

SUBRULE 11: DOCKAGE RATES ON VESSEL ENGAGED IN ALL TRADES

- A. Dockage shall be charged on the overall length of the vessel as shown in the current issue of Lloyd's Register of Shipping. If length is not shown in Lloyd's Register, the Ship's Certificate of Register showing length will be accepted. However, Industrial Terminals L.P. reserves, without question, the right to measure any vessel when deemed by it to be necessary and to use such measurements as the basis of the charge. When necessary to measure a vessel, the linear distance in feet shall be determined from the most forward point on the bow of the vessel to the after most part of the stern of the vessel, measured as parallel to the base line of the vessel.

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- B. Dockage on all vessels, except as provided elsewhere in this Tariff, will be determined by multiplying the Length Overall (LOA) in feet, by the rate in dollars per foot, to establish the dockage charge per 24 hour day.

<u>LOA</u>	<u>RATE</u>
000-199	\$2.65
200-399	\$3.49
400-499	\$4.74
500-599	\$6.37
600-699	\$7.40
700-799	\$9.41
800-899	\$11.32
900-OVER	\$13.56

- C. After the first period of twenty-four hours, any period of berth occupancy of twelve hours or less will be billed at one-half of that day's rate.
- C. Dockage assessment, for vessels actively engaged in loading or discharging cargo, for the third twenty-four hour period will be at ninety percent, fourth twenty-four hour period will be at seventy-five percent, fifth twenty-four hour period at sixty percent, sixth and succeeding twenty-four hour periods of uninterrupted berth occupancy at fifty percent of applicable rates set out above.
- D. Vessels that request permission to remain at Industrial Terminals berth that is not actively loading or discharging cargo will be assessed dockage at the full dockage rate. Industrial Terminals may at its sole discretion request the vessel to vacate the berth with 4 hours notice. Failure to do so will subject the vessel to additional dockage charges as set in subrule 6.
- E. To reduce night transits on the Houston Ship Channel, and enhance safety, vessels will be allowed to dock without charge from 1800 hours to 0600 hours. However, if vessel operations begin before 0600 hours, then normal dockage charges will apply starting at the docking time. If no vessel cargo operations begin before 0600 hours, then dockage charges begin at 0600 hours.

SUBRULE 12: CHARGE FOR WATER

Water will be supplied to vessels through hoses provided by the vessel for the following charges:

- | | | |
|----|---|----------|
| A. | One time service charge for establishing connection between 8:00 a.m. and 5:00 p.m. Monday through Friday except holidays | \$131.00 |
| B. | One time service charge for establishing connection at all other times | \$299.00 |
| C. | Plus charge per 1,000 gallons delivered | \$ 7.25 |

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SUBRULE 13: SHED AND/OR WHARF USE HIRE

- A. Application: Vessels loading or discharging cargo, and utilizing wharf shed or sheds and/or wharf for the assembly or distribution of 100 tons or more of such cargo, will be assessed a shed and/or wharf use hire charge.
- B. Charge: The shed and/or wharf use hire charge shall be a one time charge equivalent to the first day's dockage set out in Subrule 12.
- C. Measurements: Shed and/or wharf use hire shall be charged on the overall length of the vessel as shown in Lloyd's Register of Shipping. However, Industrial Terminals L.P. reserves, without question, the right to measure any vessel when deemed by it to be necessary, and to use such measurements as the basis of the charge.

SUBRULE 14: CHARGE FOR CLEANING OF BERTHA. Charge

- (1) A charge of \$387 will be assessed each vessel loading and/or discharging 501 tons or more of cargo on, to or across wharves for the cleaning of berth assignments, including space utilized in transit sheds, on open wharves and in transfer of cargo across, from or to wharf apron.
 - (2) A charge of \$283 will be assessed each vessel loading and/or discharging 500 tons or less of cargo on, to or across wharves for the cleaning of berth assignments, including space utilized in transit sheds, on open wharves and in transfer of cargo across, from or to wharf apron.
- B. Excessive or Unusual Cleaning. When cleaning required to restore vessel assignment to normal condition exceeds that cleaning which would usually attend to the cargo loaded or discharged, an excessive cleaning charge may be assessed.
- C. Charges will be billed by the Freight Handler

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SUBRULE 18: TERMINAL CHARGE FOR VEHICLES

- A. A charge of \$3.83 each applies to automobiles, trucks and utility vehicles, in addition to wharfage and such other charges as may accrue under the terms of this tariff. This charge will be assessed by the freight handler .
- B. This charge will not be applied to a shipment of one individually and privately owned vehicle only.
- C. The minimum charge for one or more vehicles will be \$35

SUBRULE 19: FREE TIME AND WHARF DEMURRAGE CHARGES

A. Computation:

- (1) Saturdays, Sundays and holidays will not be excluded in computation of free time and wharf demurrage charges.
- (2) Any fractional part of twenty-four (24) hours will be counted as one day.
- (3) Any fractional part of one ton (2,000 lbs.) will be computed as one ton.
- (4) On Inbound cargo, free time commences following day after vessel completes discharge. Wharf demurrage charges apply after expiration of free time period, terminating day next preceding removal of cargo from wharves or premises.
- (5) On outbound cargo, free time commences after cargo is unloaded and placed on wharves or premises in an assigned berth. Wharf demurrage charges apply after expiration of free time period, terminating the day next preceding commencement of loading of vessel to which cargo is assigned and subsequently loaded. Cargo remaining on wharves or premises after sailing of vessel to which assigned will be subject to computation of free time and wharf demurrage charges from initial placement on such wharves or premises, and wharf demurrage charges together with all other related charges accrued against such remaining cargo shall be charged to the cargo until the day next preceding its removal from wharves or premises.

- B. Transshipped Cargo: When cargo landed from vessel is reloaded on a vessel without being removed from the wharves, the free time commences on the day the vessel completes discharge. Wharf demurrage charges apply after expiration of free time period, terminating day next preceding commencement of loading to vessel to which cargo is assigned and subsequently loaded.

C. Assessment of Charges:

- (1) Wharf demurrage charges will be calculated for period property remains at Industrial Terminals.

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- (2) On cargo remaining in the terminal in excess of 30 days, charges will be invoiced by individual bill of lading lots and will be billed at end of calendar month, or more frequently, if deemed desirable.

- (1) A Minimum invoice charge of \$35 shall apply.

D. Free Time :

- (1) Inbound Cargo: 30 days after cargo is discharged from vessel.
Wind power equipment - 15 days free time.
- (2) Cargo unstuffed from containers which is not transported via vessel to the terminal – and break-bulk cargo not assigned to a vessel- 10 days free time.
- (3) Outbound Cargo: 30 days after the cargo is unloaded at the terminal. Cargo stuffed into containers which are not transported via vessel from the terminal -and breakbulk cargo not assigned to a vessel - 15 days free time. Wind power equipment - 15 days free time.
- (2) Transshipped Cargo: 30 days commencing the day the vessel completes discharge.
- (3) Containers – 15 free days

E. Charges: Cargo remaining on premises, with the exception of wind power equipment, after expiration of free time will be assessed wharf demurrage at graduated per day rates of (cents per ton):

- (1) \$0.30 for initial demurrage day and for each succeeding day within a seven-day period.
- (2) \$0.39 for 8th demurrage day and for each day through 20th demurrage day.
- (3) \$0.63 for 21st demurrage day and for each day thereafter until cargo is removed.
- (4) Wind power equipment will be charged on a weight or measure basis whichever is greater. Weight basis will be at \$.59 per short ton after 15 free days. The measure basis will be \$.05 per cubic meter per day.
- (5) Loaded Import and Export Containers – After expiration of free time any container that is 20' in length will be charged \$3.50 per day. Any container that is 40' in length or greater will be charged \$7.00 per day.
- (6) Empty Shipper Owned Containers – After expiration of free time, any empty Shipper Owned Container that is 20' in length will be charged \$3.50 per day. Any Shipper Owned Container that is 40' in length or greater will be charged \$7.00 per day.
- (7) Hazardous and Harmful Cargoes – All hazardous cargoes, general and containerized, and any

other cargoes classified as harmful as described in their Material Safety Data Sheet, will be assessed one and a half of the regular applicable wharf demurrage rate.

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(8) Fire or Water Damaged Cargo – Wharf demurrage rates, rules and regulations set forth in the Tariff will apply, except that after expiration of the first seven-day period:

- a. The daily rate per ton of general for all subsequent days shall be double the daily rate per ton for each day of that first seven day period.
- b. The daily rate per day for containers for all subsequent days shall be double the daily rate per day for each day of that first seven day period.

F. Exceptions:

(1) Option of Movement to Storage: Upon expiration of free time, Industrial Terminals L.P. at its option, may move, or cause to be moved, cargo from its transit facilities to licensed public storage. Transfer charges to storage will be assessed at the applicable rate.

(2) Rules and Charges During Water Front Strike or Work Stoppage of Water Front Labor: When due to a general water front strike or work stoppage of water front labor engaged in handling will be allowed additional free time equal to but not in excess of the duration of such interference. Cargo which has exceeded the free time period and is accruing demurrage at the time such interference begins will be assessed demurrage charges at the rate shown in Subrule 21 [E and F (I)] during such interference.

(3) Wharfage Charge Application –LASH/Seabee Barges: Cargo loaded in LASH/Seabee barges will be subject to wharfage charges as if transferred between vessel and wharf.

(4) Loading of cargo designated by U.S. Customs as General Order will be charged for as " All Commodities Not Otherwise Specified" and will be at rate set forth elsewhere in this tariff.

(5) Wharfage Earned: Cargo shall be considered to have earned wharfage when placed upon the wharf and wharfage will be collected whether or not eventually loaded on a vessel.

(6) Wharfage Charge Applicable to Transshipped Cargo: Cargo discharged from vessels to a wharf for transshipment by vessel, if reloaded within fifteen days, and has not changed ownership and if it has not been removed from the wharf, will be billed wharfage following reloading for outward shipment.

The day on which cargo is placed on the wharf shall be counted as the first day.

The day on which cargo is lifted shall not be counted.

(7) Wharfage Charge Applicable to Transshipped Cargo Handled on Offshore Side of Vessel: Cargo transferred directly to or from offshore side of vessel while such vessel is moored at Industrial

Terminal will be assessed wharfage at the charge applicable had such cargo been placed upon and passed between wharf and vessel as noted above.

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(8) Explanation of Terms:

- (a) Combination Articles: When not specifically named in Subrule 21-28, articles which have been combined or attached to each other will be charged at rating for the articles bearing the highest rate in the combination.
- (b) Parts or Pieces Constituting Complete Article: Parts or pieces constituting a complete article, receiving as one shipment, will be charged a rate for complete article.
- (c) Drums or barrels, Definition of: Drums or barrels are defined as straight-sided cylindrical containers of not less than 5 gallons capacity, with ends (heads) of equal diameter and with or without bailor handle.

SUBRULE 20: **TRANSIT FEE**

Cargo that does not cross Industrial Terminals docks nor is received at the Terminal thus not subject to Industrial Terminal wharfage, that transits or transfers across Industrial Terminals property shall be assessed a transit fee of \$2.50 per cubic meter. Cargo Interest seeking authorization to move cargo across Industrial Terminals property shall provide written request for such transit, identifying the nature of the cargo and scope of the transit activity. Industrial Terminals reserves the right to approve or reject such request.

SUBRULE 21: **PORT SECURITY FEE**

In order to fulfill its responsibilities for security, including but not limited to responsibilities mandated, under the Maritime Transportation security act of 2002 and the US Coast Guard regulation 33CFR 105, Industrial Terminals, L.P. will assess against and collect from all Users of port premises, services, or facilities, a Port Security Fee as set forth herein. Such fee, in the amounts set forth below, shall be in addition to all other fees and charges due under this and other governing tariffs:

Vessels (including, without limitation, barges):

- Eight and Seventy Five Percent (8.75%) of total dockage assessed per port call

Cargo:

- Break-bulk \$.19 per ton
- Bulk Cargo (dry or liquid) \$.0425 per ton
- Containers \$3.63 per loaded container

- Vehicles \$1.04 per unit

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Industrial Terminals, L.P. shall have all of the rights and remedies provided in this tariff and other governing tariffs for failure to pay amounts due Industrial Terminals, L.P. and may (1) require from said User a deposit estimated to cover such fees in advance of using port premises, services or facilities, and/or (2) deny service to said User until said deposit is made and/or all prior amounts due are paid.

SUBRULE 22: VESSEL ESCORT CHARGE (TWIC compliance)

In accordance with the Transportation Worker's Identification Credential (TWIC) regulations, no access to and from vessels can be allowed for persons not holding a TWIC card unless they are escorted by a TWIC card holder who has completed escort training by the Industrial Terminals security office.

Therefore, beginning April 14, 2009, Industrial Terminals will assess vessel owners a charge of \$500.00 per vessel call to provide their crew with a dedicated escort service from 8am to 8 pm (actual shift may change as we learn more of the need). Additional escort service from 8pm to 8am will be provided by use of our roving security officer as his duties allow.

This service is intended to assure an adequate means of escorted access to/from vessels with the implementation of the TWIC regulations on April 14, 2009.

Section Two

SUBJECT: WHARFAGE CHARGES

All wharfage charges are in cents per ton of 2,000 lbs. , applied to all shipments at actual weight, except as otherwise noted. A minimum invoice charge of \$10.00 per bill of lading shall apply.

Commodity	Wharfage
SUBRULE 23: WHARFAGE CHARGES	
<u>NOT TO EXCEED THE FOLLOWING CHARGES:</u>	
ALL COMMODITIES NOT OTHERWISE SPECIFIED:	342
SUBRULE 24: AIRCRAFT AND AIRCRAFT PARTS	666
SUBRULE 25: CONTAINERS	
Container of maximum dimensions 40 feet in length, 8 feet 6 inches per ton in width and 8 feet 6 inches in height, gross weight 6001 pounds but not exceeding 70,000 pounds (See Note 1): (See Exceptions)	342
Containers loaded direct to or from ship with ship's tackle or with crane equipment:	342
EXCEPTION 1: Container must be constructed in a manner that will permit handling from either side by forklift and/or crane equipment.	
EXCEPTION 2: Not applicable on shipments of household goods moving in packing vans or packing cases.	
EXCEPTION 3: Loaded containers will be charged loading or unloading and wharfage at the rates specified, based on the weight of the products only, providing gross and tare weights are shown on the documents requesting the handling.	
EXCEPTION 4: Empty containers will be charged loading or unloading and wharfage at the rates specified, based on the actual weight of such container.	
SUBRULE 26: IRON OR STEEL ARTICLES	
	Shipments Less Than 1500 MT
	Shipments Exceeding 1500 MT
Chain Iron in Coils, Ingots, Nails in boxes or kegs, Pig Iron, Railway Equipment, Wire in Coils, Staples:	342
	225
Steel: Pipe, Beams, Structural and Plate:	342
	225
Scrap metal, iron or steel in bulk direct from railcars Or trucks to / from vessel.	342
	225

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Steel Sheets: In Coils, Banded or Secured or Packaged Non Skidded or Skidded	342	225
Except Barge Shipments or Steel Sheets in Coils of Domestic Origin:	342	225
Wire Rods: in Coils	342	225
SUBRULE 27: DRY BULK		166
SUBRULE 28: PAPER, KRAFT, and/or WRAPPING, PULPBOARD or FIBERBOARD		
In rolls		342
Not otherwise specified		342
Bleachboard, Coated or Uncoated, in rolls:		335
SUBRULE 29: PAPER, PRINTING, OR NEWSPRINT		
In rolls, average weight per roll not less than 1,500 lbs. Minimum shipment per vessel 2,000 lbs.		342
SUBRULE 30: SCRAP METAL		
Iron or Steel in bulk direct from railcars or trucks to vessel		342
SUBRULE 31: VEHICLES, MACHINERY (SELF -PROPELLED), AUTOMOBILES, TRUCKS, TRAILERS, UTILITY VEHICLES, MILITARY ORDINANCE VEHICLES, AGRICULTURAL MACHINERY (tractors, combines, etc.)		
Driven On/Off Land Carrier Equipment		666
Lift On or Lift Off Carrier Equipment		666
Agricultural Machinery		342
Used grading or road making machinery being returned to United States		342
SUBRULE 32: WIND POWER EQUIPMENT		
		\$3.09 per 2,000 lbs. or \$1.69 per cm – whichever is greater