

INDIANA EASTERN RAILROAD, LLC

FREIGHT TARIFF IERR 8000

**NAMING
SWITCHING, STORAGE, TERMINAL
AND
MISCELLANEOUS RULES AND CHARGES
ALSO
DEMURRAGE RULES AND CHARGES
APPLYING AT ALL POINTS ON THE
INDIANA EASTERN RAILROAD, LLC**

This tariff is also applicable on intrastate traffic, except where expressly provided to the contrary in connection with particular items.

ISSUED: January 27, 2006

**EFFECTIVE: February 16, 2006
(Except as otherwise provided)**

ISSUED BY

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(The provisions published herein, if effective, will not result in an effect on the quality of the human environment.)

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For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.

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<p align="center">RULES AND REGULATIONS - GENERAL</p>	<p align="center">RULES AND REGULATIONS - UNLIMITED</p>
<p>ITEM 5</p> <p align="center">REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.</p> <p>Where reference is made in this tariff to tariffs, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such tariffs, and reissues of such items, notes, rules, etc.</p>	<p>ITEM 20</p> <p align="center">CREDIT TERM, PAYMENT OF CHARGES AND FINANCE CHARGE</p>
<p>ITEM 10</p> <p align="center">CONSECUTIVE NUMBERS</p> <p>Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown.</p>	<p>PAYMENT OF CHARGES – NON CREDIT CUSTOMERS: Customers that do not have credit with IERR must pay linehaul freight charges and other applicable charges in full:</p> <ul style="list-style-type: none"> (i) Prior to acceptance by IERR of a shipment at origin for transportation if tendered "prepaid" or (ii) Prior to placement of a shipment at destination if tendered "collect".
<p>ITEM 15</p> <p align="center">METHOD OF CANCELING ITEMS</p> <p>As this tariff is supplemented, numbered items with lettered suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequences starting with A. Example: Item 100-A cancels Item 100 and Item 200-B cancels Item 200-A in a prior supplement which in turn cancelled Item 200.</p>	<p>ESTABLISHMENT OF CREDIT: In order to apply for and establish credit with IERR, customers must contact IERR. (IERR reserves the right, in its sole discretion, to establish or not establish credit for any customer.)</p> <p>CANCELLATION OF CREDIT: IERR reserves the right, in its sole discretion, to cancel the credit of any customer at any time.</p> <p>CREDIT TERM: Payment in full of all linehaul freight charges, switching charges and accessorial charges must be received by IERR from credit customers within fifteen (15) days of the date of the applicable IERR bill.</p>
	<p>NO SET OFF OF CHARGES: Customers may not set off or otherwise withhold payment of any IERR charge due to any alleged overcharge, freight damage or other dispute with IERR.</p> <p>FINANCE CHARGE: IERR will assess a finance charge of 12% per year (0.0329% per day) against linehaul freight charges billed that are not received by IERR within the Credit Term provided herein. The finance charge will not apply against disputed linehaul freight charges that are found by IERR to have been incorrectly billed. The finance charge will be assessed on the unpaid balance of any linehaul freight charge from the first day following the end of the Credit Term through the date of receipt of payment in full. The finance charge will be billed monthly for all linehaul freight charges that were paid late in the prior calendar month.</p> <p>LATE PAYMENT CHARGE – NON CREDIT CUSTOMERS: At its sole election, IERR may transport shipments for non-credit customers prior to receipt of payment of charges, as otherwise required herein, and all charges must be paid pursuant to Credit Terms provided herein. If not paid pursuant to Credit Terms, the above Finance Charge will be assessed. IERR will assess a late payment charge of 10% on the outstanding balance of any charge that has not been received by IERR within 15 days of the date of the applicable bill. The late charge is in addition to the Finance Charge. The late charge will not apply against any disputed charge that is found by IERR to have been incorrectly billed. This item shall be construed pursuant to the laws of the State of Florida.</p> <p>USURY LAW COMPLIANCE: IERR intends that the above Finance Charge rate and Late Payment Charge shall comply with applicable usury laws. Should either or both rates exceed the maximum allowable percentage, then the applicable rate(s) shall be automatically reduced to the maximum allowable percentage.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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<p align="center">RULES AND REGULATIONS - UNLIMITE</p>	<p align="center">RULES AND REGULATIONS -UNLIMITED</p>
<p>ITEM 25</p> <p align="center">RULES FOR CARGO SEALS</p> <p>I. GENERAL INFORMATION</p> <p>In some circumstances, shippers may choose to apply tamper-evident cargo seals to the openings of freight cars. Cargo seals are not intended to function as locks, but rather to provide evidence of possible tampering. Car seals of different types, sensitivity, and purpose, are commercially available from a number of suppliers. Most manufacturers of cargo seals apply a unique identifying number/letter number combination. Trade associations are often a good source of information for the customer and practice in that Industry.</p> <p>II. SEALS</p> <p>A. IERR does not furnish, apply, verify, or inspect cargo seals.</p> <p>B. Shippers and receivers must determine whether the application of seals to freight cars is necessary or appropriate given their knowledge of the product, its intended end use, and the terms of the contract for sales (if applicable).</p> <p>C. Shipper (consignor) is responsible for applying all cargo seals that are agreed upon by it and the receiver. When seals are applied, all doors, hatches, valves and other openings on the car must be sealed. Shipper (Consignor) must include each seal number in its bill of lading shipping instructions. IERR recommends that the name of the employee applying the seal(s) also be included.</p> <p>D. Claims</p> <p>1. IERR will not honor claims for loss, damage, or contamination of car contents based solely on the absence of one or more seals at the time of delivery at destination unless either:</p> <p>(i) The bill of lading shipping instructions must show the actual seal numbers, and reflect application of a number of seals equal to the number of hatches, doors, and other openings that are on the car; or</p> <p>(ii) There is clear and convincing evidence of actual loss, damage, or contamination other than the mere absence of one or more seals or apparent compromise of a seal which was applied on a prior movement and not removed.</p> <p>2. In processing claims, IERR reserves the right to request that the Consignor permit an audit at IERR's expense of Consignor's on-site seal records.</p>	<p>ITEM 35</p> <p align="center">HAZARDOUS MATERIALS - MOVEMENT OF</p> <p>The IERR will not accept movements of hazardous materials (materials classified as hazardous in 49 CFR 173) without prior approval of IERR. Shipper must contact IERR in advance to make arrangements for movement of hazardous materials.</p>
<p>ITEM 30</p> <p align="center">RULES TO GOVERN SETTLEMENT OF CLAIMS FOR LOSS OF GRAIN, ETC. AND FLAXSEED</p> <p>The following will govern the settlement of claims for loss of Grain, Grain Products, Grain By-Products and Related Commodities and Flaxseed:</p> <p>A. IERR will not be responsible for loss due to natural shrinkage.</p> <p>B. When carrier's liability for loss is established, one-fourth of one percent of the total weight of contents of car will be deducted from the shipping weight. This deduction represents reasonable shrinkage due to evaporation or other natural causes.</p> <p>C. In case of a disputed claim, the records of both claimant and the carrier will be available to both parties.</p> <p>D. Claims will be adjusted by carrier in accordance with the law that governs.</p>	<p>ITEM 40</p> <p align="center">HAZARDOUS OR DANGEROUS COMMODITIES MAY NOT BE LOADED OR UNLOADED ON PUBLIC DELIVERY OR TEAM TRACKS</p> <p>IERR will not permit Hazardous or Dangerous Commodities described below to load or unload at Public Delivery or Team Tracks:</p> <p>A. Class A, B or C Explosives, named in Part 172 Commodity List, Tariff ICC BOE 6000-Series.</p> <p>B. Hazardous materials, substances or wastes requiring the use of 4-digit identification Number on shipping, document, placards or panels, as named in Part 11, Section 172.101, Tariff ICC BOE 6000 Series.</p>
	<p>ITEM 45</p> <p align="center">RETURNING OF RAIL SECUREMENT DEVICES</p> <p>Enclosed Cars: The consignee is required to return and secure to the same car(s) all railroad-owned securement devices removed to complete unloading, security lock or bulkhead doors, close all top hatches and bottom outlets and exterior doors.</p> <p>Open Cars: The consignee is required to return and secure to the same car(s) all railroad-owned securement devices removed to complete unloading, store chains, ratchets, tension devices, and other appurtenances and close all bottom outlets.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	<p>ITEM 50</p> <p align="center">RETURN OF PALLETS, PLATFORMS, SKIDS, CONTAINERS, CARRIERS, OR OTHER SHIPPING DEVICES</p> <p>Unless specifically provided for in individual pricing documents and/or contracts, IERR will not provide free return (non-revenue movement) of pallets, platforms, skids, containers, carriers, or other shipping devices.</p> <p>EXCEPTION: Empty containers that contained waste are handled on IERR without charge if the empty movement was preceded, within the previous ninety (90) days, by a IERR revenue line-haul move for STCCs: 48 XXX XX, 28 197 XX, 40 112 XX or 40 291 XX.</p>

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SECTION 1 SWITCHING	SECTION 1 SWITCHING
ITEM 100	MISCELLANEOUS SWITCHING
DEFINITIONS	ITEM 150
<p>INTRA-PLANT SWITCHING -The term intra-plant switching means a switching movement from one location to another location within the confines of an industry.</p> <p>INTRA-TERMINAL SWITCHING – The term intra-terminal switching means a switching movement (other than intra-plant) from one location to another location within the switching limits of one station or industrial switching district of the same railroad.</p> <p>INTER-TERMINAL SWITCHING – The term inter-terminal switching means a switching movement from one railroad to another railroad when such movement is within the switching limits of the same station or industrial district.</p> <p>SWITCHING OF LOCOMOTIVES MOVING ON OWN WHEELS – Switching of locomotives, moving on own wheels, but not under own power, from one location to another location within the same switching district.</p>	SPECIAL MOVEMENTS
SWITCHING CHARGES	<p>Except as otherwise provided in the tariff, when special movements of cars or other equipment (including locomotives) are requested by patron, or required because of excessive dimension, excessive weight, high center of gravity, or other conditions not permitting during normal operation, the following charges will be assessed in addition to all other applicable rates:</p> <p>CHARGES:</p> <ol style="list-style-type: none"> At All Stations within Normal Service Hours - a charge of \$150.00 per hour will be assessed, subject to a minimum charge of \$600.00, if performed within 8 continuous hours. Should performance of service exceed 8 continuous hours the rate will be \$225.00 per hour for all hours in excess of 8 continuous hours. At All Stations not within Normal Service Hours - a charge of \$1,500.00 will be assessed. Should performance of service exceed 8 continuous the rate will be \$300.00 per hour for all hours in excess of 8 continuous hours. <p>CONDITIONS:</p> <ol style="list-style-type: none"> Reasonable notice must be given to IERR by the party requesting service under the provisions of this Item. All requests for Special Movements must be received in writing by IERR before service is performed. Time will be computed from the time engine and crew are dispatched from their on-duty location until the special movement has been performed and the engine and crew have returned to the point of dispatch. <p>(The IERR reserves the right, at its sole discretion, to determine when, if at all, and for what portions of the move, special movement is necessary.)</p>
<p align="center">ITEM 105</p> <p>Intra-Plant Switching.....\$175.00 Per Car Intra-Terminal Switching.....\$350.00 Per Car Inter-Terminal Switching.....\$350.00 Per Car</p>	DOE UNIT TRAINS - BAD ORDER CARS AND CARS SET OUT AFTER MAKEUP
<p align="center">ITEM 110</p> <p>Switching locomotives moving on own wheels: Charges will apply in each direction when the locomotive is moved for turning.....\$600.00 Per Unit</p>	<p>After make up of Unit Trains by DOE, a charge of \$350.00 per car will be assessed for cars developed bad order or setout from the train after makeup.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 1 SWITCHING	SECTION 2 STORAGE
MISCELLANEOUS SWITCHING	
<p>ITEM 160</p> <p align="center">SWITCHING ASSOCIATED WITH CARS DIVERTED AT INTERCHANGE STATION</p> <p>After receiving a car in interchange from a connecting carrier and the IERR is requested to return the car to connecting carrier at interchange prior to the car departing the interchange station in IERR line haul service or placing the car at an industry, the charge for handling the car will be \$350.00 per car</p>	<p>ITEM 200</p> <p align="center">STORAGE/HOLD CHARGE</p> <p>Cars, loaded or empty, held on storage/hold tracks of the IERR at the request of receiver or consignee, or any other condition not attributable to this railroad, will be subject to storage/hold charge of \$40.00 per car per day, or fraction of a day, computed from time car is first held until car is released from storage/hold track. (See Exception)</p> <p>EXCEPTION: The IERR will assess U S Department of Energy a charge of \$1500.00 per week for holding available storage tracks IERR Shandon Siding, including storage of cars, for the DOE.</p>
<p>ITEM 165</p> <p align="center">SHIPMENTS AWAITING SHIPPING INSTRUCTIONS OR FORWARDING DIRECTIONS</p> <p>Shipments moved (loaded cars or railroad equipment and locomotives on own wheels in revenue service) from loading tracks to carrier's tracks or shipper's leased tracks, or reverse, or received from a connecting carrier, without forwarding instructions:</p> <ol style="list-style-type: none"> When on shipper's order, a shipment is moved by IERR from industry or team track, or is received from a connecting carrier, and held on IERR's tracks or shipper's leased tracks awaiting shipping instructions or forwarding directions, the move will be subject to a switching charge of \$500.00 per car. The switching charge will be assessed against the party ordering the shipment moved. When on shipper's order, shipment is subsequently returned from whence it came, the return move will be subject to a switching charge of \$500.00 per car. For IERR's convenience, shipments may be physically held at locations other than the origin terminal. However, such shipments will be considered as being held at origin for the assessment of switching and demurrage charges, as well as the origin point of shipment when billing instructions are received. Forwarding instructions are shipping instructions provided to IERR at point of loading, containing all necessary information to transport the shipment to the final destination. <p>Each shipment will remain on continuous demurrage until forwarding directions are received and any charges that may accrue will be the responsibility of the consignor of the switching movement.</p>	<p>ITEM 205</p> <p align="center">SWITCHING TO AND FROM STORAGE/HOLD TRACKS</p> <p>The IERR will assess a charge of \$350.00 per car for moving cars into and out of storage. The charge will apply in each direction.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 3 MISCELLANEOUS RULES AND CHARGES	SECTION 3 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 300</p> <p align="center">CARS INTERCHANGED IN ERROR</p> <p>A charge of \$350.00 per car will be assessed delivering carriers on all cars, including bad order cars, interchanged to the IERR in error.</p>	<p>ITEM 320</p> <p align="center">TURNING CARS TO PERMIT LOADING OR UNLOADING AT STOP-OFF POINTS OR UNLOADING AT DESTINATION</p> <p>A. When it is desired that cars be placed for loading or unloading at stop-off points or unloading at destination from a particular side or end of car, the car must be placarded on both sides and notation made on shipping document substantially as follows:</p> <p align="center">NOTICE TO CARRIER</p> <p>Deliver car from side or end specified by placard</p> <p>B. If shipping document carries notation that car was placarded and placard(s) has disappeared, charge for turning will NOT apply.</p> <p>C. On cars not properly placarded that IERR is requested to turn after initial placement, the following charges will apply:</p> <ol style="list-style-type: none"> 1. If turned within confines of an industry \$175.00 per car 2. If turned outside confines of industry \$350.00 per car
<p>ITEM 305</p> <p align="center">EMPTY CARS ORDERED BUT NOT LOADED</p> <p>On empty cars that are ordered for loading and order is canceled and car is in route, or the service of switching or placing of car has been performed and the car is not loaded but returned to this railroad empty, a charge of \$350.00 per car will be assessed and collected from the person, firm or corporation ordering such cars. (See Note, this item.)</p> <p>Note - Charge will not apply on cars unfit for loading, see Item 135, this tariff.)</p>	<p>ITEM 325</p> <p align="center">CAR CLEANING REQUIREMENTS FOR CARRIER SUPPLIED RAILCARS</p> <p>(This item does not apply to shipper owned or shipper leased equipment.) Pursuant to Rule 27 of the Uniform Freight Classification 6000 Series, car(s) must be unloaded completely prior to release as empty.</p> <p>When Carrier supplied rail equipment is furnished to a consignor for loading and placed at consignee for unloading, the empty car(s) must be returned to IERR in a condition reasonably suitable for immediate reloading of the same or a compatible commodity. The consignee is responsible for removing all materials from the rail car(s), including lading, dunnage, loading or unloading enhancement materials, and any other miscellaneous debris. IERR reserves the right to assess charges to the consignee for all associated removal costs, including the switching and forwarding of car(s) to the nearest non-railroad owned clean-out facility, at a minimum charge\$500.00 per car.</p> <p>Note: IERR Does Not Provide Car Cleaning Services.</p>
<p>ITEM 310</p> <p align="center">IMPROPER CARS FURNISHED FOR LOADING BY CONNECTING LINES</p> <p>When cars ordered by industries for loading are refused on account of not being in proper condition to load, a charge of \$350.00 per car will be assessed against the railroad furnishing the car.</p>	
<p>ITEM 315</p> <p align="center">OVERLOADED CARS</p> <p>Cars found to be overloaded will be subject to the following additional charges:</p> <ol style="list-style-type: none"> (1) \$400.00 per car - When a car is discovered to be overloaded at loading point or within the confines of the industry. Charge to be assessed consignor. (2) \$500.00 per car - When a car is discovered to be overloaded beyond loading point or confines of the industry. Charge to be assessed consignor. <p>(It will be the responsibility of the consignor to adjust the lading at their own expense sufficient to eliminate the overload condition.)</p> <ol style="list-style-type: none"> (3) \$500.00 per car - When a car is received in interchange from connections and is found to be overloaded, such car will be returned to delivering carrier for adjustment to lading to eliminate the overload condition. Charge to be assessed delivering carrier. 	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

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SECTION 4 DIVERSION RULES AND CHARGES	SECTION 4 DIVERSION RULES AND CHARGES
<p>ITEM 400</p> <p align="center">DIVERSION RULES AND CHARGES</p> <p align="center">DEFINITION OF THE TERM DIVERSION</p> <p>The term “diversion” means any order received by IERR that requires:</p> <ul style="list-style-type: none"> A. A change in the billing/shipping document of a shipment, or B. A change in the party responsible for payment of transportation charges (freight payer) of a shipment, or C. Stopping a car for the purpose of delivery or re-forwarding. <p align="center">APPLICATION</p> <p>A. These provisions are applicable only when IERR:</p> <p>Has possession of the car as a line-haul carrier, or has advanced waybill information prior to receiving the car from a connecting carrier. (For provisions to apply when carrier receives a car in interchange from a connecting carrier and is requested to return the car to the interchange location see Item 160)</p> <p>B. Orders for diversions will only be accepted from:</p> <ul style="list-style-type: none"> 1. Consignor 2. Consignee 3. Freight payer 4. Another railroad participating in the line-haul movement. 5. Authorized representatives of the Consignor, Consignee or Freight Payer, effected under these provisions. <p>C. Diversion orders must be received prior to the car reaching the billed destination, except the following:</p> <ul style="list-style-type: none"> 1. A change in the Consignee, if requested prior to the car being Actually Placed (placement of the car in an accessible position for unloading or at a point designated by the consignee). 2. A change in the following may be requested after the car has been Actually Placed: <ul style="list-style-type: none"> a. Commodity shipped b. From prepay to collect or reverse c. Freight payer d. Consignor <p>D. Order Notify Shipments</p> <ul style="list-style-type: none"> 1. Diversion orders will not be accepted on “Order Notify” bill of lading consignments. 2. Orders will not be accepted to change the status of a shipment from a “Straight” bill of lading consignment to an “Order Notify” bill of lading consignment after the “Straight” bill has been executed. <p>E. Diversion orders must be made in writing. Verbal orders may be given to IERR, but written confirmation of verbal orders must also be sent to IERR.</p> <p>F. All charges against the consignment, whether accrued or accruing, must be paid or guaranteed to the satisfaction of IERR before the car is diverted.</p>	<p>ITEM 405</p> <p align="center">HOLDING IN TRANSIT</p> <p>A. At other than billed destination:</p> <ul style="list-style-type: none"> 1. Notice of arrival will be given to the party on whose order the car is held when the car reaches the holding station. 2. The car will be held at a location on IERR’s tracks and will be SUBJECT TO DIVERSION CHARGE NO. 2 “HOLDING” for the holding privilege. This charge will be billed at the time notice to hold the car is received by IERR and is not refundable in the event the car is not physically held. 3. If the car is ordered to the original billed destination or diverted to another destination following the initial holding of the car, it will be SUBJECT TO DIVERSION CHARGE NO. 1 “CHANGE IN DESTINATION”. 4. Additional movement of the car at the station where the car is held: <ul style="list-style-type: none"> a. If the car is ordered to be moved to another location at the hold station, it will be subject to the local switching charges. b. Any additional orders for movement of the car at the hold station will be subject to the local switching charges for each ordered movement of the car. c. If the car is ordered to the original billed destination or diverted to another destination after either of the preceding additional movements (a. or b.), it will be SUBJECT TO DIVERSION NO. 1 “CHANGE IN DESTINATION”. <p>B. At billed destination:</p> <ul style="list-style-type: none"> 1. Notice for holding the car at destination must be received prior to actual placement of the car. 2. Notice of arrival will be given to the party on whose order the car is held when the car reaches the billed destination. 3. The car will be held at a location on IERR’s tracks and will be subject to DIVERSION CHARGE NO. 2 “HOLDING” for the holding privilege. This charge will be billed at the time notice to hold the car is received by IERR and is not refundable in the event the car is not physically held. 4. Cars completely unloaded at the billed destination: <ul style="list-style-type: none"> a. If the car is ordered to the original billed consignee and location, a diversion charge will not be assessed. b. If the car is ordered to other than the billed consignee or location, the change will be subject to DIVERSION CHARGE NO. 3 – “MISCELLANEOUS DIVERSIONS” c. Any additional orders for movement of the car prior to an order for delivery will be subject to the local switching charges. 5. Cars diverted beyond the billed destination: <ul style="list-style-type: none"> a. Any additional orders for movement of the car prior to an order for diversion will be subject to the local switching charge. b. If the car is diverted beyond the billed destination, it will be SUBJECT TO DIVERSION CHARGE NO. 1 “CHANGE IN DESTINATION”.
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF IERR 8000

SECTION 4 DIVERSION RULES AND CHARGES	SECTION 4 DIVERSION RULES AND CHARGES
<p>ITEM 410</p> <p align="center">CHANGING A DIVERSION ORDER</p> <p>A. Requests to cancel a previous order to “change destination or route” will be SUBJECT TO DIVERSION CHARGE NO. 1 “CHANGE IN DESTINATION” OR “CHANGE IN ROUTE” as the case may be.</p> <p>B. Only one (1) change in “Destination” or “Route” will be authorized under these provisions. Requests for additional changes will be executed as a shipment terminating and originating at the diversion station.</p> <p>C. Requests for changes (including cancellations) of a previous order, will be SUBJECT TO DIVERSION CHARGE NO. 3 “MISCELLANEOUS DIVERSIONS”. This charge will not apply to:</p> <ul style="list-style-type: none"> - Change/cancellation in “DESTINATION” or “ROUTE” orders - Cancellation of “HOLDING IN TRANSIT” orders when the car has not physically been held <p>D. If a car, that is billed for “stopping-in-transit”, is completely unloaded at the stop-off station, that transaction will be considered a diversion and SUBJECT TO DIVERSION CHARGE NO. 3 “MISCELLANEOUS DIVERSION”.</p> <p>IERR RESPONSIBILITY TO EFFECT DIVERSIONS:</p> <p>A. IERR will make a diligent effort to effect a desired diversion when the car is in IERR’s possession.</p> <p>B. IERR will not assume any responsibility for effecting a diversion after a car has been interchanged to a connecting railroad for a line haul movement.</p> <p>C. IERR will not assume any responsibility for effecting a diversion at a specified location under the following conditions:</p> <ol style="list-style-type: none"> 1. When a car has been classified or assembled into a train for outbound movement. 2. When a car has been placed in “pre-blocked” or “run-through” train service. In this situation, a car may be diverted. <p>D. IERR will not be responsible for executing a diversion order on a specified day or time of day.</p> <p>E. IERR will not be responsible for increased charges when the diversion cannot be accomplished at the desired location.</p> <p>DIVERSION CHARGES:</p> <p>A. When the applicable diversion provisions have been met and the line-haul transportation price authorizes diversions, the following diversion charges will apply and will be assessed against the party requesting the diversion.</p> <p align="center">“CHARGE NO. 1”</p> <ol style="list-style-type: none"> 1. On changes in the following the charge will be - \$275.00 per car <ol style="list-style-type: none"> a. Consignee (Applicable only when change is requested after arrival of car at actual destination or the destination serving yard location, but prior to actual placement) b. Destination c. Route (a change in the delivering railroad at destination, when that railroad will perform reciprocal switching, does not constitute a change in route) <p align="center">(Continued in next column)</p>	<p>ITEM 410 (Cont’d)</p> <p>DIVERSION CHARGES: (Cont’d)</p> <p align="center">“CHARGE NO. 2”</p> <ol style="list-style-type: none"> 2. Holding - \$176.00 per car <p align="center">“CHARGE NO. 3”</p> <ol style="list-style-type: none"> 3. On changes for the following the charge will be - \$110.00 per car <ol style="list-style-type: none"> a. When an overcharge claim is submitted based on a change in the description of the commodity shipped <p>Note 1 – This change may “only” be requested when submitted “in writing” along with a “signed” amendment to the original bill of lading addressed to the IERR.</p> <p>Note 2 – Claimant must provide IERR with a signed, amended bill of lading for the shipment(s) involved. In the event the claim is honored, the charge for this service will be deducted from the refund.</p> <ol style="list-style-type: none"> a. A change in the party responsible for payment of transportation charges (freight payer) of a shipment b. A change of the shipment from “Prepay” to “Collect”, or the reverse c. A change in the consignor, when the order is received after actual placement at destination <p>4. Cancellation or original shipping document: After shipment has been pulled from industry or team tracks at origin, charges to be applied as associated with disposition instructions.</p> <p>5. All other diversions – No charge</p> <p>EXCEPTIONS:</p> <ol style="list-style-type: none"> 1. The diversion charge will not be assessed when a combination of rates is assessed as if the shipment terminated and originated at the diversion station. This Exception does not apply to “CHARGE NO. 2”. 2. If a single diversion order, given at one time, contains a request for more than one change in the billing/shipping document, only one charge will be assessed, which will be for the change bearing the highest charge. 3. When the applicable diversion provisions have not been met or the line haul transportation price does not authorize diversions, the shipment will be subject to the combination of rates on a shipment terminating and originating at the diversion station.
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF IERR 8000

SECTION 5 DEMURRAGE RULES AND CHANGES	SECTION 5 DEMURRAGE RULES AND CHANGES
<p>ITEM 500</p> <p style="text-align: center;">APPLICATION</p> <p>This section applies to all IERR served customers and covers all railroad and private marked freight car(s) held for or by the customer(s), with the following exceptions:</p> <p>A. Car(s) used in the shipment of commodities (company material) purchased by IERR B. Private car(s), on private tracks, except as provided in Item 535. C. Car(s) containing refused or unclaimed freight to be sold by IERR D. Empty car(s) rejected as unsuitable for loading.</p> <hr/> <p>ITEM 505</p> <p style="text-align: center;">DEFINITIONS</p> <p>ACTUAL PLACEMENT – When a car(s) is placed in an accessible position for loading or unloading or, at a point designated by the consignor or consignee.</p> <p>CONSIGNEE – The party to whom a shipment is consigned, or the party entitled to receive the shipment.</p> <p>CONSIGNOR – The party in whose name a car(s) is ordered; or the party who furnishes forwarding directions.</p> <p>CONSTRUCTIVE PLACEMENT – When, due to some disability on the part of the consignor or consignee, a car cannot be placed for loading or unloading and is placed elsewhere, it is considered as being under constructive placement and subject to demurrage rules and charges, the same as if it were actually placed at the designated point.</p> <p>CREDIT – A non-chargeable demurrage day. Credits may be earned when a car(s) is released by the customer and is used to offset chargeable demurrage days.</p> <p>DEMURRAGE DAY – A twenty-four (24) hour period (calendar day), or part thereof, commencing 0001 after tender.</p> <p>DISPOSITION – Information, including forwarding instructions or release, that allows the railroad to either tender or release the car(s) from the consignor's or consignee's account.</p> <p>DIVERSION – An order provided by the consignor instructing that a car (s) be delivered to a location other than the one indicated on the original forwarding instructions.</p> <p>EMPTY CAR(S) ORDERED AND NOT USED – Empty car(s), placed for loading as ordered, and subsequently released without being used in transportation service.</p> <p>EMPTY RELEASE INFORMATION – Advice provided by the consignee to authorized personnel, that the car(s) is unloaded and available. This information must include the identity of the consignee, party furnishing information, and the car(s) initial and number.</p> <p>FORWARDING INSTRUCTIONS – Shipping instructions provided at the point of loading that contain all of the necessary information to transport the shipment to its final destination.</p> <p>LEASE TRACK – Track(s) assigned to a user through a written agreement. Lease tracks will be treated the same as private tracks.</p> <p>LOADING – The complete or partial loading of a car(s) in conformity with loading and clearance rules and, the furnishing of forwarding instructions.</p> <p style="text-align: right;">(Continued in next column)</p>	<p>ITEM 505 (Cont'd)</p> <p style="text-align: center;">DEFINITIONS (Cont'd)</p> <p>LOADED CAR(S) – A car(s) that is completely or partially loaded</p> <p>NOTIFICATION – 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>ORDER DATE – The date that the consignor requests empty car(s) to be furnished for loading.</p> <p>OTHER THAN PUBLIC DELIVERY TRACK – Any trackage assigned for individual use, including privately owned or leased tracks.</p> <p>PARTIAL UNLOADING – The partial unloading of a car(s) and furnishing of the proper forwarding or handling instructions.</p> <p>PRIVATE CAR(S) – A car(s) bearing other than railroad reporting marks that is not railroad-controlled.</p> <p>PRIVATE TRACK – Tracks that are not owned or leased by the railroad.</p> <p>PUBLIC DELIVERY TRACK – Track that is open to the general public for loading and unloading.</p> <p>RAILROAD-CONTROLLED CAR(S) – A car(s) bearing other than railroad reporting marks that is either leased or controlled by a railroad.</p> <p>RECONSIGNMENT – 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>REFUSED LOADED CAR(S) – When the original loaded car(s) is refused at destination without being unloaded.</p> <p>RELOADING – When a car(s) is held for loading after being released as an empty.</p> <p>RESHIPMENT – A new document by which the entire original shipment is forwarded in the same car(s) to another destination.</p> <p>SERVING YARD – A classification yard where the local train serving the customer originates.</p> <p>SHIPPER ASSIGNED CAR(S) – Specific empty car(s) assigned to a particular shipper for their exclusive use.</p> <p>STOPPED IN TRANSIT – When a car(s) is held en route due to any condition attributable to the consignor, consignee, or owner.</p> <p>TENDER – The notification, actual or constructive placement, of an empty or loaded car(s).</p> <p>TIME – Local time is applicable and is expressed on the basis of the 24-hour clock. Example: 12:01 AM is expressed as 0001 Hours.</p> <p>UNLOADING – The complete unloading of a car(s), and the advice received from the consignee that the car(s) is empty and available to the railroad.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF IERR 8000

**SECTION 5
DEMURRAGE RULES AND CHANRGE**

ITEM 510
NOTIFICATION TO CONSIGNOR OR CONSIGNEE

A. IERR will furnish the following notifications as indicated:

1. Cars for other than public delivery tracks:
 - a. Notice of constructive placement if car(s) are held on IERR tracks due to reasons attributable to the consignor or consignee.
 - b. Delivery of car(s) upon tracks of consignee will constitute notice.
 - 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.
2. Cars for public delivery tracks:
 - a. Notice will be given to the party entitled to receive notification when car(s) is actually placed.
3. Cars stopped In transit :
 - a. Notice will be given to the consignor, consignee or owner responsible for the car being stopped upon arrival of the car at the point of stoppage.
4. Refused loaded car(s):
 - a. When a loaded car is refused at destination, IERR will give notice of such refusal to the consignor or owner.

B. Notification may be given in writing or electronically, and will contain the following:

1. Car initials and number.
2. If lading transferred en route, the initials and number of the original car.
3. Commodity.

ITEM 515
NOTIFICATION TO IERR

A. IERR will accept forwarding instructions, empty release information or, other disposition twenty-four hours via Fax at (765) 458-0201.

B. When electronic or mechanical devices are used to furnish notification to IERR, the recorded date and time that the instructions are received will govern.

ITEM 520
HANDLING OF SHIPPER ASSIGNED CAR(S)

A. APPLICATION

1. The shipper must provide advance notice for all car assignment requests, in writing, in the following form:

(Company Name) hereby requests the assignment of car(s) (Enter the number of cars here), (Enter car type here), located at (Enter location here). If said assignment, is granted by IERR, it is understood that the car (s) will be subject to the rules and charges in IERR Tariff 8000-series.

(Signed & Date)

(Title)

Accepted by IERR on (Enter date here), (Enter the number of cars here) car(s) will be placed in this assignment.

BY: _____

TITLE: _____

2. Assignment of car(s) will be at the sole discretion of IERR.

3. When IERR agrees to an assignment of car(s), the assignee will be notified by the accepted return of the assignee's written request.

For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.

**SECTION 5
DEMURRAGE RULES AND CHANRGE**

ITEM 520 (Cont'd)
B. RELEASE OF CAR(S) FROM ASSIGNMENT

1. The assignee may release car(s) from assignment by providing notice to IERR, in writing or confirmed in writing, at least one (1) day prior to the date of the desired release.
2. IERR will select the car(s) to be removed from the assignment.
3. Assignee will not be permitted to release car(s) until all shipper-owned appurtenances have been removed.

ACCOUNTABILITY AND CHARGES

The shipper assigned car(s) will be subject to the "car(s) held for loading" provisions in Item 530.

ITEM 525
PRIVATE CAR APPLICATION FOR RAILROAD MARKED CARS

IERR is aware that shippers, acting as consignors and/or consignees, may sometimes lease railcars from other railroads for shipments that may originate or terminate on IERR. Such railcars normally contain the reporting marks of the lessor railroad. In order to avoid the assessment of demurrage charges by IERR when such railcars are located on private or leased tracks, on IERR rail lines, it is necessary that shippers apply to, and receive the approval of, IERR for the designation of such cars as "private" cars for the purposes of demurrage.

A. APPLICATION:

1. Shippers must submit a written application that is received by IERR not less than thirty (30) days prior to the date that the shipper desires the "private" car designation to take effect. The application must include:
 - The name of the shipper
 - The name of the lessor railroad
 - A listing of the reporting marks of the railcars leased by the shipper from the lessor railcar
 - The type of railcar
 - The length of time requested for the private railcar designation

The application must be sent to the IERR.
2. Upon the request of IERR, shipper agrees to furnish a copy of the applicable railcar lease to IERR.
3. IERR will provide a written reply to each application within thirty (30) days of receipt of the application. IERR, in its sole discretion may accept or reject the application in whole or in part. IERR may accept a smaller number of railcars than requested and/or for a shorter amount of time.

B. ACCOUNTABILITY AND CHARGES:

1. While the acceptance is in effect, the applicable railcars will not be assessed demurrage by IERR when such railcars are located on private sidetracks that connect with IERR or on IERR tracks that are leased for storage or loading/unloading purposes.
2. At the end of the period designated by IERR the railcars will return to "railroad" marked status for demurrage purposes. If the shipper wishes to extend the "private" marked status for the railcars, a new application must be received by IERR not later than thirty (30) days prior to the end of the period. IERR may accept or reject the application, as provided herein

FREIGHT TARIFF IERR 8000

SECTION 5 DEMURRAGE RULES AND CHANRGE	SECTION 5 DEMURRAGE RULES AND CHANRGE
<p>ITEM 530</p> <p align="center">CAR(S) HELD FOR LOADING</p> <p>TENDER: Shipper Assigned Car(s): A. The notification that an empty car is available. Other than Shipper Assigned Car(s): A. The notification, actual or constructive placement, of empty car(s) placed on orders of the consignor. B. Cars held by IERR will be constructively placed on "order date" if the car order is not cancelled prior to the order date or, if placement instructions have not been received by IERR.</p> <p>RELEASE: A. Date and time forwarding instructions are received. 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. C. Improperly loaded or overloaded car(s) at origin will not be considered released until the load has been adjusted properly. D. Shipper assigned car(s) released: 1. When car(s) are released to a rail carrier other than IERR at a jointly served facility location (an industry switched by IERR and another railroad), the car(s) are considered released by IERR upon interchange to the other carrier. 2. Car(s) released from assignment by the assignee will be considered released from demurrage at the first 0001 hour after the release from the assignment. (Release from assignment cannot be made retroactive). 3. During plant shutdowns, car(s) must be released from assignment to prevent demurrage from accruing.</p> <p>COMPUTATION: A. Time will be computed from the first 0001 hours after tender until the release. B. If the car is placed earlier than the date of the order, time will be computed from the first 0001 hours after the order date until it is released. C. When the same car is unloaded and reloaded, time will be computed from the first 0001 hours after advice is received that the car(s) is empty until the car(s) is released. D. 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.</p> <p>CREDITS: A. Credits will be allowed for each car released from loading in accordance with the Table of Charges in Item 550. B. One additional credit will be allowed on a car when it has a demurrage day occurring on: 1. Thanksgiving Day 2. Christmas Day 3. New Year's Day</p>	<p>ITEM 535</p> <p align="center">CAR(S) HELD FOR COMPLETE UNLOADING</p> <p>The application of demurrage under this item for loaded private car(s) held on private tracks at the destination, will apply only when all of the following conditions have been met:</p> <ol style="list-style-type: none"> The shipping document furnished to direct the movement of the car (s) to the unloading station contains an endorsement substantially stating that: <ul style="list-style-type: none"> – car(s) is subject to demurrage at destination when held on private tracks as provided in destination carrier's tariff, <p align="center">or</p> <ul style="list-style-type: none"> – car(s) is subject to Item 535, IERR 8000 Series When the shipping document is provided in an electronic format, the appropriate ANSI (American National Standards Institute) Special Handling Code should be furnished to reflect Condition Number 1. If the Special Handling Code is furnished, inclusion of the endorsement language in Condition Number 1 is optional. The notation of the shipping document is declared before the car leaves the initial origin. <p>TENDER: The notification, actual or constructive placement, of a loaded car(s).</p> <p>RELEASE: A. Date and time that the railroad receives advice that the car(s) is empty.</p> <p>EXCEPTION: When in connection with the Unit Trains release will occur the date and time that the railroad receives advice that all cars in the Unit Train are empty.</p> <p>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. 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.</p> <p>COMPUTATION: Time will be computed from the first 0001 hours after tender until release.</p> <p>CREDITS: A. Credits will be allowed for each car released from unloading in accordance with the Table of Charges in Item 550. B. One additional credit will be allowed on a car when it has a demurrage day occurring on: 4. Thanksgiving Day 5. Christmas Day 6. New Year's Day</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF IERR 8000

SECTION DEMURRAGE RULES AND CHANRGE
<p>ITEM 540</p> <p align="center">PRIVATE CAR(S) AND RAILROAD CAR(S) HELD FOR OTHER THAN LOADING OR UNLOADING</p> <p>Applies to car(s) held:</p> <p>A. On orders of consignor or consignee. B. Awaiting proper disposition from the consignor or consignee. C. As a result of conditions attributable to consignor or consignee.</p> <p>DISPOSITION: That information, including forwarding instructions or empty release information, that allows the railroad to either tender or release the car from the consignor's or consignee's account.</p> <p>TENDER: The notification, actual or constructive placement of a loaded car(s).</p> <p>RELEASE: Date and time that the railroad receives advice that the car is empty, or that forwarding instructions are received.</p> <p>COMPUTATION: Time will be computed from the first 0001 hours:</p> <p>A. After tender, until release, on car(s):</p> <ol style="list-style-type: none"> 1. Diverted 2. Empty for loading – ordered and not used (other than a rejected car) 3. Partially unloaded 4. Reconsigned 5. Reshipped 6. Stopped in transit <p>B. After car(s) are received by IERR until date of disposition on:</p> <ol style="list-style-type: none"> 1. Car(s) received from connecting carriers 2. Loaded private car(s) returned to railroad tracks 3. Empty car(s) moving as freight with STCC 37 422 XX <p>C. After tender until date of refusal on:</p> <ol style="list-style-type: none"> 1. Refused loaded car(s) (consignee) <p>D. After tender until date of disposition on:</p> <ol style="list-style-type: none"> 1. Refused loaded car(s) (consignor) <p>E. After tender until release or placement on private tracks on:</p> <ol style="list-style-type: none"> 1. Loaded private car(s) – while held on railroad tracks. 2. Empty car(s) moving as freight with STCC 37 422 XX <p>CREDITS: Credits will be allowed for each car released, or on which disposition is provided in accordance with the Table of Charges in Item 550.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>

SECTION DEMURRAGE RULES AND CHANRGE																				
<p>ITEM 545</p> <p align="center">DEMURRAGE PLAN</p> <p>A. Settlement of charges will be made monthly on all car(s) released during each calendar month. B. Credits earned and demurrage days accrued by customers having facilities at separate stations cannot be combined. C. Credits earned, and demurrage days accrued, will be calculated separately in accordance with the Table of Charges in Item 550. D. Excess credits earned for one demurrage transaction cannot be used to offset days for another demurrage transaction. E. Excess credits earned cannot be used to offset demurrage between loading and unloading credits. F. Excess credits earned in one calendar month cannot be used to offset demurrage days in another calendar month. G. Unless otherwise advised, in WRITING, that another party is willing to accept responsibility for demurrage, consignor at origin or consignee at destination will be responsible for the payment of demurrage charges.</p> <p>H. Calculation of charges:</p> <ol style="list-style-type: none"> 1. Total demurrage days for all car(s) released will be added 2. Total credits for all car(s) released will be added 3. If total days exceed the total credits, calculation of charges will be made as follows: <ol style="list-style-type: none"> a. Subtract number of total credits from total demurrage days to determine number of chargeable days b. Chargeable days will be assessed charges in accordance to the Table of Charges in Item 550. 																				
<p>ITEM 550</p> <p align="center">DEMURRAGE CHARGES</p> <table border="1"> <thead> <tr> <th align="center">Demurrage Application</th> <th align="center">Car Equipment as Published in: The Official Railway Equipment Register</th> <th align="center">Credits</th> <th align="center">Daily Charge</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Railroad cars, including "railroad controlled private equipment"</td> <td rowspan="2">Railroad equipment</td> <td align="center">Loading: 1</td> <td align="center">\$60.00</td> </tr> <tr> <td align="center">Unloading: 2</td> <td align="center">\$60.00</td> </tr> <tr> <td rowspan="2">Empty cars and locomotives moving on own wheels in revenue service (STCC: 37 411 XX 37 422 XX)</td> <td rowspan="2">Railroad equipment and Industry controlled private railcars</td> <td align="center">Origin: 1</td> <td align="center">\$60.00</td> </tr> <tr> <td align="center">Destination: 2</td> <td align="center">\$60.00</td> </tr> <tr> <td>All shipments for other than loading or unloading</td> <td>Railroad equipment and industry controlled private railcars</td> <td align="center">Origin/ Destination or Transit: 1</td> <td align="center">\$60.00</td> </tr> </tbody> </table>	Demurrage Application	Car Equipment as Published in: The Official Railway Equipment Register	Credits	Daily Charge	Railroad cars, including "railroad controlled private equipment"	Railroad equipment	Loading: 1	\$60.00	Unloading: 2	\$60.00	Empty cars and locomotives moving on own wheels in revenue service (STCC: 37 411 XX 37 422 XX)	Railroad equipment and Industry controlled private railcars	Origin: 1	\$60.00	Destination: 2	\$60.00	All shipments for other than loading or unloading	Railroad equipment and industry controlled private railcars	Origin/ Destination or Transit: 1	\$60.00
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SECTION DEMURRAGE RULES AND CHANRGE	SECTION DEMURRAGE RULES AND CHANRGE
<p>ITEM 555</p> <p align="center">HAZARDOUS MATERIALS</p> <p>Pursuant to 49 CFR § 174.16, Consignees are required to accept delivery of carload traffic of hazardous materials within 48 hours after notice of arrival has been sent or given to the Consignee. Consignees that anticipate that they will not routinely be able to accept delivery in a timely fashion should make alternative arrangements for storage of cars. IERR does not hold itself out to provide storage of cars containing hazardous materials, but where it does so as a necessary accommodation to a Consignee, the cars will be held subject to IERR's right to assess reasonable charges as established in IERR 8000. Notwithstanding the establishment and/or assessment of storage charges, cars not accepted within 48 hours are subject at all times thereafter to IERR's rights under 49 CFR Sec. 174.16 to contact Consignor and request orders for disposition or to dispose by sale under the terms of that regulation. Item - 555 does not apply to Division 1.1 or 1.2 (explosive) materials, which will be handled by IERR at all times in accordance with the provisions of 49 CFR 174.16.</p>	<p>ITEM 560 (Cont'd)</p> <p align="center">CLAIMS (Cont'd)</p> <p>BUNCHING CLAIMS In no case will demurrage relief be granted from bunching unless this railroad receives a claim in writing within thirty days (30) from the date that the bill for demurrage is rendered. A statement certifying the car initial and number must support this claim, and either the date and point of the shipment, or the common point arrival date for each car involved in the bunching claim. The date of shipment shall be the forwarding date that the directions were furnished to the railroad for movement of the car (s) to the unloading point. The point of shipment is where the forwarding directions were effected for movement of the car to the point of unloading.</p> <p>B. MISSED SWITCH ALLOWANCE: An allowance for missed switching will be made for cars held under Constructive Placement Notification when IERR is unable to place the cars in response to the customer's orders.</p> <p>C. STRIKE INTERFERENCE: When it is impossible to load, unload, receive car(s) from or make car (s) available to IERR because of strike interference at the point where the loading or unloading is to occur; demurrage days will be charged at the rate of \$25.00 during the strike interference period, provided that:</p> <ol style="list-style-type: none"> 1. The disruption exceeds ten (10) days in duration during one calendar month 2. The provisions of this item will not apply to: <ol style="list-style-type: none"> a. Inbound car(s) when waybills are dated four (4) days after the beginning of strike interference b. Car(s) for loading, when ordered after the beginning and prior to the ending of strike interference <p>D. WEATHER INTERFERENCE:</p> <ol style="list-style-type: none"> 1. If the operations of the consignor or consignee are disrupted due to earthquakes, tornadoes, hurricanes, floods or heavy snow, the demurrage directly chargeable thereto, will be eliminated, provided the disruption exceeds (2) days in duration. 2. Frozen lading in open-top hopper car(s) (Tariff RER 6413-series car type code "H" or "K"). <p>E. RAILROAD ERROR:</p> <ol style="list-style-type: none"> 1. If through railroad error, demurrage charges are assessed, demurrage will be adjusted to the amount that would have accrued if not for the error. 2. Run-around of car(s) will not be considered as a railroad error.
<p>ITME 560</p> <p align="center">CLAIMS</p> <p>A claim must be submitted in writing to the name and number on the bottom of the freight bill within ninety (90) days from the date that the bill for demurrage is rendered. The conditions for submitting the claim should be fully stated.</p> <p>A. BUNCHING:</p> <ol style="list-style-type: none"> 1. Cars Tendered for Loading - When cars are bunched and placed for loading in accumulated numbers in excess of the normal daily placing as ordered, because of delay or irregularity in filling orders, the shipper shall be allowed the free time for loading he would have received had the cars been placed for loading as ordered. 2. Cars Tendered for Unloading – When cars are bunched and placed for unloading in accumulated numbers in excess of daily shipments as a result of: <ol style="list-style-type: none"> 1. the act, or neglect of this railroad 2. flooding, earthquakes, hurricanes, or tornadoes, 3. conditions in devastated areas resulting from any of the above The consignee shall be allowed, for those cars tendered for delivery by this railroad in accumulated numbers in excess of daily shipments, the free time for unloading that he would have received had the cars not been bunched. This is providing they meet the following criteria. However, when any car(s) is released before the expiration of the prescribed free time, or the adjusted free time, the next cars bunched therewith will be treated as tendered the next 12:00 midnight following such release. <p>CRITERIA</p> <ol style="list-style-type: none"> 1. cars originating at the same point, moving via the same route and consigned to one consignee at one point 2. cars originating at different points and transported via the same route from an intermediate common point to destination (bunched after arrival to common point) <p>(The date of arrival of cars at the common point will govern in determining the bunching instead of the date of shipment.)</p> <p>For the purpose of applying this item, cars moving from different points or via different routes to destination, and arriving on different dates, will not be considered bunched if tendered for delivery on the same day. The consignee shall be allowed the free time that he would have received had the cars been placed or tendered for placement in the order of their arrival. Cars arriving on Sundays and holidays will not be considered bunched when tendered for delivery on the first day thereafter that is not a Sunday or holiday.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

FREIGHT TARIFF IERR 8000

EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS	
ITEM 99999	
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ABBREVIATION OR REFERENCE MARK	EXPLANATION
IERR..... DOE	Indiana Eastern Railroad, LLC U. S. Department of Energy
[A]..... [I]..... [NC]..... [R].....	Addition Increase No Change Reduction/Decrease