saturday, Sunday or holiday immediately following the day on which the first chargeable day begins to run.</p> <p>Exception 1 - When a car has a mechanical designation of "FD", "FM", or "FW" and capacity is excess of 130 tons, See Item 330.</p> | <p><b>ITEM 190</b><br/>[A]</p> <p align="center"><b>STORAGE OF LOADED HAZARDOUS COMMODITIES</b></p> <p>The storage charges provided in this item apply to loaded hazardous commodities designated as toxic/poison inhalation hazard and explosives. A List of applicable STCC numbers are shown in Item 195. The storage charges provided in this item are in addition to applicable demurrage charges and except as provided below, the applicable provisions of this tariff will govern in determining these storage charges.</p> <p>Loaded cars, consigned or ordered for delivery on private or leased tracks, which first must be held on ACWR tracks under constructive placement are subject to the charges shown below. Storage will be computed from the first 6:01 AM after notification of constructive placement was sent or given by ACWR for the loaded car and continue until notification to ACWR for placement on private tracks is received in accordance with Item 140.</p> <p>Loaded cars, held on ACWR tracks for any other purpose attributable to the consignor, loader, consignee, Care-of-Party, or unloader are subject to the charges shown below. Storage will be computed from the first 6:01 AM after actual placement or notification of constructive placement was sent or given by ACWR for the loaded car and continue until notification to ACWR with proper forwarding instructions is received by ACWR in accordance with Item 140.</p> <p>Storage Charges: Five Hundred Dollars (\$500.00) per loaded car per day or fraction thereof.</p> |
|  | <p><b>ITEM 193</b><br/>[A]</p> <p align="center"><b>STORAGE OF EMPTY CARS FORMERLY CONTAINING HAZARDOUS COMMODITIES</b></p> <p>The storage charges provided in this item apply to empty railcars which formerly contained hazardous commodities designated as toxic/poison inhalation hazard, inhalation hazard, and explosives. The storage charges shown below will apply to the Customer (defined for the purpose of this subsection as the consignee or Care-of-Party of the empty railcar) for each empty car; if the railcar's prior movement contained any of the commodities listed in Item 195.</p> <p>The storage charges provided in this item are in addition to applicable demurrage charges and, except as provided below, the application provisions of this tariff will govern in determining these storage charges.</p> <p>Storage will be computed from the first 6:01 AM after actual placement or notification of constructive placement was sent or given by ACWR for the empty car and continue until notification to ACWR with proper forwarding instructions is received by ACWR in accordance with Item 140.</p> <p>Storage Charges: Two Hundred Dollars (\$200.00) per empty car per day or fraction thereof.</p>  |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |  |

**FT ACWR 6004-A**

| <b>SECTION 1<br/>CAR DEMURRAGE AND STORAGE<br/>RULES AND CHARGES</b>   |         |         |         |         |
|--|---------|---------|---------|---------|
| <b>ITEM 195<br/>[A]<br/>HAZARDOUS MATERIALS STANDARD<br/>TRANSPORTATION COMMODITY CODE (STCC)</b>  |         |         |         |         |
| The following is a list of Standard Transportation Commodity Code Numbers (STCC) for toxic/poison inhalation hazard, inhalation hazard and explosives: |         |         |         |         |
| STCC   | STCC    | STCC    | STCC    | STCC    |
| 4821019  | 4901301 | 4901445 | 4901581 | 4901833 |
| 4821261  | 4901302 | 4901450 | 4901582 | 4901834 |
| 4821722  | 4901303 | 4901456 | 4901586 | 4901835 |
| 4830030  | 4901305 | 4901461 | 4901587 | 4901836 |
| 4901105  | 4901306 | 4901465 | 4901590 | 4901837 |
| 4901110  | 4901307 | 4901501 | 4901596 | 4901838 |
| 4901130  | 4901308 | 4901504 | 4901597 | 4901839 |
| 4901131  | 4901311 | 4901506 | 4901599 | 4901840 |
| 4901133  | 4901312 | 4901507 | 4901632 | 4901841 |
| 4901134  | 4901315 | 4901510 | 4901705 | 4901842 |
| 4901135  | 4901316 | 4901511 | 4901713 | 4901843 |
| 4901137  | 4901317 | 4901514 | 4901714 | 4901844 |
| 4901140  | 4901319 | 4901516 | 4901715 | 4901845 |
| 4901142  | 4901320 | 4901520 | 4901717 | 4901846 |
| 4901143  | 4901322 | 4901521 | 4901719 | 4901847 |
| 4901149  | 4901324 | 4901526 | 4901720 | 4901848 |
| 4901153  | 4901325 | 4901527 | 4901722 | 4901849 |
| 4901172  | 4901326 | 4901528 | 4901724 | 4901850 |
| 4901174  | 4901336 | 4901530 | 4901725 | 4901851 |
| 4901179  | 4901341 | 4901532 | 4901726 | 4901852 |
| 4901180  | 4901342 | 4901533 | 4901778 | 4901853 |
| 4901205  | 4901343 | 4901535 | 4901779 | 4901854 |
| 4901218  | 4901344 | 4901537 | 4901801 | 4901855 |
| 4901220  | 4901345 | 4901538 | 4901802 | 4901856 |
| 4901223  | 4901350 | 4901539 | 4901803 | 4901857 |
| 4901225  | 4901364 | 4901540 | 4901804 | 4901858 |
| 4901227  | 4901365 | 4901541 | 4901805 | 4901859 |
| 4901229  | 4901366 | 4901542 | 4901806 | 4904209 |
| 4901230  | 4901367 | 4901544 | 4901807 | 4904210 |
| 4901234  | 4901374 | 4901545 | 4901808 | 4904211 |
| 4901235  | 4901376 | 4901546 | 4901809 | 4904879 |
| 4901236  | 4901381 | 4901550 | 4901810 | 4907409 |
| 4901237  | 4901384 | 4901551 | 4901811 | 4907434 |
| 4901240  | 4901388 | 4901552 | 4901812 | 4909306 |
| 4901242  | 4901389 | 4901553 | 4901813 | 4909307 |
| 4901244  | 4901390 | 4901554 | 4901814 | 4910370 |
| 4901245  | 4901391 | 4901557 | 4901815 | 4916138 |
| 4901246  | 4901393 | 4901558 | 4901816 | 4918180 |
| 4901250  | 4901398 | 4901560 | 4901817 | 4918505 |
| 4901254  | 4901399 | 4901561 | 4901819 | 4918507 |
| 4901257  | 4901401 | 4901562 | 4901820 | 4920101 |
| 4901258  | 4901402 | 4901564 | 4901821 | 4920102 |
| 4901260  | 4901403 | 4901565 | 4901822 | 4920103 |
| 4901262  | 4901406 | 4901566 | 4901823 | 4920104 |
| 4901263  | 4901413 | 4901567 | 4901824 | 4920105 |
| 4901264  | 4901414 | 4901568 | 4901825 | 4920106 |
| 4901271  | 4901418 | 4901570 | 4901826 | 4920107 |
| 4901273  | 4901420 | 4901572 | 4901827 | 4920108 |
| 4901276  | 4901422 | 4901573 | 4901828 | 4920110 |
| 4901280  | 4901430 | 4901574 | 4901829 | 4920111 |
| 4901282  | 4901435 | 4901575 | 4901830 | 4920112 |
| 4901283  | 4901437 | 4901576 | 4901831 | 4920113 |
| 4901288  | 4901440 | 4901577 | 4901832 | 4920115 |

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| <b>SECTION 1<br/>CAR DEMURRAGE AND STORAGE<br/>RULES AND CHARGES</b>   |         |         |         |         |
|--|---------|---------|---------|---------|
| <b>ITEM 195 (Cont'd)<br/>[A]<br/>HAZARDOUS MATERIALS STANDARD<br/>TRANSPORTATION COMMODITY CODE (STCC)</b>   |         |         |         |         |
| The following is a list of Standard Transportation Commodity Code Numbers (STCC) for toxic/poison inhalation hazard, inhalation hazard and explosives: |         |         |         |         |
| STCC   | STCC    | STCC    | STCC    | STCC    |
| 4920116  | 4920319 | 4920399 | 4921020 | 4921744 |
| 4920117  | 4920320 | 4920502 | 4921023 | 4921745 |
| 4920118  | 4920321 | 4920503 | 4921024 | 4921746 |
| 4920122  | 4920322 | 4920504 | 4921028 | 4921756 |
| 4920135  | 4920323 | 4920505 | 4921063 | 4923113 |
| 4920160  | 4920324 | 4920508 | 4921202 | 4923117 |
| 4920164  | 4920325 | 4920509 | 4921207 | 4923209 |
| 4920165  | 4920331 | 4920510 | 4921211 | 4923298 |
| 4920167  | 4920337 | 4920511 | 4921213 | 4927004 |
| 4920173  | 4920342 | 4920513 | 4921216 | 4927006 |
| 4920174  | 4920343 | 4920515 | 4921239 | 4927007 |
| 4920175  | 4920344 | 4920516 | 4921245 | 4927008 |
| 4920178  | 4920346 | 4920517 | 4921248 | 4927009 |
| 4920180  | 4920347 | 4920518 | 4921251 | 4927010 |
| 4920181  | 4920348 | 4920522 | 4921252 | 4927011 |
| 4920183  | 4920349 | 4920523 | 4921254 | 4927012 |
| 4920184  | 4920351 | 4920525 | 4921255 | 4927014 |
| 4920187  | 4920352 | 4920526 | 4921275 | 4927018 |
| 4920188  | 4920353 | 4920527 | 4921287 | 4927019 |
| 4920189  | 4920354 | 4920528 | 4921288 | 4927022 |
| 4920195  | 4920355 | 4920530 | 4921304 | 4927023 |
| 4920196  | 4920356 | 4920531 | 4921401 | 4927024 |
| 4920300  | 4920357 | 4920534 | 4921402 | 4927025 |
| 4920301  | 4920359 | 4920535 | 4921404 | 4927026 |
| 4920302  | 4920360 | 4920536 | 4921405 | 4927027 |
| 4920303  | 4920368 | 4920547 | 4921413 | 4927028 |
| 4920304  | 4920369 | 4920550 | 4921414 | 4930024 |
| 4920305  | 4920371 | 4920556 | 4921420 | 4930030 |
| 4920306  | 4920373 | 4920559 | 4921438 | 4930050 |
| 4920307  | 4920375 | 4920570 | 4921473 | 4930204 |
| 4920308  | 4920378 | 4920571 | 4921487 | 4930260 |
| 4920309  | 4920379 | 4920715 | 4921495 | 4931201 |
| 4920310  | 4920380 | 4921000 | 4921497 | 4932010 |
| 4920311  | 4920381 | 4921003 | 4921558 | 4932352 |
| 4920312  | 4920382 | 4921004 | 4921587 | 4932385 |
| 4920313  | 4920383 | 4921006 | 4921695 | 4933327 |
| 4920314  | 4920392 | 4921008 | 4921722 | 4935231 |
| 4920315  | 4920394 | 4921009 | 4921727 | 4936106 |
| 4920316  | 4920395 | 4921010 | 4921730 | 4936110 |
| 4920317  | 4920396 | 4921016 | 4921741 |         |
| 4920318  | 4920398 | 4921019 | 4921742 |         |

For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.

| <p style="text-align: center;"><b>SECTION 1<br/>CAR DEMURRAGE AND STORAGE<br/>RULES AND CHARGES</b></p>   | <p style="text-align: center;"><b>SECTION 1<br/>CAR DEMURRAGE AND STORAGE<br/>RULES AND CHARGES</b></p>   |
|---|---|
| <p><b>ITEM 196</b><br/>[C]</p> <p style="text-align: center;"><b>ALLOWANCES PERMISSABLE FOR RELIEF<br/>OF DEMURRAGE CHARGES</b></p> <p>Relief will be granted under the following conditions (See Item 197):</p> <p>A. ACWR Error</p> <p style="padding-left: 40px;">If, through railroad error, demurrage charges are assessed, demurrage will be adjusted to the amount that would have accrued but for such error.</p> <p>B. Weather Interference:</p> <p style="padding-left: 40px;">When, because of earthquakes, tornadoes, hurricanes, floods or heavy snow, the operations of the consignor or consignee are disrupted, the demurrage directly chargeable thereto will be eliminated, provided the disruption exceeds two (2) days in duration.</p> <p>C. When it is impossible to load or unload or receive cars from or make cars available to ACWR because of strike interference at the point where the loading or unloading is to be accomplished, such detention will be charged at a rate of \$25.00 per car, per day or fraction thereof and without free time allowance, provided a claim is presented to ACWR as provided for in Item 197.</p> <p>D. At the discretion of the railroad, the railroad will consider emergency unloading/loading equipment breakdowns that materially impact a customer's ability to load and/or unload railcars. It is the responsibility of the customer to contact the railroad in such matters with documentation in order to receive demurrage relief in writing from the railroad. In no case will relief extend beyond 48 hours and each case will be evaluated on its own merits.</p> | <p><b>ITEM 197</b><br/>[A]</p> <p style="text-align: center;"><b>DEMURRAGE AND STORAGE DISPUTES</b></p> <p>In the event that a Customer disputes the demurrage or storage charges received in a bill, the following procedures must be applied:</p> <p>A. The dispute must be specific in nature, applying to a specific cars or groups of cars, related to time of actual or constructive placement, release or application of the rules contained in this tariff.</p> <p>B. The dispute must be submitted on ACWR "Demurrage Dispute Form" shown on last past of this tariff, submitted via email to:</p> <p style="text-align: center;">RRAccountant@ACWR.com</p> <p>C. The dispute must be submitted within forty-five (45) days of the end of the month for which the bill applies. If a dispute is not received within this time, the bill will be considered correct and must be paid.</p> <p>D. Customer must pay the undisputed amount at the time the dispute is filed, according to normal bill payment procedures.</p> <p>E. Amounts in dispute will not be considered past due until forty-five (45) days after the dispute resolution is concluded by ACWR.</p> |
|   |   |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>  |   |

**FT ACWR 6004-A**

| SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES   | SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES  |
|--|---|
| <p><b>ITEM 200</b><br/>[A]<br/><b>APPLICATION AND DEFINITIONS</b></p> <p>Switching charges named herein (unless otherwise specified) will apply for the handling of a loaded car in one direction and the empty car in the reverse direction. If car is moved empty in both directions, then charges for a one-way movement will apply. If car is moved empty in one direction and not returned, it will be charged as if it was loaded and switching of another car loaded will not be considered as offsetting one-way movement of an empty car. If car is loaded in both directions, the applicable charge will be assessed for each loaded movement.</p> <p align="center"><b>DEFINITIONS</b></p> <p>(a) <b>INTRA-PLANT SWITCHING</b> - A switching movement of a car, loaded or empty, from one track to another track or between two points on the same track, within the same plant or industry without leaving the tracks of the same plant or industry.</p> <p>(b) <b>INTRA-TERMINAL SWITCHING</b> - A switching movement (other than intra-plant switching) from one track to another track of the same carrier, within the switching limits of one station or industrial switching district.</p> <p>(c) <b>INTER-TERMINAL SWITCHING</b> - A switching movement from a track of one carrier to a track of another carrier when both tracks and movement are within the switching limits of the same station or industrial switching district.</p> <p>(d) <b>RECIPROCAL SWITCHING</b> - A switching movement from a plant or industry located on the ACWR to the point of interchange with connecting carriers or vice versa, on line-haul traffic.</p> <p>(e) <b>INTERMEDIATE SWITCHING</b> - A switching movement of a car from the interchange tracks of one connecting carrier to the interchange tracks of another connecting carrier within the switching limits of the same station on which the switch carrier neither originates nor terminates the shipment nor receives a line-haul.</p> | <p><b>ITEM 205</b><br/>[A]<br/><b>DEFINITION OF SHOP FACILITY</b></p> <p>A shop facility is one where AAR rail cars repairs are made and sufficient to meet interchange standards.</p> <hr/> <p><b>ITEM 210</b><br/>[A]<br/><b>NON-APPLICATION OF INTRA-PLANT SWITCHING CHARGES</b></p> <p>The intra-plant switching charges provided in this tariff will not apply when a car is moved back to the same location on the same track or to a different location on the same track (See NOTE). Such movement must occur as a result of pulling outbound carloads or empties previously unloaded, or placing inbound carloads for unloading or empties for loading.</p> <p>NOTE - Movement to a different location on the same track must be incidental to, and necessary in connection with removal or placement of other loaded or empty cars.</p> <hr/> <p><b>ITEM 215</b><br/>[A]<br/><b>SWITCHING AND HOLDING CHARGES ON CARS HELD FOR INSTRUCTIONS</b><br/>(Unless otherwise specifically provided, the following will apply)</p> <p>When on shipper's instructions loaded cars, or empty cars moving on own wheels, are removed from industry, shop or team tracks and are held by carrier awaiting forwarding instructions, a charge of \$300.00 per car will be assessed against the party responsible for furnishing the forwarding instructions. On loaded cars the charge will be assessed against the party physically loading the car and in whose name demurrage is maintained by this railroad. If cars are subsequently ordered returned to loaders tracks, the applicable intra-terminal switching charge will be assessed against the loader.</p> <p>When loaded cars, or empty cars moving on own wheels at tariff rates, are received from a connecting carrier and are held awaiting forwarding instructions, a holding charge of \$300.00 per car will be assessed against the party responsible for furnishing the forwarding instructions. If cars are subsequently ordered returned to a connecting carrier, the applicable inter-terminal switching charges will be assessed from and to the interchange with the connecting carrier, and will be in addition to the holding charge.</p> <p>The charges provided in this item are in addition to applicable demurrage and storage charges when applicable and will not be absorbed in whole or in part.</p> |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |   |

**FT ACWR 6004-A**

| SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES   | SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES  |
|--|---|
| <p><b>ITEM 220</b><br/>[A]<br/><b>PRIVATE OR INDUSTRY TRACKS</b></p> <p>Unless otherwise provided, the private tracks used by industries as named in this tariff are to be used exclusively for the handling of traffic to or from such industries.</p>  | <p><b>ITEM 240</b><br/>[A]<br/><b>SWITCHING OF EXCESSIVELY LOADED CARS</b></p> <p>A car will be considered overloaded when the weight of the lading exceeds the maximum carrying capacity (load limit) stenciled on the car or if the total weight of car and lading exceeds the weight restrictions of the track.</p> <p>A. When a car is overloaded and such fact is discovered at origin station, the loader or owner of the lading will be notified to remove the excess weight as provided in this tariff. If the car is returned to the industry where loaded, one intra-terminal switch charge will be assessed in addition to a \$350.00 per car penalty.</p> <p>B. When a car at a station other than origin is discovered to be overloaded and such fact is discovered after the shipment has left the origin station, the loader or owner of the lading will be notified to remove the excess as provided in this tariff. The applicable intra-terminal switch charge from the point where the overloaded condition is discovered to the nearest public track will be assessed in addition to a \$350.00 per car penalty.</p> <p>C. The loader or owner of the lading will be notified by ACWR of the overload and will be allowed to remove the excess weight. Notwithstanding anything to the contrary in this tariff, when an overloaded car is discovered at a station other than origin, demurrage charges will commence with the first 0601 Hours after notification is given by ACWR to the loader, owner of the lading or other responsible party with no other free time allowed.</p> <p>D. When a Customer fails to respond within the first twenty-four (24) hours, a second notice will be sent. If the Customer fails to respond within seven (7) calendar days from the first 06:01 AM after the first notification, ACWR may, at our option, transfer the shipment, transfer the excess weight to another car or remove the excess weight and sell or dispose of it to the best advantage. The actual cost of transfer for removing the excess weight plus any additional charge (s), less proceeds of the sales of the excess, if any, will be assessed against the loader, owner of the lading or other responsible party in addition to a \$350.00 per car penalty and applicable intra-terminal switch charge.</p> <p>E. When a car is received from a connecting line in road haul service and discovered to be overloaded, the loader and the delivery line will be notified to remove the excess as provided in this tariff. If the overload is discovered at the junction and the car is ordered returned to the delivering carrier, the applicable intra-terminal switch charge will be assessed against the loader or delivering carrier in addition to a \$350.00 per car penalty.</p> |
| <p><b>ITEM 225</b><br/>[A]<br/><b>EMPTY CARS RETURNED UNFIT FOR LOADING</b></p> <p>When an empty car is received from a connecting carrier for loading by an industry located on the ACWR, and is refused by the industry because the car is not in proper condition to load and must be returned to the connecting carrier, a charge of \$150.00 per car will be assessed against the connecting carrier. The charge will be made for one direction only.</p> |   |
| <p><b>ITEM 227</b><br/>[A]<br/><b>EMPTY CARS ORDERED BUT NOT LOADED</b></p> <p>On empty cars that are ordered for loading and the service of switching or placing has been performed and the car is not loaded but returned to ACWR empty, a switching charge of \$150.00 per car will be assessed for this service and collected from the person, firm, or corporation ordering such cars.</p>  |   |
| <p><b>ITEM 230</b><br/>[A]<br/><b>DEFINITIONS OF SWITCHING LIMITS</b></p> <p>Except as otherwise provided herein, the switching limits of the ACWR will be defined as all stations and all Customers served by the ACWR. Switching charges within the station will not apply on traffic originating or destined beyond the industry. The yard limit board does not have any meaning whatever with respect to defining the switching limits.</p>                |   |
| <p><b>ITEM 235</b><br/>[A]<br/><b>PACKAGE REQUIREMENTS</b></p> <p>Charges for intra-terminal and inter-terminal switching named in this tariff apply only when shipments are packed in accordance with the requirements published in Tariff UFC 6000-Series. Shipments not packed in accordance with the requirements published in Uniform Freight Classification will not be accepted.</p>  |   |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |   |

**FT ACWR 6004-A**

| SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES   | SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES   |
|--|--|
| <p><b>ITEM 250</b><br/>[A]<br/><b>PREPAYMENT OF ACWR SWITCHING CHARGES</b></p> <p>Charges on all carloads for intra-plant, intra-terminal or inter-terminal movements must be fully prepaid by the party ordering the switch unless a credit account has been pre-established by ACWR.</p> <p>ACWR charges on carloads received from connecting lines on inter-terminal movements will be collected from carrier originating the movement.</p>   | <p><b>ITEM 265</b><br/>[A]<br/><b>EXTRA AND SPECIAL TRAIN SERVICE</b></p> <p>Upon specific request of the shipper or consignee, ACWR will operate extra or special train service.</p> <p>Extra train service is defined as service requested by the shipper or consignee at a time or date other than the scheduled regular service defined as a two man crew with two locomotives for a twelve (12) hour period; beyond twelve (12) hours billing rate will be \$300.00 an hour. The charge for this service will be \$7,500.00 per occurrence. Charges will be assessed against the party requesting the service.</p> <p>Special train service is defined as accommodating shipments which cannot be handled in regular train operations because of excess weight, height, width or length and which necessitates handling in a special train. The charges for this service will be negotiated between ACWR and the party requesting service, dependent on specific needs for the movement, cost factors and potential adverse impact to physical plant and operations on the ACWR. The requesting party must comply with all insurance requirements required by ACWR. Charges will be assessed against the party requesting the service, and must be paid in full five (5) business days prior to the date of requested service</p> |
| <p><b>ITEM 255</b><br/>[A]<br/><b>EARLY RELEASE OF CARS PLACED FOR LOADING OR UNLOADING</b></p> <p>When a Customer instructs the release of a car previously placed for loading or unloading, but ACWR is unable to remove the car because the loading or unloading of the car has not been completed for reasons not attributable to ACWR, the car will remain on demurrage as if the release had not been instructed, and an intra-terminal switch charge will apply.</p>  | <p><b>ITEM 270</b><br/>[A]<br/><b>SWITCHING EMPTY CARS FOR REPAIRS</b></p> <p>A charge of \$750.00 per car (See Notes 1, 2 and 3) will apply on empty cars destined to a shop facility for maintenance, modification, inspection, certification or repairs.</p> <p>NOTE 1. - Charges apply for round-trip movement from yard tracks to shop facility and return, when moving solely on the tracks of ACWR. If ACWR switches the empty car into the shop facility and is not the switching carrier or the eventual movement from the shop facility, then the switching charge, as named in this item, applies only on the inbound movement.</p> <p>NOTE 2. – Charges will be assessed at the time of the inbound movement.</p> <p>NOTE 3. – Unless otherwise provided on a bill of lading or in a transportation contract, the charges in this item will be assessed against the connecting carrier interchanging the car(s) to ACWR.</p>   |
| <p><b>ITEM 260</b><br/>[A]<br/><b>EMPTY CARS OF PRIVATE OWNERSHIP UPON WHICH EMPTY MOVEMENT IS ORDERED</b></p> <p>Except as otherwise provided, empty cars of private ownership upon which empty movement is ordered between points in the same switching district, will, if the empty movement is not followed by a loaded movement under either line-haul or switching rates of this company, be subject to the same charge as named in the tariff for the same car if moving loaded between the same points.</p> <p>Provided that if two or more charges are named for the loaded movement, the lowest charge will apply.</p> |  |
| <p>For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>   |  |

**FT ACWR 6004-A**

| SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES   | SECTION 2<br>SWITCHING, LOCAL AND MISCELLANEOUS<br>RULES AND CHARGES  |                           |             |        |       |      |      |                           |             |
|--|---|---------------------------|-------------|--------|-------|------|------|---------------------------|-------------|
| <p><b>ITEM 275</b><br/>[A]<br/><b>DEFINITION OF "PRIVATELY OWNED"</b></p> <p>Where reference to "privately owned" or "privately owned or leased" equipment in this section, it is meant to be equipment not under lease to or controlled by a railroad.</p>  | <p><b>ITEM 300</b><br/>[!]<br/><b>UNIT TRAIN - ADDITIONAL CUT CHARGES</b></p> <p>The first cut of cars from a unit train will be delivered free of charge. For each additional cut of a unit train a charge of \$2,000.00 per additional cut will be assessed.</p>  |                           |             |        |       |      |      |                           |             |
| <p><b>ITEM 280</b><br/>[A]<br/><b>CAR(S) RECEIVED IN INTERCHANGE IN ERROR OR WITHOUT FORWARDING INSTRUCTIONS</b></p> <p>Car(s) loaded or empty, received by ACWR in error or without forwarding instructions from the delivering carrier, will be returned to the delivering carrier at a charge of \$300.00 per car. Charge for this service will be assessed against the carrier interchanging the car(s) to ACWR.</p>   | <p><b>ITEM 310</b><br/>[!]<br/><b>UNIT TRAIN - ADDITIONAL SWITCH CHARGES</b></p> <p>For each additional switch for a cut of cars from a unit train a charge of \$250.00 per car will be assessed.</p>   |                           |             |        |       |      |      |                           |             |
| <p><b>ITEM 285</b><br/><br/><b>RE-SWITCHING</b></p> <p>Except as otherwise provided, when ACWR participates in line-haul service, cars re-switched under original load or for partial loading or unloading may be switched at the applicable inter-terminal, intra-terminal or intra-plant rate.</p>   | <p><b>ITEM 320</b><br/>[!]<br/><b>SWITCHING CHARGES WITHIN A UNIT TRAIN</b></p> <p>A \$200.00 switching charge per car will be assessed for placement of odd commodities within a unit train. There will be no charges for odd commodities placed at the beginning of and/or at the end of a unit train.</p>  |                           |             |        |       |      |      |                           |             |
| <p><b>ITEM 290</b><br/>[A]<br/><b>INTRA-PLANT, INTRA-TERMINAL, AND INTER-TERMINAL SWITCHING</b><br/>(Rates in dollars and cents per car, except as noted)</p> <p>The ACWR will perform Intra-plant, Intra-terminal and Inter-terminal switching at charges provided below:</p> <p style="margin-left: 40px;">                 INTRA-PLANT..... \$250.00<br/>                 INTRA-TERMINAL..... \$400.00<br/>                 INTER-TERMINAL..... \$250.00             </p> | <p><b>ITEM 330</b><br/>[A]<br/><b>LOCAL RATES</b></p> <p><b>COMMODITY:</b> Freight, all kinds, except as otherwise specifically provided for herein.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width:25%;">FROM</th> <th style="width:25%;">TO</th> <th style="width:25%;">CHARGE</th> <th style="width:25%;">ROUTE</th> </tr> </thead> <tbody> <tr> <td>ACWR</td> <td>ACWR</td> <td>\$1,000.00<br/>Per Railcar</td> <td>ACWR Direct</td> </tr> </tbody> </table> | FROM                      | TO          | CHARGE | ROUTE | ACWR | ACWR | \$1,000.00<br>Per Railcar | ACWR Direct |
| FROM   | TO  | CHARGE                    | ROUTE       |        |       |      |      |                           |             |
| ACWR   | ACWR  | \$1,000.00<br>Per Railcar | ACWR Direct |        |       |      |      |                           |             |
| <p><b>ITEM 295</b><br/>[A]<br/><b>TURNING OF RAILCARS</b></p> <p>If a car is turned at request of customer to facilitate loading or unloading, or for any other purpose, a charge of \$200.00 per railcar per occurrence will be assessed and will be in addition to all other applicable charges, including any extra switching that may be necessary.</p> <p>Note: Charge does not apply to properly placarded boxcars.</p>  |   |                           |             |        |       |      |      |                           |             |
| For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.  |   |                           |             |        |       |      |      |                           |             |

**FT ACWR 6004-A**

| <p align="center"><b>SECTION 2<br/>SWITCHING, LOCAL AND MISCELLANEOUS<br/>RULES AND CHARGES</b></p>  | <p align="center"><b>EXPLANATION OF ABBREVIATIONS<br/>AND REFERENCE MARKS</b></p>  |   |
|--|--|---|
| <p><b>ITEM 340</b><br/>[A]</p> <p align="center"><b>CONGESTION RESULTING FROM RAIL CUSTOMER<br/>MAY RESULT IN AN EMBARGO</b></p> <p>If a rail Customer's excessive retention of railcars (whether or not related to the Customer's credit card/security experience) results in operational congestion, as determined by the ACWR, of the Customer's and/or the ACWR's rail tracks, ACWR may impose an embargo against the Customer's receipt of further railcars until the congestion is eliminated.</p> | <p><b>ITEM 99999</b></p> <p align="center"><b>ABBREVIATIONS AND REFERENCE MARKS,<br/>EXPLANATION OF</b></p>                  |   |
| <p><b>ITEM 350</b><br/>[A]</p> <p align="center"><b>SPECIAL TYPE-HEAVY DUTY FLAT CARS HELD FOR<br/>LOADING OR UNLOADING</b></p> <p>Heavy duty flat cars of mechanical designation "FD" "FM" or "FW" with capacity in excess of 130 tons, will be subject to a demurrage charge of \$500.00 per car per day or fraction thereof until car is released.</p> <p>Charges start when car is available to Customer. No free time.</p>  | <p align="center"><b>ABBREVIATIONS</b></p> <p>ACWR<br/>BOE<br/>CFR<br/>FT<br/>OPSL<br/>RER<br/>STB<br/>STCC<br/><br/>UFC</p> | <p align="center"><b>EXPLANATION</b></p> <p>Aberdeen Carolina &amp; Western Railway Company<br/>Bureau of Explosives<br/>Code of Federal Regulations<br/>Freight Tariff<br/>Official Railway Station List<br/>Railway Equipment Register<br/>Surface Transportation Board<br/>Standard Transportation Commodity Code<br/>Uniform Freight Classification</p> |
| <p><b>ITEM 360</b><br/>[A]</p> <p align="center"><b>CHARGES FOR SPECIAL TYPE HEAVY CAPACITY<br/>FLAT CARS</b></p> <p>Heavy duty flat cars of mechanical designation "FD" "FM" or "FW" with capacity in excess of 130 tons, will be subject to an additional charge of \$5,000.00 per car when car is moved within or between any station served by this railroad for reloading, loading and/or unloading.</p>  | <p align="center"><b>REFERENCE MARK</b></p> <p>[A]<br/>[C]<br/>[D]<br/>[I]<br/>[NC]<br/><br/>[R]</p>                         | <p align="center"><b>EXPLANATION</b></p> <p>Addition<br/>Denotes Change<br/>Canceled<br/>Increase<br/>Brought forward without change<br/>Reduction/Decrease</p>   |
| <p><b>ITEM 370</b><br/>[A]</p> <p align="center"><b>USE OF IDLER CAR</b></p> <p>When articles on account of length, require more than one car, each additional car (commonly known as an idler) shall be charged \$400.00 per idler.</p>   | <p align="center">(Underscored portion denotes change.)</p>  |   |
| <p><b>ITEM 375</b><br/>[A]</p> <p align="center"><b>WEIGHING CHARGES</b></p> <p>When a railcar is weighed or reweighed, loaded or empty, at the request of either the consignor, consignee, or third party, a charge of \$200.00 per railcar will assessed each time the car is weighed.</p> <p>(The above charge is in addition to all other applicable charges, including any extra switching that may be necessary.)"</p>   |  |   |
| <p align="center">For explanation of terms and explanation of abbreviations and reference marks, see Item 99999, this tariff.</p>  |  |   |

## DEMURRAGE DISPUTE FORM



Enter the requested information for each car (or group of cars if all data is the same). Attach documentation whenever possible, and submit form by mail, fax (910) 428 - 9930 or E-mail to: RRAccountant@ACWR.com

Aberdeen Carolina & Western Railway Company, 102 Depot St., Star, NC 27356

|                            |  |                      |  |
|----------------------------|--|----------------------|--|
| <b>Date:</b>               |  | <b>Company:</b>      |  |
| <b>RR Demurrage Month:</b> |  | <b>Submitted by:</b> |  |
| <b>RR Invoice Number:</b>  |  | <b>Phone:</b>        |  |
|                            |  | <b>E-Mail:</b>       |  |

|                                  |                               |                         |                |                       |   |            |
|----------------------------------|-------------------------------|-------------------------|----------------|-----------------------|---|------------|
| <b>Car Number(s)</b>             |                               |                         |                |                       |   |            |
| <b>Dates</b>                     | <b>Constructive Placement</b> | <b>Actual Placement</b> | <b>Release</b> | <b>Demurrage Days</b> | <b>Credits</b>                            | <b>Net</b> |
| <b>As Billed:</b>                |                               |                         |                |                       |   |            |
| <b>Customer Record:</b>          |                               |                         |                |                       |   |            |
| <b>Explanation:</b>              |                               |                         |                |                       |   |            |
| <b>Documentation:</b>            |                               |                         |                |                       | <b>Attached?</b> <input type="checkbox"/> |            |
| <b>Resolution (for ACWR use)</b> |                               |                         |                |                       |   |            |

|                                  |                               |                         |                |                       |   |            |
|----------------------------------|-------------------------------|-------------------------|----------------|-----------------------|---|------------|
| <b>Car Number(s)</b>             |                               |                         |                |                       |   |            |
| <b>Dates</b>                     | <b>Constructive Placement</b> | <b>Actual Placement</b> | <b>Release</b> | <b>Demurrage Days</b> | <b>Credits</b>                            | <b>Net</b> |
| <b>As Billed:</b>                |                               |                         |                |                       |   |            |
| <b>Customer Record:</b>          |                               |                         |                |                       |   |            |
| <b>Explanation:</b>              |                               |                         |                |                       |   |            |
| <b>Documentation:</b>            |                               |                         |                |                       | <b>Attached?</b> <input type="checkbox"/> |            |
| <b>Resolution (for ACWR use)</b> |                               |                         |                |                       |   |            |

|                                  |                               |                         |                |                       |   |            |
|----------------------------------|-------------------------------|-------------------------|----------------|-----------------------|---|------------|
| <b>Car Number(s)</b>             |                               |                         |                |                       |   |            |
| <b>Dates</b>                     | <b>Constructive Placement</b> | <b>Actual Placement</b> | <b>Release</b> | <b>Demurrage Days</b> | <b>Credits</b>                            | <b>Net</b> |
| <b>As Billed:</b>                |                               |                         |                |                       |   |            |
| <b>Customer Record:</b>          |                               |                         |                |                       |   |            |
| <b>Explanation:</b>              |                               |                         |                |                       |   |            |
| <b>Documentation:</b>            |                               |                         |                |                       | <b>Attached?</b> <input type="checkbox"/> |            |
| <b>Resolution (for ACWR use)</b> |                               |                         |                |                       |   |            |