

NEW YORK NEW JERSEY RAIL, LLC



FREIGHT TARIFF NYNJ 8000-D

(For cancellations, see Item 1, this tariff)

DEMURRAGE, SWITCHING
AND
MISCELLANEOUS RULES AND CHARGES
APPLYING FROM, TO, BETWEEN
AND AT POINTS ON THE
NEW YORK NEW JERSEY RAIL, LLC

LOCAL TARIFF

ISSUED: February 8, 2021

EFFECTIVE: March 1, 2021

ISSUED BY

Donald B. Hutton
Managing Director
New York New Jersey Rail, LLC
26 Colony Road
Jersey City, NJ 07305

FT NYNJ 8000-D

<p>ITEM 1.00</p> <p align="center">CANCELLATION NOTICE</p> <p>FT NYNJ 8000-D cancels FT NYNJ 8000-C in its entirety, Effective Mach 1, 2021</p> <p>Provisions formerly published in FT NYNJ 8000-B and not brought forward in FT NYNJ 8000-C are hereby canceled.</p>		TABLE OF CONTENTS	
		SUBJECT	
TABLE OF CONTENTS		RULES AND REGULATIONS - UNLIMITED:	
SUBJECT	ITEM	Cargo Loss and Damage Provisions.....	50
Abbreviations, Reference Marks, etc., Explanation of.....	99999	Holidays Observed by NYNJ.....	30
DEMURRAGE:		Normal Business Hours.....	20
Billing and Account Issues.....	170	NYNJ Locations.....	40
Cars Held for Loading.....	140	Rebilled Cars.....	75
Cars Held for Unloading.....	150	STORAGE:	
Customers Notification to NYNJ.....	120	Storage Rules and charges.....	400
Definitions.....	100	SWITCHING:	
General Rules.....	110	Interchange/Reciprocal Switching Charges.....	225
NYNJ Notification to Customers.....	120	Interchange/Reciprocal Switching Definition...	200
Relief of Demurrage Charges.....	180	Intermediate Switching Charges.....	230
MISCELLANEOUS RULES AND CHARGES:		Intermediate Switching, Definition.....	200
Cars found Empty or Loaded.....	340	Inter-Terminal Switching, Charges.....	220
Cars Held for Billing.....	390	Inter-Terminal Switching, Definition.....	200
Cars Held/Stored on Tracks of NYNJ.....	300	Intra-Plant Switching, Charges.....	210
Cars Interchanged in Error.....	310	Intra-Plant Switching, Definition.....	200
Cars Not Suitable for Loading.....	330	Intra-Terminal Switching, Charges.....	215
Cars Ordered but Not Used.....	320	Intra-Terminal Switching, Definition.....	200
Cars Released in Error.....	380	Industries to which Switch Rates Apply.....	240
Cars Released, Not Ready to Pull.....	385		
Charges for Dedicated Barge Service.....	375		
Overloaded or Improperly Loaded Cars Defined.....	360		
Overloaded or Improperly Loaded Cars Discovered at Origin or Enroute.....	365		
Overloaded Discovered at Destination.....	370		
Re-spotting Charge.....	350		
RULES AND REGULATIONS - GENERAL:			
Application of Tariff	1		
Description of Governing Classification.....	5		
Method of Cancelling Items.....	15		
Supplement and Reissues.....	10		
(Continued in next column)			
For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.			

FT NYNJ 8000-D

RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - GENERAL	RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED
<p>ITEM 1</p> <p align="center">GENERAL APPLICATION</p> <p>Provisions contained in this tariff apply only on standard carload traffic and will not apply to movements of Hazardous Materials, Locomotives, Oversized Rail Equipment, Maintenance of Way Equipment, or High and Wide Loads requiring clearance.</p> <p>This provisions of this tariff applies in connection with any and all rates and charges published in this or other tariffs in which the New York New Jersey Rail, LLC is a participant. Except as otherwise provided herein, should provisions of this or other tariffs conflict with the provisions in this item, the provisions contained herein shall supersede and govern. Should provisions in contracts or quotes in which the New York New Jersey Rail, LLC is a participant conflict with the provisions of this item, the provisions of the contract or quote shall supersede and govern.</p>	<p>ITEM 20</p> <p align="center">NORMAL BUSINESS HOURS</p> <p>7:00 AM to 4:00 PM, Monday through Friday, excluding holidays.</p> <hr/> <p>ITEM 30</p> <p align="center">HOLIDAYS OBSERVED BY NYNJ</p> <p>New Year's Day* Martin Luther King's Birthday Presidents Day Memorial Day Juneteenth* Independence Day* Labor Day Columbus Day Thanksgiving Day Day after Thanksgiving Christmas Eve Christmas Day*</p> <p>*When this date occurs on a Sunday, the following Monday will be observed as the holiday.</p>
<p>ITEM 5</p> <p align="center">DESCRIPTION OF GOVERNING CLASSIFICATIONS</p> <p>Except as otherwise provided, this tariff is governed by the Rules in Tariff UFC 6000-series, Uniform Freight Classification.</p>	<p>ITEM 40</p> <p align="center">NYNJ LOCATIONS</p> <p>51st Street Rail Yard, Brooklyn New York 65th Street Rail Yard, Brooklyn New York Greenville Yard, Jersey City New Jersey Port Jersey Rail Division, Jersey City New Jersey</p>
<p>ITEM 10</p> <p align="center">SUPPLEMENTS AND REISSUES</p> <p>All references in this tariff or any supplement to other publications for rates or other information or to tariff items includes tariff supplements or reissues of tariff items.</p>	
<p>ITEM 15</p> <p align="center">METHOD OF CANCELLING ITEMS</p> <p>Each time NYNJ issues a new tariff item canceling the previous tariff item, the new item shall bear a new letter after the item number. Thus, Item 300 would be Item 300-A, and so forth.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>	<p align="center">RULES AND OTHER GOVERNING PROVISIONS RULES AND REGULATIONS - UNLIMITED</p>
<p>ITEM 50</p> <p align="center">CARGO LOSS AND DAMAGE PROVISIONS</p> <p>1. GENERAL APPLICATIONS</p> <p>a. Provisions of this item take precedence over all other liability provisions contained in this publication, except where expressly modified.</p> <p>b. The shipper agrees to indemnify and hold harmless the rail carriers from any loss, damage, personal injury or death resulting from the shipper's failure to comply with the provisions contained herein. Acceptance of a shipment by the rail carriers for transportation shall not be considered as a waiver of shipper's liability.</p> <p>c. Any loss or damage(s) that arise out of shipments that are delayed in transit are limited to the specific amount of cargo loss or damage occurring to product.</p> <p>d. Carriers will not be liable for loss, damage, or delay caused by an Act of God, public enemy, public offense, the authority of law, riots, strikes, acts of civil disobedience, inherent quality of characteristic of the commodity, natural shrinkage, an act of default of the shipper, owner or receiver or from shipments stopped and held in transit at the request of the shipper, beneficial owner or receiver.</p> <p>e. Carrier's liability will not exceed the actual amount of physical loss or damage sustained to the cargo plus any costs incurred through the efforts to mitigate such loss and/or damage. Carrier will not be responsible for special damages, consequential damages, indirect loss or punitive damages arising from the loss, damage, suspected contamination, or delay to cargo, nor will carriers be liable for any losses attributable to fluctuation in the market value of the cargo. Furthermore, rail carriers will not be liable for any losses, direct or indirect, which result from an interruption of rail service, nor do rail carriers guarantee rail service on any scheduled time frame. Rail carriers will not be responsible for interest or attorney fees. Rail carrier's maximum liability for freight loss or damage will not exceed the liability of the billing party or the party tendering the cargo to the rail carrier.</p> <p>f. In the event of an act or omission of any party involved in the transportation process; (shipper, carrier, receiver) is not the sole cause but contributes to any loss or damage, each party will be liable for only that portion of the loss or damage caused by its negligence.</p> <p>g. Rail carriers are not liable for temperature, corrosion or humidity related losses unless mechanical protective service is requested, paid for and carrier owned or leased equipment is used.</p> <p>h. Rail carriers are not liable for loss or damage caused by defective equipment when such equipment is not owned, or leased by rail carriers.</p> <p>i. In the absence of any other evidence, a seal breach will not create a presumption of loss or contamination.</p> <p align="center">(Continued in next column)</p>	<p>ITEM 50 (Cont'd)</p> <p align="center">CARGO LOSS AND DAMAGE PROVISIONS</p> <p>2. LOSS/DAMAGE VERIFICATION & DISPOSITION PROVISIONS</p> <p>a. Rail carriers have the right to inspect, weigh or reject shipments at origin, en route or at destination for noncompliance with the provisions contained in applicable publications.</p> <p>b. Carriers reserve the right to inspect damaged cargo. If rail carrier has notified shipper or consignee that rail carrier is invoking this right, as a condition precedent to recovery of any claims, the consignee must immediately notify the rail carrier upon discovery of any damage and allow carrier or its agent to inspect.</p> <p>c. Failure of the rail carrier to inspect damaged cargo, for whatever reasons, will not relieve the burden of the claiming party to establish that cargo was received in a damaged condition, nor will it be considered an admission of liability by the rail carrier.</p> <p>d. Shippers and/or consignee must mitigate damage situations by accepting the damaged cargo unless it is without salvage value. Shippers and/or consignees may not abandon damaged or partially damaged shipments to the rail carrier when the damaged shipments retain value.</p> <p>e. Product that is abandoned to the rail carrier in an undamaged condition shall be sold for account of whom concerned and salvage proceeds only, less any salvaging expenses incurred, shall be remitted to the beneficial owner.</p> <p>3. CLAIMS</p> <p>a. As a condition of precedent for payment of a claim, claims must be filed in writing on approved form and submitted within twelve months of delivery date. Claims may only be submitted by the beneficial owner or a party to the transportation terms or agreements.</p> <p>b. All written claims must include the following documentation:</p> <ol style="list-style-type: none"> 1. A demand for payment of a specific amount. 2. Information identifying the rail shipment including equipment initials and number, shipper and receiver's names, shipping date and commodity. 3. Origin records or certification as to the condition and quantity of the cargo at the time tendered to the rail carrier. If shortage is involved, origin seal records must be furnished. 4. Verification of the amount claimed such as certified invoices. 5. Evidence as to the disposition of damaged cargo. <p>c. Carrier reserve the right to summarily deny any and all claims submitted that do not contain all or part of the aforementioned documentation.</p> <hr/> <p>ITEM 75</p> <p align="center">REBILLED CARS</p> <p>Any car of which rebilling is requested will have a charge of \$300.00 per car assessed against requesting party.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

SECTION 1 CAR DEMURRAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 100</p> <p style="text-align: center;">DEFINITIONS</p> <p>The following definitions shall apply for the purpose of interpreting this tariff:</p> <p>ACTUAL PLACEMENT is the placement of a car so that it is available for loading or unloading at the customer's facility or at a place designated by the customer.</p> <p>CONSTRUCTIVE PLACEMENT is the placement of a car at a point other than that at the customer's facility or a place designated by the customer after NYNJ notifies the customer. NYNJ reserves the right to constructively place a rail car whenever a car cannot be actually placed because of a condition attributable to the customer.</p> <p>CUSTOMER is the party tendering (the consignor) or receiving (the consignee) freight regardless of whether the party is the one responsible for payment of freight charges.</p> <p>DEMURRAGE is a charge levied by NYNJ for cars held beyond free time as provided for in Section 1 this tariff.</p> <p>FREE TIME is the amount of time in days between the time a rail car is received in interchange by the NYNJ and the day when demurrage begins to run.</p> <p>FORWARDING INSTRUCTION is a bill of lading or other direction given by the customer to NYNJ containing all information necessary for NYNJ to transport the freight.</p> <p>LOADING is the act of placing cargo in a rail car pursuant to published loading and clearance rules and the furnishing of forwarding instructions.</p> <p>OPEN GATE is the unrestricted access (physical or otherwise) by NYNJ to the customer's facility so as to permit it to switch cars in or out of that facility.</p> <p>PRIVATE CAR is a rail car bearing shipper (customer) or other non railroad reporting marks.</p> <p>PRIVATE TRACK is a track designated for use by an individual rail customer. It includes customer-owned tracks at the customer's facility and tracks owned or controlled by NYNJ and leased to the customer wherever located.</p> <p>PUBLIC DELIVERY (OR TEAM) TRACK is a track owned or controlled by NYNJ and available to the general public for the loading or unloading of rail cars.</p> <p>RELOAD is the complete unloading and subsequent reloading of the same rail car.</p> <p>RESPOT OR RESPOTTING is the movement of a car or cars at the customer's facility solely for the purpose of allowing another car or cars to be placed there.</p> <p>TENDER is the actual or constructive placement of a rail car and notification by NYNJ to a customer that the car is now available for unloading or loading.</p> <p>UNLOADING is the complete removal of cargo by the customer (consignee) from a rail car and notice by the customer to NYNJ that the car is empty and available for pick up.</p>	<p>ITEM 110</p> <p style="text-align: center;">GENERAL RULES</p> <ul style="list-style-type: none"> • These rules are applicable at all points on NYNJ. • The disposition of a car at its point of detention determines the purpose for which the car is held and the rules applicable thereto. • Except as noted, all cars bearing railroad markings shall be subject to demurrage. • When a car is held beyond free time, demurrage charges in Items 140 and 150, as the case may be, will be assessed until customer releases car back to the NYNJ. • Notice by customer that a car has been loaded or unloaded and is available for pick up shall be communicated by either fax or email transmission. • Where a customer wrongfully refuses to accept a car containing cargo or fails to claim cargo in a car without giving NYNJ instructions as to the future disposition of that car, NYNJ may sell or dispose of the cargo in that rail car once it has been held beyond the legal requirement. <p>ITEM 120</p> <p style="text-align: center;">NYNJ NOTIFICATION TO CUSTOMERS</p> <ol style="list-style-type: none"> 1. For the purpose of applying the provisions of Section 1, this tariff, a loaded or empty car shall be considered tendered when such car has been received in interchange by the NYNJ and NYNJ has, where required, provided notice to the customer as set forth herein. 2. Should a car be stopped in transit, NYNJ shall provide notice to the customer ordering the car at the point of stoppage. 3. When a customer/consignee has refused to accept a car upon delivery, NYNJ shall provide notice to the consignor. <p>NYNJ customer notification shall include the car reporting marks and car number and, where the cargo has been transferred from one car to another car while in transit, NYNJ shall also provide the customer with the reporting marks and car number of the origin car.</p> <p>NYNJ shall provide oral telephone notification of delivery to customer, followed up in writing by either fax or email transmission.</p> <p style="text-align: center;">CUSTOMER NOTIFICATION TO NYNJ</p> <p>Customers shall provide oral telephone notification to NYNJ that cars have been unloaded or loaded and are ready for pick up, followed up in writing by either fax or email transmission.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

SECTION 1 CAR DEMURRAGE RULES AND CHARGES	SECTION 1 CAR DEMURRAGE RULES AND CHARGES
<p>ITEM 140</p> <p style="text-align: center;">CARS HELD FOR LOADING</p> <p>A car shall be considered tendered when car is received in interchange by the NYNJ and NYNJ provides such notice to the customer.</p> <p>A car shall be considered released when the customer has provided forwarding instructions and, in the case of customers providing their own plantsite switching, the car has been delivered to the property line or the point designated by the customer for delivery of traffic. Cars deemed by NYNJ to have been overloaded or improperly loaded at origin shall not be considered released until the load has been adjusted.</p> <p>Cars for loading will be granted three (3) days free time beginning the day car is received in interchange by the NYNJ. For the purpose of computing free time, Saturdays, Sundays and Holidays will be included.</p> <p>When a car is held beyond free time, demurrage charge of [\$60.00 per car, per day or fraction of a day (including Saturdays, Sundays and Holidays as named in Item 30), will be assessed until customer releases car back to the NYNJ.</p>	<p>ITEM 170</p> <p style="text-align: center;">BILLING AND ACCOUNT ISSUES</p> <p>NYNJ shall bill monthly for all cars released during the calendar month. Full payment is due within 30 days' of NYNJ's invoice date. Invoices not paid within 30 days shall incur a fifteen percent (15%) Late Fee which will be added to each overdue invoice's balance after 30 days and every additional 30 day overdue period, until all balance and fees are paid in full.</p> <p>Where an invoice remains unpaid after 90 days, NYNJ shall have the option of suing to collect the amount of the invoice plus interest and reasonable attorney's fees, placing the customer on a cash basis, or discontinuing rail service until the account is placed on a current basis.</p> <p>Customers having facilities at separate locations cannot be combined but customers having two or more facilities at the same station will be combined into one account. Absent other arrangements in writing, demurrage will be charged to the consignor at origin or the consignee at destination who will be responsible for payment.</p> <p>Chargeable days will be Monday through Sunday, including Holidays named in Item 30.</p>
<p>ITEM 150</p> <p style="text-align: center;">CARS HELD FOR COMPLETE UNLOADING</p> <p>A car shall be considered tendered when car is received in interchange by the NYNJ and NYNJ provides such notice to the customer.</p> <p>A car shall be considered released when the customer has provided notice to NYNJ that the car is empty and available or has been reloaded and forwarding instructions have been provided NYNJ.</p> <p>Cars for unloading will be granted three (3) days free time beginning the day car is received in interchange by the NYNJ. For the purpose of computing free time, Saturdays, Sundays and Holidays will be included.</p> <p>When a car is held beyond free time, demurrage charge of \$60.00 per car, per day or fraction of a day (including Saturdays, Sundays and Holidays as named in Item 30), will be assessed until customer releases car back to the NYNJ.</p>	<p>ITEM 180</p> <p style="text-align: center;">RELIEF OF DEMURRAGE CHARGES</p> <p>A customer seeking to dispute a charge must present its claim in writing to NYNJ by the last day of the calendar month following the month in which the invoice was issued, stating fully the basis for its dispute.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

SECTION 2 SWITCHING RULES AND CHARGES	SECTION 2 SWITCHING RULES AND CHARGES
<p>ITEM 200</p> <p style="text-align: center;">DEFINITIONS</p> <p>INTRA-PLANT SWITCHING is the movement of a rail car from one track to another track within the same plant or industry or from one location to another on the same track within the same plant or industry.</p> <p>INTRA-TERMINAL SWITCHING is the movement of a rail car from one track to another track of the same railroad within the same rail station or between the track(s) of an industry and the track(s) of the railroad or between the tracks of two separate industries served by the same rail station.</p> <p>INTER-TERMINAL SWITCHING is the movement of a rail car from one track on one railroad to a track on another railroad, when both tracks are within the switching limits of the same station.</p> <p>INTERCHANGE/RECIPROCAL SWITCHING is movement of rail car by railroad between industries located on railroad and interchange with connecting line-haul railroad.</p> <p>INTERMEDIATE SWITCHING is switching service performed which includes all the elements of switching performed by a carrier that neither originates nor terminates the shipment nor receives a line-haul on that shipment. Intermediate switching as defined herein will mean switching service provided by the NYNJ between NS at Greenville, NJ and NYA at Bay Ridge, NY.</p>	<p>ITEM 210 [] INTRA-PLANT SWITCHING CHARGE</p> <p>NYNJ will perform intra-plant switching at \$275.00 per car.</p> <hr/> <p>ITEM 215 [] INTRA-TERMINAL SWITCHING CHARGE</p> <p>NYNJ will perform intra-terminal switching at \$275.00 per car; \$275.00 per locomotive.</p> <hr/> <p>ITEM 220 [] INTER-TERMINAL SWITCHING CHARGE</p> <p>NYNJ will perform inter-terminal switching at \$275.00 per car.</p>
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

FT NYNJ 8000-D

SECTION 2 SWITCHING RULES AND CHARGES			SECTION 2 SWITCHING RULES AND CHARGES		
ITEM 225 [[]] INTERCHANGE/RECIPROCAL SWITCHING CHARGES <u>PART 1</u> The NYNJ will switch traffic between industries, warehouses and tracks located on its line and interchange with the NS at Greenville, NJ at charges shown below: (Rates in Dollars and Cents Per Loaded Car)			ITEM 225 (Cont'd) [[]] INTERCHANGE/RECIPROCAL SWITCHING CHARGES <u>PART 1 (Cont'd)</u> The NYNJ will switch traffic between industries, warehouses and tracks located on its line and interchange with the NS at Greenville, NJ at charges shown below: (Rates in Dollars and Cents Per Loaded Car)		
COMMODITY	EQUIPMENT	RATE	COMMODITY	EQUIPMENT	RATE
Freight, all kinds, except where specific commodity rates are provided herein.	Any	(1) 927.00 (2)(3) 1300.00	Iron or Steel Scrap (STCC 40 211 25)	Gondola Cars	(1) (b)(c) 482.00 (1) (b)(d) 502.00 (1) (b)(c)(e) 591.00 (1) (b)(d)(e) 654.00
Auto Seat Covers (STCC 23 991 10)	Gondola Cars	(1) (b)(c) 412.00 (1) (b)(d) 462.00	Iron or Steel Sheet or Strip (STCC 33 123)	Gondola Cars	(1) (a) 743.00
Beer, Ale, etc (STCC 20 821)	Box Cars	(1) (e) 670.00 (1) (f) 700.00 [A]	Logs (STCC 24 111)	Flat Cars	(1) 796.00 (2) (3) 1258.00
Brick or Blocks, clay or shale (STCC 32 511)	Box Cars	(1) (e) 690.00 (1) (f) 760.00 [A]	Lumber or Wood Products (STCC 24, Except STCC 24 111; 24 211 84; 24 321 ; 24 991; 24 993)	Box Cars	(1) (b) 690.00 (2) (3)(b) 1152.00
Concrete Products (STCC 32 719)	Gondola Cars	(1) (a) 722.00	Lumber or Timber (STCC 24 211 84)	Flat Cars	(1) 796.00 (2) (3) 1258.00
Concrete, Structural Shapes (STCC 32 715)	Gondola Cars	(1) (a) 722.00	Methyl Esters used for Diesel Fuel (Bio Fuel) (STCC 28 994 16)	Tank Cars	(1) 822.00 (3) 1300.00
Corn Oil (STCC 20 465)	Tank Cars	(1) 845.00	Plastic Packaging Containers (STCC 30 718 26)	Box Cars	(1) (b)(e) 636.00 (1) (f) 670.00
Diesel Exhaust Fluid (DEF) (STCC 2818142)	Tank Cars	(3) 1022.00		Flat Cars	(1) (b)(e) 636.00 (1) (f) 670.00
Fabricated Plastic Products (STCC 30 719)	Hopper Cars	(1) 796.00	Plastic Materials or Synthetic Resins (STCC 28 211)	Hopper Cars	(1) 796.00
Food or Kindred Products (STCC 20 995)	Box Cars	(1) (e) 636.00 (1) (f) 670.00 [A]	Plywood or Veneer (STCC 24 321)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A] (2) (3)(e) 1126.00 (2) (3)(f) 1186.00 [A]
Hardboard (STCC 24 993)	Box Cars	(1) 690.00 (2) (3) 1152.00			Pulpboard or Fibreboard (STCC 26 311)
Iron or Steel Bars (STCC 33 124)	Gondola Cars	(1) (a) 743.00	Railway Track Material (STCC 33 128)	Gondola Cars	(1) (a) 743.00
Iron or Steel Beams (STCC 33 125 28)	Gondola Cars	(1) (a) 743.00	(Continued on next page)		
Iron or Steel Pipe (STCC 33 126)	Gondola Cars	(1) (a) 743.00	(Continued in next column)		
(Continued in next column)			(Continued on next page)		
For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.					

FT NYNJ 8000-D

SECTION 2 SWITCHING RULES AND CHARGES		
ITEM 225 (Cont'd) [I] INTERCHANGE/RECIPROCAL SWITCHING CHARGES <u>PART 1 (Cont'd)</u> The NYNJ will switch traffic between industries, warehouses and tracks located on its line and interchange with the NS at Greenville, NJ at charges shown below: (Rates in Dollars and Cents Per Loaded Car)		
COMMODITY	EQUIPMENT	RATE
Strand Board or Waferboard (STCC 24 991)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A] (2) (3)(e) 1126.00 (2) (3)(f) 1186.00 [A]
Sugar, beet or cane (STCC 20 6)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A]
Wheat Flour (STCC 20 411)	Box Cars	(1) (e) 720.00 (2) (3)(f) 1030.00 [A]
Explanation of References: (1) - Applies to all industries, warehouses and tracks, Except South Brooklyn Marine Terminal (SBMT). (2) - Applies only to South Brooklyn Marine Terminal (SBMT). (3) - Applies only to 51st Street Rail Yard or 65th Street Rail Yard Brooklyn, NY. (a) - Applicable on shipments To NYA. (b) - Applicable on shipments From NYA. (c) - Applicable in privately owned or leased equipment. (d) - Applicable in railroad owned or leased equipment. (e) - Applicable in rail cars less than 60 feet in length. [C] (f) - Applicable in rail cars equal to or greater than 60 feet in length. [A]		

SECTION 2 SWITCHING RULES AND CHARGES		
ITEM 225 (Cont'd) [I] INTERCHANGE/RECIPROCAL SWITCHING CHARGES <u>PART II</u> The NYNJ will switch traffic between industries, warehouses and tracks located on its line and interchange with the CSXT at Greenville, NJ at charges shown below: (Rates in Dollars and Cents Per Loaded Car)		
COMMODITY	EQUIPMENT	RATE
Freight, all kinds, except where specific commodity rates are provided herein.	Any	(1) 927.00 (2)(3) 1300.00
Auto Seat Covers (STCC 23 991 10)	Gondola Cars	(1) (b)(c) 412.00 (1) (b)(d) 462.00
Beer, Ale, etc (STCC 20 821)	Box Cars	(1) (e) 670.00 (1) (f) 700.00 [A]
Brick or Blocks, clay or shale (STCC 32 511)	Box Cars	(1) (e) 690.00 (1) (f) 760.00 [A]
Concrete Products (STCC 32 719)	Gondola Cars	(1) (a) 722.00
Concrete, Structural Shapes (STCC 32 715)	Gondola Cars	(1) (a) 722.00
Corn Oil (STCC 20 465)	Tank Cars	(1) 845.00
Diesel Exhaust Fluid (DEF) (STCC 2818142)	Tank Cars	(3) 1022.00
Fabricated Plastic Products (STCC 30 719)	Hopper Cars	(1) 796.00
Food or Kindred Products (STCC 20 995)	Box Cars	(1) (e) 636.00 (1) (f) 670.00 [A]
Hardboard (STCC 24 993)	Box Cars	(1) 690.00 (2) (3) 1152.00
Iron or Steel Bars (STCC 33 124)	Gondola Cars	(1) (a) 743.00
Iron or Steel Beams (STCC 33 125 28)	Gondola Cars	(1) (a) 743.00
Iron or Steel Pipe (STCC 33 126)	Gondola Cars	(1) (a) 743.00
(Continued on next page)		

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

FT NYNJ 8000-D

SECTION 2 SWITCHING RULES AND CHARGES		
ITEM 225 (Cont'd) [[]] INTERCHANGE/RECIPROCAL SWITCHING CHARGES PART II (Cont'd) The NYNJ will switch traffic between industries, warehouses and tracks located on its line and interchange with the CSXT at Greenville, NJ at charges shown below: (Rates in Dollars and Cents Per Loaded Car)		
COMMODITY	EQUIPMENT	RATE
Iron or Steel Scrap (STCC 40 211 25)	Gondola Cars	(1) (b)(c) 482.00 (1) (b)(d) 502.00 (1) (b)(c)(e) 591.00 (1) (b)(d)(e) 654.00
Iron or Steel Sheet or Strip (STCC 33 123)	Gondola Cars	(1) (a) 743.00
Logs (STCC 24 111)	Flat Cars	(1) 796.00 (2) (3) 1258.00
Lumber or Wood Products (STCC 24, Except STCC 24 111; 24 211 84; 24 321 ; 24 991; 24 993)	Box Cars	(1) (b) 690.00 (2) (3)(b) 1152.00
Lumber or Timber (STCC 24 211 84)	Flat Cars	(1) 796.00 (2) (3) 1258.00
Methyl Esters used for Diesel Fuel (Bio Fuel) (STCC 28 994 16)	Tank Cars	(1) 822.00 (3) 1300.00
Plastic Packaging Containers (STCC 30 718 26)	Box Cars	(1)(b)(e) 636.00 (1)(f) 670.00
	Flat Cars	(1)(b)(e) 636.00 (1)(f) 670.00
Plastic Materials or Synthetic Resins (STCC 28 211)	Hopper Cars	(1) 796.00
Plywood or Veneer (STCC 24 321)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A] (2) (3)(e) 1126.00 (2) (3)(f) 1186.00 [A]
Pulpboard or Fibreboard (STCC 26 311)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A]
Railway Track Material (STCC 33 128)	Gondola Cars	(1) (a) 743.00
(Continued in next column)		

SECTION 2 SWITCHING RULES AND CHARGES		
ITEM 225 (Cont'd) [[]] INTERCHANGE/RECIPROCAL SWITCHING CHARGES PART II (Cont'd) The NYNJ will switch traffic between industries, warehouses and tracks located on its line and interchange with the CSXT at Greenville, NJ at charges shown below: (Rates in Dollars and Cents Per Loaded Car)		
COMMODITY	EQUIPMENT	RATE
Strand Board or Waferboard (STCC 24 991)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A] (2) (3)(e) 1126.00 (2) (3)(f) 1186.00 [A]
Sugar, beet or cane (STCC 20 6)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A]
Wheat Flour (STCC 20 411)	Box Cars	(1) (e) 720.00 (2) (3)(f) 1030.00 [A]
Explanation of References: (1) - Applies to all industries, warehouses and tracks, Except South Brooklyn Marine Terminal (SBMT). (2) - Applies only to South Brooklyn Marine Terminal (SBMT). (3) - Applies only to 51st Street Rail Yard or 65th Street Rail Yard Brooklyn, NY. (a) - Applicable on shipments To NYA. (b) - Applicable on shipments From NYA. (c) - Applicable in privately owned or leased equipment. (d) - Applicable in railroad owned or leased equipment. (e) - Applicable in rail cars less than 60 feet in length. [C] (f) - Applicable in rail cars equal to or greater than 60 feet in length. [A]		

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

FT NYNJ 8000-D

SECTION 2 SWITCHING RULES AND CHARGES			SECTION 2 SWITCHING RULES AND CHARGES		
ITEM 230 [I]			ITEM 230 (Cont'd) [I]		
<p align="center">INTERMEDIATE SWITCHING CHARGE</p> NYNJ will perform intermediate switching between NS at Greenville, NJ and NYA at Bay Ridge, NY at charges shown below: (Rates in Dollars and Cents Per Loaded Car)			<p align="center">INTERMEDIATE SWITCHING CHARGE</p> NYNJ will perform intermediate switching between NS at Greenville, NJ and NYA at Bay Ridge, NY at charges shown below: (Rates in Dollars and Cents Per Loaded Car)		
COMMODITY	EQUIPMENT	RATE	COMMODITY	EQUIPMENT	RATE
Freight, all kinds, except where specific commodity rates are provided herein.	Any	(1) 927.00 (2)(3) 1300.00	Iron or Steel Scrap (STCC 40 211 25)	Gondola Cars	(1) (b)(c) 482.00 (1) (b)(d) 502.00 (1) (b)(c)(e) 591.00 (1) (b)(d)(e) 654.00
Auto Seat Covers (STCC 23 991 10)	Gondola Cars	(1) (b)(c) 412.00 (1) (b)(d) 462.00	Iron or Steel Sheet or Strip (STCC 33 123)	Gondola Cars	(1) (a) 743.00
Beer, Ale, etc (STCC 20 821)	Box Cars	(1) (e) 670.00 (1) (e) 700.00 [A]	Logs (STCC 24 111)	Flat Cars	(1) 796.00 (2) (3) 1258.00
Brick or Blocks, clay or shale (STCC 32 511)	Box Cars	(1) (e) 690.00 (1) (f) 760.00 [A]	Lumber or Wood Products (STCC 24, Except STCC 24 111; 24 211 84; 24 321 ; 24 991; 24 993)	Box Cars	(1) (b) 690.00 (2) (3)(b) 1152.00
Concrete Products (STCC 32 719)	Gondola Cars	(1) (a) 722.00	Lumber or Timber (STCC 24 211 84)	Flat Cars	(1) 796.00 (2) (3) 1258.00
Concrete, Structural Shapes (STCC 32 715)	Gondola Cars	(1) (a) 722.00	Methyl Esters used for Diesel Fuel (Bio Fuel) (STCC 28 994 16)	Tank Cars	(1) 822.00 (3) 1300.00
Corn Oil (STCC 20 465)	Tank Cars	(1) 845.00	Plastic Packaging Containers (STCC 30 718 26)	Box Cars	(1)(b)(e) 636.00 (1)(f) 670.00
Diesel Exhaust Fluid (DEF) (STCC 2818142)	Tank Cars	(3) 1022.00		Flat Cars	(1)(b)(e) 636.00 (1)(f) 670.00
Fabricated Plastic Products (STCC 30 719)	Hopper Cars	(1) 796.00	Plastic Materials or Synthetic Resins (STCC 28 211)	Hopper Cars	(1)796.00
Food or Kindred Products (STCC 20 995)	Box Cars	(1) (e) 636.00 (1) (f) 670.00 [A]	Plywood or Veneer (STCC 24 321)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A] (2) (3)(e) 1126.00 (2) (3)(f) 1186.00 [A]
Hardboard (STCC 24 993)	Box Cars	(1) 690.00 (2) (3) 1152.00	Pulpboard or Fibreboard (STCC 26 311)	Box Cars	(1) (e) 690.00 (1) (f) 750.00 [A]
Iron or Steel Bars (STCC 33 124)	Gondola Cars	(1) (a) 743.00	Railway Track Material (STCC 33 128)	Gondola Cars	(1) (a) 743.00
Iron or Steel Beams (STCC 33 125 28)	Gondola Cars	(1) (a) 743.00			
Iron or Steel Pipe (STCC 33 126)	Gondola Cars	(1) (a) 743.00			
(Continued in next column)			(Continued on next page)		
For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.					

SECTION 2 SWITCHING RULES AND CHARGES			SECTION 2 SWITCHING RULES AND CHARGES																			
<p>ITEM 230 (Cont'd) [I]</p> <p style="text-align: center;">INTERMEDIATE SWITCHING CHARGE</p> <p>NYNJ will perform intermediate switching between NS at Greenville, NJ and NYA at Bay Ridge, NY at charges shown below:</p> <p style="text-align: center;">(Rates in Dollars and Cents Per Loaded Car)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">COMMODITY</th> <th style="width: 25%;">EQUIPMENT</th> <th style="width: 50%;">RATE</th> </tr> </thead> <tbody> <tr> <td rowspan="4">Strand Board or Waferboard (STCC 24 991)</td> <td rowspan="4">Box Cars</td> <td>(1) (e) 690.00</td> </tr> <tr> <td>(1) (f) 750.00 [A]</td> </tr> <tr> <td>(2) (3)(e) 1126.00</td> </tr> <tr> <td>(2) (3)(f) 1186.00 [A]</td> </tr> <tr> <td rowspan="2">Sugar, beet or cane (STCC 20 6)</td> <td rowspan="2">Box Cars</td> <td>(1) (e) 690.00</td> </tr> <tr> <td>(1) (f) 750.00 [A]</td> </tr> <tr> <td rowspan="2">Wheat Flour (STCC 20 411)</td> <td rowspan="2">1Box Cars</td> <td>(1) (e) 720.00</td> </tr> <tr> <td>(2) (3)(f) 1030.00 [A]</td> </tr> </tbody> </table> <p>Explanation of References:</p> <p>(1) - Applies to all industries, warehouses and tracks, Except South Brooklyn Marine Terminal (SBMT).</p> <p>(2) - Applies only to South Brooklyn Marine Terminal (SBMT).</p> <p>(3) - Applies only to 51st Street Rail Yard or 65th Street Rail Yard Brooklyn, NY.</p> <p>(a) - Applicable on shipments To NYA. (b) - Applicable on shipments From NYA. (c) - Applicable in privately owned or leased equipment. (d) - Applicable in railroad owned or leased equipment. (e) - Applicable in rail cars less than 60 feet in length. [C] (f) - Applicable in rail cars equal to or greater than 60 feet in length. [A]</p>			COMMODITY	EQUIPMENT	RATE	Strand Board or Waferboard (STCC 24 991)	Box Cars	(1) (e) 690.00	(1) (f) 750.00 [A]	(2) (3)(e) 1126.00	(2) (3)(f) 1186.00 [A]	Sugar, beet or cane (STCC 20 6)	Box Cars	(1) (e) 690.00	(1) (f) 750.00 [A]	Wheat Flour (STCC 20 411)	1Box Cars	(1) (e) 720.00	(2) (3)(f) 1030.00 [A]	<p>ITEM 240</p> <p style="text-align: center;">LIST OF INDUSTRIES TO WHICH SWITCH RATES APPLY</p> <p>TO INCLUDE BUT NOT LIMITED TO:</p> <ul style="list-style-type: none"> American PetroLog Archer Daniels Midland Brooklyn Resources CBS Foods Circus Fruit Wholesale Colombia Forest Products Coors Beer Culpeper D&M Lumber Dakota Mills ENAP Formosa Plastic Greshow Recycling Georgia Pacific Kamco Lehigh Cement Manhattan Beer Midwood Lumber New York City Transit North Dakota Mill Long Island Railroad Renewal Energy Group, Inc Riceland Foods Rockland Concrete Ties Sherwood Lumber Sierra Pacific Sims Metal Stanislaus Food Products Tolko US Flour Young Shin Trading 		
COMMODITY	EQUIPMENT	RATE																				
Strand Board or Waferboard (STCC 24 991)	Box Cars	(1) (e) 690.00																				
		(1) (f) 750.00 [A]																				
		(2) (3)(e) 1126.00																				
		(2) (3)(f) 1186.00 [A]																				
Sugar, beet or cane (STCC 20 6)	Box Cars	(1) (e) 690.00																				
		(1) (f) 750.00 [A]																				
Wheat Flour (STCC 20 411)	1Box Cars	(1) (e) 720.00																				
		(2) (3)(f) 1030.00 [A]																				
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>																						

SECTION 3 MISCELLANEOUS RULES AND CHARGES	SECTION 3 MISCELLANEOUS RULES AND CHARGES
<p>ITEM 300</p> <p>CARS HELD/STORED ON TRACKS OF NYNJ</p> <p>NYNJ will assess a customer a charge of \$25.00 per car per day for storing a rail car (loaded or empty) on NYNJ's tracks due to either customer request or the inability of the customer to accept the car. Charges will be computed from the date placed on the track until the date released from the track. Any request for storage must be approved in writing by NYNJ.</p>	<p>ITEM 360</p> <p>DEFINITION OF OVERLOADED OR IMPROPERLY LOADED CAR</p> <p>OVERLOAD CARS</p> <p>An overloaded car is defined as a car for which either the net weight is in excess of the car's stenciled load limit or the gross weight is in excess of the track weight limit at any point along the route of movement.</p> <p>Note - Applies to cars overloaded in excess of 500 lbs. above allowed weight restrictions.</p> <p>IMPROPERLY LOADED</p> <p>An improperly loaded car is defined as a car in or on which lading has not been loaded in accordance with AAR standard loading practices, Official Railway Equipment Register exceptions or individual railroad practices or exceptions.</p>
<p>ITEM 310</p> <p>CARS INTERCHANGED IN ERROR</p> <p>NYNJ will assess a charge of \$500.00 per car against the delivering carrier for cars delivered to NYNJ in error.</p>	<p>ITEM 365</p> <p>OVERLOADED OR IMPROPERLY LOADED CARS DISCOVERED AT ORIGIN OR ENROUTE</p> <p>A. Overloaded or Improperly Loaded Cars as described in Item 300, when discovered at origin will be:</p> <ol style="list-style-type: none"> 1. Returned to the shippers track or 2. Returned to the connecting line tendering such cars to NYNJ. <p>The shipper shall be assessed the intra-plant or intra-terminal switching charge, plus a charge of \$500.00 per car for Overloaded or Improperly Loaded Cars. Connecting lines shall be assessed the inter-terminal switch charge for return of the car(s).</p> <p>B. NYNJ may elect to stop an overloaded or improperly loaded car enroute and hold it on a track where partial unloading or adjustment of the load may be accomplished. It will be the responsibility of the shipper to partially unload or adjust the car at his expense. NYNJ will not furnish any personnel, equipment or machinery that may be necessary to partially unload or adjust the overloaded or improperly loaded car. Shipper shall be assessed a charge of \$500.00 per car for Overloaded or Improperly Loaded Cars set forth in Section 1, this tariff.</p>
<p>ITEM 320</p> <p>CARS ORDERED BUT NOT USED</p> <p>NYNJ will assess a charge of \$500.00 per car against the person, firm, or industry ordering such car when an order for cars is canceled or a car is released empty. NYNJ will not assess a charge on a car that is not in a proper condition for loading as per Item 330.</p>	
<p>ITEM 330</p> <p>CARS NOT SUITABLE FOR LOADING</p> <p>NYNJ will assess a charge of \$500.00 per car against the carrier furnishing a car when that car is refused or rejected by the customer because it is not in proper condition for loading.</p>	
<p>ITEM 340</p> <p>CARS FOUND EMPTY OR LOADED</p> <p>NYNJ will assess a charge of \$500.00 per car against a delivering carrier on inbound cars received for unloading but found empty and on inbound cars received as empty and found loaded or partially loaded.</p> <p>NYNJ will assess a charge of \$500.00 per car against a customer on outbound cars released as loaded but found empty and on outbound cars released as empty and found loaded or partially loaded.</p>	
<p>ITEM 350</p> <p>RESPOTTING CHARGE</p> <p>NYNJ will assess a charge of \$500.00 per car against a customer for cars that have been placed at the customer's place of loading or unloading and must be moved in order to place or move other cars to that place.</p>	
<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>	

<p align="center">SECTION 3 MISCELLANEOUS RULES AND CHARGES</p>	<p align="center">SECTION 4 STORAGE RULES AND CHARGES</p>
<p>ITEM 370</p> <p align="center">OVERLOADS DISCOVERED AT DESTINATION</p> <p>If an overloaded car is delivered to destination and is not detected while enroute, whether the overloaded condition is discovered prior to delivery or not, or if the out turn weights are used for the assessment of freight charges and the car or cars are subsequently determined to be overloaded, a charge of \$500.00 per car will be assessed against the shipper responsible for overloading the car.</p>	<p>ITEM 400</p> <p align="center">STORAGE</p> <p>Cars placed in storage will be charged \$10.00 per car, per day, starting from the first date placed on storage tracks until released from storage tracks.</p>
<p>ITEM 375</p> <p align="center">CHARGES FOR DEDICATED BARGE SERVICE</p> <p>NYNJ will assess a customer a charge of \$7500.00 for the dedicated use of a barge to haul up to 9 rail cars for the first three days and for \$1500.00 per day for each day of use thereafter.</p>	
<p>ITEM 380</p> <p align="center">CARS RELEASED IN ERROR</p> <p>If Customer releases car, loaded or empty, in error and car is returned to Customer, a charge of \$250.00 per car will be assessed Customer, plus any and all other charges associated with returning a car to the Customer.</p>	<p>For explanation of terms and explanation of abbreviations and reference marks, see last page of tariff.</p>
<p>ITEM 385</p> <p align="center">CARS RELEASED, NOT READY TO PULL</p> <p>When Customer releases a car and it is determined upon arrival the car is not ready to pull, a charge of \$150.00 per car will be assessed. Customer will also be responsible for any and all other charges associated with returning a car to the customer.</p>	
<p>ITEM 390</p> <p align="center">CARS HELD FOR BILLING</p> <p>On loaded cars or empty cars moving on tariff, contract, or exempt quote ordered from industries without final shipping directions or shipping directions with incorrect, incomplete or conflicting instructions, thus making it necessary to hold cars for further instructions, a charge of \$250.00 per car will be assessed against the industry and demurrage charges in Section 1 of this tariff will continue to apply.</p>	

**EXPLANATION OF ABBREVIATIONS AND
REFERENCE MARKS**

ITEM 99999

**EXPLANATION OF ABBREVIATIONS AND
REFERENCE MARKS**

Conrail - Conrail Shared Assets
CSX - CSX Transportation Inc
FT - Freight Tariff
NYNJ - New York New Jersey Rail, LLC
NS - Norfolk Southern Railway Company
NYA - New York & Atlantic Railway Company
SBMT - South Brooklyn Marine Terminal
STB - US Surface Transportation Board

[A] - Addition / New
[I] - Denote Increase, except as otherwise noted
[NC] - Brought forward without charge, except as
otherwise noted
[R] - Reduction
[C] - Denotes change

(Underscored portion denotes change Addition/Change)