

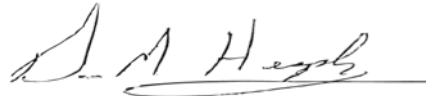
**TO ALL PORT CUSTOMERS:**

The St. Bernard Port, Harbor and Terminal District Tariff (Arabi Terminal Tariff No. 1) has been updated through January 15, 2024.

Future updated pages will be forwarded to you as published.

Additional copies of this tariff are available on request.

Sincerely,

A handwritten signature in black ink, appearing to read "Drew M. Heaphy", written over a horizontal line.

Drew M. Heaphy  
Executive Director

DMH/jrm  
Attachments

ARABI SLIP DOCK TERMINAL TARIFF NO. 1

COMMISSIONERS:

Larry M. Aisola, Jr.  
Thomas B. Ajubita  
Ronald J. Alonzo, Jr.  
Walter J. Cure IV  
David L. Kenney, Jr.

Drew M. Heaphy  
Executive Director  
As Agent

---

ISSUED: January 9, 2024

EFFECTIVE: January 15, 2024

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Issued By  
St. Bernard Port, Harbor & Terminal District  
100 Port Boulevard, P.O. Box 1331  
Chalmette, Louisiana 70044  
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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION I - GENERAL INFORMATION AND DEFINITIONS

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APPLICATION	ITEM
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PORT LIMITS	100
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In accordance with Act #40 of the 1992 legislature section, the St. Bernard Port has jurisdiction over International Trade in all facilities which are wholly owned by the Port. At this time on the Mississippi River this will include the Arabi Terminal. (Chalmette Slip).

-----

LIST OF HOLIDAYS	102
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When reference is made in this tariff to "Holidays", it shall mean the following days:

Ney Year's Eve  
New Year's Day (January 1)  
Mardi Gras Day  
Good Friday  
Easter  
Memorial Day  
Independence Day (July 4)  
Labor Day (First Monday in September)  
Thanksgiving Day (Fourth Thursday in November)  
Day After Thanksgiving  
Christmas Eve  
Christmas (December 25)

When one of the above holidays fall on Sunday, the following Monday will be observed. When one of the above holidays falls on Saturday, the proceeding Friday will be observed.

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BOARD PHONE NUMBERS	104
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Administrative Office - (504) 277-8418  
Arabi Terminal - (504) 277-8418

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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

---

SECTION I - GENERAL INFORMATION AND DEFINITIONS

---

APPLICATON

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ANCHORAGE

106

General Anchorage Limits

The General Anchorage for the Port of St. Bernard is co-  
Existent with New Orleans.

The promulgation and enforcement of rules and  
regulations concerning the General Anchorage is the  
responsibility of the U.S. Coast Guard.

Vessels anchored in the river, except as below noted,  
shall be anchored in that General Anchorage.  
Exception 1 - Quarantine Anchorage.

Vessels awaiting inspection by U.S. Public Health  
Officials shall be anchored in an area along the right  
descending bank, .7 miles long and 800 feet wide,  
extending from Mile 90.9 to Mile 91.6 above Head of  
Passes.

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ARABI TERMINAL TARIFF NO. 1

---

SECTION I - GENERAL INFORMATION AND DEFINITIONS

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APPLICATION	ITEM
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GULF SEAPORTS	108
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The Port of St. Bernard is a member of the Gulf Seaports Marine Terminal Conference which may agree upon rates, charges, rules and regulations that are subsequently published. Written requests and complaints regarding these agreements should give full particulars, including all facts, conditions, and circumstances and be forwarded to A.J. Reixach, Chairman, P.O. Box 615, Freeport, TX 77541. The complaint will be notified on the Conference's docketing of the matter and time of meeting. He shall have a hearing where requested in advance. Other conference members include:

- Board of Commissioners of the Port of New Orleans
- Board of Commissioners of Lake Charles Harbor & Terminal District
- Greater Baton Rouge Port Commission
- Orange County Navigation & Port District, Orange, Texas
- Mississippi State Port Authority of Gulfport
- Board of Commissioners of the Port of Beaumont Navigation District of Jefferson County, Texas
- Port Commission of the Port of Houston Authority of Harris County, Texas
- Board of Trustees Galveston Wharves
- Alabama State Docks Department - Port of Mobile
- South Louisiana Port Commission, LaPlace, Louisiana
- Tampa Port Authority of Hillsborough County, Florida
- Brownsville Navigation District of Cameron County, Texas
- Port of Port Arthur Navigation District of Jefferson County, Texas
- Port of Pensacola - Pensacola, Florida
- Panama City Port Authority - Panama City, Florida
- Brazos River Harbor Navigation District of Brazoria County, Texas
- Port of Corpus Christi Authority - Corpus Christi, Texas
- Port of Pascagoula - Pascagoula, Mississippi

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SEAMAN'S CENTERS	110
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Seamen Centers are located in New Orleans. A schedule of the centers are available through the Terminal Operator.

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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

---

SECTION I - GENERAL INFORMATION AND DEFINITIONS

---

APPLICATION

ITEM

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DEFINITIONS

112

Adjusted Demurrage - "Adjusted Demurrage" shall be a charge assessed against the vessel for permission to place cargo on the public wharves prior to the date assigned to the vessel to begin receiving her outward cargo.

Agent - "Agent" or "Vessel Agent" shall mean the party or entity who submits the "Application for Berth".

Application/Removal of Placards - For applying or removing container placards or labels.

Arrival at Berth - "Arrival at Berth" the time the initial docking tugs arrive at the vessel to commence berthing shall be considered as the arrival time.

Berth - The term "Berth" means the water area at the edge of a wharf, including mooring dolphins, used by a vessel while docked.

Chassis Stacking/Unstacking - The stacking/bundling or unstacking/unbundling of chassis in more than a single unit.

Checking - The service of counting and checking cargo against appropriate documents for the account of the cargo or the vessel, or other person requesting same.

Day - A consecutive 24-hour period of fraction thereof.

Demurrage on Cargo - A charge assessed against cargo remaining in or on terminal facilities after the expiration of free time.

Departure from Berth - "Departure from Berth" the time the undocking tugs depart from vessel shall be considered as the departure time.

Dockage - The charge assessed against a vessel for berthing at a wharf, pier, dolphins, bulkhead, structure or bank or for mooring to a vessel so berthed.

Free Time on Cargo - The specified period during which cargo may occupy space assigned to it on terminal property free of wharf demurrage immediately prior to the loading or subsequent to the discharge on or off the vessel.

Free Time on Vessels - The number of days allowed for the purpose of assembling outward cargo prior to her arrival at her assigned berth.

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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

1<sup>st</sup> REVISED PAGE 5-A  
2/5/2020

ARABI TERMINAL TARIFF NO. 1

---

SECTION I - GENERAL INFORMATION AND DEFINITIONS

---

APPLICATION

ITEM

112

Gross Tonnage - As used in the "Tariff", the term "Gross Ton" with respect to vessels engaged in foreign, coastwise, or intercoastal trade shall be the tons appearing in the Certificate of Registry as the official gross tonnage of the vessel. Such gross tonnage appearing in Lloyd's Register will be acceptable as evidence thereof. Where additional gross tonnage are assigned to certain vessels in association with a tonnage mark on the vessel's sides, or otherwise, the highest of all gross tonnage shall be applicable in determining gross tonnage for the purpose of assessment of charges under this Tariff.

Handling - The service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of ship's tackle.

Inland Watercraft - "Inland Watercraft" wherever used in this tariff, shall include all vessels, private and public, ordinarily operated on rivers, lakes, canals, and other inland waterways employed in any maritime service, task, venture, voyage, or mission, commercial or non-commercial, of a private or public nature. The term "Inland Watercraft" shall not apply to any vessel in tow by another vessel or barges used in movement aboard ocean vessels entering or leaving the harbor destined to or from any point via the Gulf of Mexico.

Loading and Unloading - The service of lading and unloading cargo between any place on the terminal and railroad cars, trucks, lighters, or barges or any other means of conveyance to or from the terminal facility.

Marine Terminal Operator - "Marine Terminal Operator" is the person or legal entity having operational control over the marine terminal.

Point of Rest - The area on the terminal facility assigned for receipt of inbound cargo from the ship and from which inbound cargo may be delivered to the consignee, and the area, which is assigned for the receipt of outbound cargo, from shippers for vessel loading.

Sheddage - "Sheddage" shall be a charge against vessels for the use of covered wharves.

Ship - Any self-propelled seagoing vessel.

Shut-Out Cargo - "Shut-out Cargo" shall be cargo received for a particular outgoing vessel at her berth prior to the departure of the vessel.

Stevedore - One who works at or is responsible for the loading or unloading of a ship or vessel.

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TERMINAL DISTRICT

1<sup>st</sup> REVISED PAGE 5-B  
2/5/2020

ARABI TERMINAL TARIFF NO. 1

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SECTION I - GENERAL INFORMATION AND DEFINITIONS

---

APPLICATION

ITEM

112

Storage - The term "Storage" as used in this tariff means the actual physical keeping of freight or cargo in or upon designated areas of the wharves and transit sheds.

Ton - "Ton" shall be a net ton of 2,000 pounds, unless otherwise indicated. of a private or public nature, other than inland watercraft as defined herein.

Tugs and Towboats - Vessels which do not carry freight or passengers, but are used to tow or push other vessels.

Usage - The use of terminal facilities by a rail carrier, lighter operator, trucker, shipper or consignee, their agents, or truck loading or unloading, or the use of such facilities for any other gainful purpose for which a charge is not otherwise specified.

User - A user of the facilities leased and/or controlled by the terminal shall include any vessel or person using any properties, facilities, or equipment, or to whom or for whom any service, work, or labor is furnished, performed, done, or made available by terminal, or any person owning or having custody of cargo moving over such facilities.

Vessel - Includes within its meaning every description of watercraft or other artificial contrivance whether self-propelled or non-self-propelled, used, or capable of being used, as a means of transportation on water and shall include in its meaning the owner thereof.

Vessels Engaged in Foreign, Coastwise or Intercoastal Trade -The term "Vessels engaged in foreign, coastwise or "Intercoastal Trade" shall include all ocean vessels, private and public whether self-propelled or in tow or barges used in movement aboard ocean vessels, entering or leaving the harbor destined to or from any point via the Gulf of Mexico, employed in any maritime service, task, venture, voyage, or mission, commercial or non-commercial of a private or public nature.

Vessel Length - For the purpose of the computation of charges under this Tariff, the term "length" or "overall length" of a vessel shall be that length measure from the extreme forward point to the extreme after point of the vessel as may appear in the Certificate of Registry of the vessel. With respect to vessels engaged in foreign, coastwise, or intercoastal trade, such overall length appearing in Lloyd's Register will be acceptable as evidence thereof. In the event of any dispute regarding the official or actual overall length of a vessel the Marine Terminal Operator reserves the right to actually measure such vessel for the purpose of determining vessel's overall length.

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TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

---

SECTION I - GENERAL INFORMATION AND DEFINITIONS

---

APPLICATION

ITEM

---

112

Vessel Operations - Whenever used in this tariff, vessel operations shall mean the loading and/or discharging of cargo from or to a vessel.

Wharf - "Wharf" or "Wharves" shall mean any public wharf, dock, berth, landing, pier, mooring facility, barge fleet mooring facility or other structure and the warehouses, sheds, or buildings thereupon, which are owned, operated, or administered by the District.

Wharfage - A charge assessed against the cargo of vessel on all cargo passing or conveyed over, onto, or under wharves or between vessels (to or from barge or lighter) when berthed. Wharfage is solely the charge for use of certain facilities and does not include charges for any other service.

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ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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CONSENT TO THE TARIFF	200
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Use of the wharves, other facilities, or property under the jurisdiction of the District shall constitute a consent to the terms and conditions of this tariff and evidences an agreement on the part of all vessels, their owners, charters and agents, or other users to pay all applicable charges and abide by all rules and regulations or ordinances of the District, and abide by the rules and regulations of this tariff.

---

INTERPRETATION OF TARIFF	202
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The District shall be the sole judge as to the interpretation of this tariff.

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LESSEES OF FACILITIES ADMINISTERED BY THE DISTRICT	204
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Notwithstanding any provision of this tariff to the contrary, lessees of facilities administered By the District shall pay such fees, rates, rents or other charges as shall be established by negotiation with the District, and shall be required by the lease, contract or other document governing their occupancy, to publish a tariff containing rates and charges applicable to any operation of the leased facilities to service the business of third parties, said lease and tariff to be in conformity with La, R. S. 34:1701, et seq.

---

PROHIBITED ACTIVITIES	206
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The following activities are prohibited:

- (1) Smoking on or in the public wharves or other facilities under District jurisdiction and the approaches within 50 feet of the wharves or facilities, except in specially designated areas.
- (2) Smoking on the open deck or in the hold of any vessel moored at a wharf in the Port of St. Bernard or tied to another vessel made fast thereto, as well as throwing any lighted object from a vessel.
- (3) The obstruction of any fire fighting appliance or apparatus on or in any wharf or roadway.

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 TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION	ITEM
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206

- (4) The removal or breaking of the wire seals on fire hoses or fire water valves on or in the wharves, or the use of water from said hoses or valves, for purpose other than extinguishing a fire.
- (5) Unauthorized storage of gasoline, distillate or any liquid petroleum products other than lubricating oils or kerosene in the wharf warehouses. Gasoline, distillate or liquid products will be permitted to be received on a wharf for a vessel at the dock, but shall not be permitted to remain on the dock overnight, nor be placed in close proximity to cotton, flour or other contact-sensitive freight. Packages in a leaky condition shall not be permitted to be placed upon the wharves for shipment; such packages received as inbound cargo shall be removed from the wharf at once.
- (6) Storage or overnight parking of automobiles or trucks in or on the wharves, except as otherwise provided herein. The housing of gasoline operated truck lifts and similar equipment may be permitted only after an inspection and receipt of written permission from the Marine Terminal Operator.
- (7) Operating any vehicle on any wharf when, in the discretion of the Marine Terminal Operator, the vehicle interferes with the efficient operation of the wharf.
- (8) Dumping of oil, oily wastes or grease or other refuse matter into the water of the Port of St. Bernard. Engaging in this activity shall be in violation of national, state, and District laws and ordinances.
- (9) Blowing tubes with blowers or mechanical process or emitting dense smoke by any vessel within the limits of St. Bernard Parish.
- (10) Obstructing any wharf by stevedore's tools, equipment, donkey engines, vehicles, or any other material or object which is not part of the cargo. Engaging in this activity shall result in a \$25.00 daily charge, commencing 24 hours after notice is given by the Marine Terminal Operator, and shall result in the removal, storage and/or sale of such material at the stevedore's expense.
- (11) Failing to maintain 10 feet clearance from the nearest rail of any railroad, the obstruction of the free passage of any rail car, and endangering the safety of rail cars or operating personnel.
- (12) Vessel operations that exceed loading and strains posted on or in the wharf, or otherwise designated by the District.
- (13) Oxyacetylene, electric, or any other welding or burning or other "hot work" involving use of any open flame or heat on any wharf or inside any shed or covered facility owned, operated or administered by the District unless a current permit issued by the Marine Terminal Operator is obtained and posted at the site where cutting, welding, fumigating, shrink-wrapping of any materials with a system involving an open flame or any other "hot work" is to be performed.

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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO.1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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FIRE SIGNAL	208
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Where fire occurs on board any vessel in the Port of St. Bernard, the vessel shall sound five prolonged blasts of the whistle or siren , each blast to be four or six seconds duration. Such signal may be repeated at intervals to attract attention and shall be used in addition to other means of reporting a fire.

-----

CLEANING OF WHARF	210
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It is the responsibility of the vessel to clean, promptly, the wharf upon completion of loading/unloading operations. All dunnage, trash or debris must be removed and the wharf must be placed in a sanitary condition. Failure to maintain such state of cleanliness and sanitary condition shall entitle District , in its discretion, on one-hour's notice, to either contract with private contractors to clean such area or clean the are with District employees and the Grantee or vessel responsible for cleaning shall be obligated to pay District the contract or actual cost plus \$2,500 as a penalty.

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ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

---

APPLICATION	ITEM
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MINIMUM INSURANCE REQUIREMENTS	212
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Assignees of a Berth shall be responsible for furnishing to District evidence of insurance coverage, including but not limited to Workers' Compensation, Comprehensive General Liability, Stevedore and Terminal Operator's Liability (Grantee or Assignee) and such other insurance, in such forms and with such minimum limits as the District may require. Failure to obtain and retain or submit evidence of the insurance coverage required by the District shall constitute cause for denying the use of the District's facilities or cancellation of an assignment previously made.

-----

VALIDITY OF CHARGES	213
---------------------	-----

Should there be any questions with regard to the validity of any invoices issued by the Marine Terminal Operator, the matter must be reduced to writing and sent certified mail to the MTO with thirty (30) days after presentation of the invoice in question. Any invoice not questioned within this thirty (30) day period will be considered valid and final.

-----

PAYMENT OF CHARGES AND INVOICES	214
---------------------------------	-----

The applicant, either directly or through a cargo forwarding agent, shall be responsible to the Marine Terminal Operator for payment of all charges payable hereunder arising directly or indirectly out of the activity described in the Application for Berth. Other users shall be responsible for such charges as may be applicable in respect of their use. The MTO reserves the right to hold any vessels, their owners, and agents who load or discharge cargo at the MTO facilities liable for payment of all charges.

All charges incurred under the provisions of this tariff are due upon receipt of said services unless satisfactory credit has been previously established by the customer with the MTO's Chief Financial Officer. If credit is extended, all tariff charges must be paid in full within thirty (30) days from the date of the invoice. Customers with account balances older than thirty (30) days will be classified as delinquent. Any delinquent customer shall immediately and automatically have credit privileges revoked. Furthermore, account balances greater than sixty (60) days old shall be classified as extremely delinquent and said customer shall lose any collection fee than that may have been credited for the timely remittance of the outstanding tariff charge.

If at any time the MTO is required to employ the services of an attorney to collect amounts due, protect any rights, or otherwise take action against the Vessel for the enforcement of terms set forth herein or otherwise, the vessel and the party executing the Berth Application shall pay the reasonable fees such as attorney, plus all expenses and court cost of any legal proceedings.

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TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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COLLECTION OF CHARGES	215
-----------------------	-----

The Marine Terminal Operator reserves the right to estimate and collect in advance for all charges payable in respect of activities described in an Application for Berth. Use of the facilities may be denied until such advance payment has been made to the MTO. The MTO reserves the right to apply any payment received against the oldest MTO invoices rendered against the invoicee.

In any event, payment for all activities described in the Application for Berth or otherwise due shall be paid in full prior to arrival to the berth by the vessel.

-----

DAMAGE TO DISTRICT PROPERTY	216
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- (1) In the event any damage is caused to District's property, the vessel or parties causing such damage, and the vessel or parties to whom such property has been assigned, or who are using or occupying same under any provision of the District's tariff, shall give a full report to the District, including the date and time the damage occurred, a description thereof, the names, addresses and business connections of such vessels or parties causing such damage and the witnesses to the occurrence, and all other available pertinent facts and information.
- (2) Each vessel, her owners, charterers and agents, to whom any property of the District has been assigned, or who are using or occupying same under any provision of the District's tariff, shall be held responsible and shall be liable, severally, jointly and in solido, for any and all damage occurring to such property and the expense of the repair or replacement of such property: except as provided in subparagraph (3).
- (3) Any such vessel described in subparagraph (2) above may be released from such liability aforesaid upon furnishing to the District sufficient facts, evidence and other proof legally establishing the identity of the party or parties causing, or contributing to the cause of, any damage to such property of the District; provided that the vessel described in subparagraph (2) may be released from said liability by establishing sufficient facts to show that the damage was not caused by any watercraft operating on or in connection with the business of the said vessel.
- (4) Where sufficient facts are furnished under subparagraph (3), or the damaged District property has not been assigned to a vessel or is not used or occupied by a vessel under any provision of this tariff, themselves and all parties responsible for damage to or destruction of District property shall be held liable for the expense of the replacement or repair of the property.

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(504) 277-8418



ST. BERNARD PORT, HARBOR AND  
 TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

---

SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
DISTRICT HELD HARMLESS	218

Each vessel, her owners, charters and agents, to whom any wharf or other property of the District has been assigned, or who are using or occupying same under any provision of the District's tariff, shall be responsible for and shall be liable for, severally, jointly and in solido, any licensed independent lift operator or cargo owners shall be responsible for and take over and administer, any and all claims in any manner arising out of or connected with the performance of loading/unloading services by such Assignee of the Berth, or licensed independent lift operator or cargo owner, including, but not limited to, any and all claims for bodily injury, death, or property (including cargo) damage, loss or shortage and/or for detention, demurrage or delay and shall defend, indemnify and hold harmless the District from and against any and all such claims, provided however, that this provision will not relieve the District from any liability which may arise out of its own negligence.

---

RESPONSIBILITY FOR LOSS OR DAMAGE TO CARGO	220
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Shippers or receivers of cargo, the vessel, her owners, charterers, and agents, or those acting for them, must protect such cargo from loss or damage from any cause, including but limited to loss of damage from pilferage, rodents, insects, shrinkage, wastage, decay, seepage, heat, cold, evaporation, fire, leakage, or discharge from sprinkler system, rain, floods, or the elements, defects or leaks in or around buildings or other structures, war, riots, strikes, civil commotion, acts of third persons, or other causes whatsoever, provided however that this provision will not relieve the District from any liability which may arise out of its own negligence.

---

SUBSTANCE ABUSE POLICY	222
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The District recognizes the severity and gravity of the national substance abuse crisis. While widespread substance abuse is a threat to the general health and morals of the public, in the workplace it frustrates the achievement of safety, performance and productivity goals. In an effort to assist in controlling the scope and effect of substance abuse in the Port, the District has adopted a substance abuse policy to maintain safety, productivity and quality standards among its employees. The District recognizes the Importance of employee education and rehabilitation regarding substance abuse.

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ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

APPLICATION	ITEM
	222

It is similarly the goal of the District to provide a safe workplace for all those employed on the District's wharves and property. No person by whoever employed may work on the District's wharves or any of its properties while under the influence of alcohol or illegal drugs. Each employer of individuals who work on the District's wharves or properties shall have in place a substance abuse policy which subjects employees to post-accident drug-testing and drug-testing on reasonable suspicion of intoxication and which provides for appropriate subsequent action. All employee drug tests shall be conducted in compliance with applicable federal and state laws.

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TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

---

APPLICATION ITEM

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RESPONSIBILITY FOR RAILROAD CLEARANCE 224

Each vessel, her owners, charterers and agents to whom any wharf or other facility of this District has been assigned, or who is using or occupying the same under any provision of this tariff, shall be responsible severally, jointly, and in solido for the maintenance of clearance of 10 feet from the center line of any railroad tracks, in order to comply with railroad clearance requirements for switching.

-----

MOVING VESSELS TO PROTECT PROPERTY OR TO FACILITATE 226  
NAVIGATION OR COMMERCE

In the event it becomes necessary to move any vessel in order to facilitate navigation, or commerce, or to protect other vessels or property, the Marine Terminal Operator is authorized to order and enforce the removal of such vessel at its own expense to such place as he may direct. Upon the failure or refusal of the person in charge of such vessel to change the position as directed, the Marine Terminal Operator is authorized and under a duty to board vessel with any necessary assistance and change the position thereof at the expense of such vessel.

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ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

---

APPLICATION ITEM

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WAIVER OF SUBROGATION UNDER FIRE POLICIES 228

The District waives and relinquishes any and all claims, demand, actions and rights of action, which it may hereafter have or acquire against any person for or on account of any loss or damage to the District's wharves or other facilities covered by a berth assignment, resulting from fire or explosion, to the extent only that the same is covered by policies of insurance carried by the District, and to the extent only that this waiver does not vitiate such insurance under the terms thereof. The word "person" includes the grantee of a berth assignment, their agents, employees, and principals, the vessel or craft using the wharves or other facilities in connection with the business of such grantee or holder, her owners, charterers, operators, and agents, as well as the contracting stevedores and other subcontractors of any of the foregoing, and all others entering upon or using such wharves or other facilities in connection with the business of any of the foregoing, and the underwriters of each of the foregoing. Nothing herein shall affect loss by or damage or injury to anyone other than the District.

-----

AUDIT OF MANIFESTS AND OTHER DOCUMENTS 230

The vessel, her owners, charterers and agents, assignees of a berth, and those persons using facilities for purposes of performing cargo operations with their permission of such vessel, Assignee shall permit District access to all cargo documents including, but not limited to, cargo manifests, delivery tickets, dray receipts, hatch lists, or invoices for services and furnish to District such other documentation, reports or information as it may require, for purposes of audit so as to secure necessary data to permit correct billing for charges incurred under this tariff. Failure to provide such information upon request will constitute cause for denial of use of the District's facilities.

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TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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MEASUREMENT OF A VESSEL	232
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In the event of a dispute regarding the registered length of a vessel, the District reserves the right to actually measure such vessel for the purpose of determining her over-all length.

---

COMPUTATION OF TIME	234
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All charges are based on straight running time except where otherwise stated. A day in computing charges shall be considered as commencing when the vessel arrives at the berth and shall comprise of a period of 24 hours.

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REGULATION OF MOTOR VEHICLE TRAFFIC	236
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The Marine Terminal Operator has authority to regulate motor vehicle traffic at the Arabi Terminal.

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HANDLING CLASS "A" EXPLOSIVES	238
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Persons desiring to handle, load, transport or discharge commercial Class "A" or military explosives shall file a written application with the Marine Terminal Operator, which application shall be accompanied by all permits or approvals required by applicable local, state or federal laws, regulations, or ordinances.

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ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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MARPOL	240
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Annex I

Under Annex I of the International Convention for the Prevention of Pollution from Ships (MARPOL), a vessel desiring to discharge oily wastes shall arrange the discharge with a company approved by the Captain of the Port, United States Coast Guard. All inquiries regarding approved companies should be directed to the Captain of the Port. Discharge operations shall be reported to the Marine Terminal Operator in charge prior to the actual discharge.

Annex V

Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78 and the United States Coast Guard's Implementing Regulations (33 CFR, parts 151, 158) require that reception facilities be available for those vessels which have indicated, in advance, the need to dispose of ship-generated garbage.

In order to accommodate the needs of shipping and commerce through this Port, the Marine Terminal Operator has filed an application for a certificate of adequacy with the Captain of the Port, United States Coast Guard for garbage reception facilities. Assignees of a berth, or their designees, shall provide, upon request, the reception facilities, which meet the requirements contained in the appropriate regulations. Assignees, or their designees shall require a 24-hour notice of vessel's intent to discharge garbage at the Arabi Terminal so as not to cause any undue delay to vessels.

Reception facilities for food, plant, meat, and other potentially infectious waste shall be Provided by assignees, when requested by the vessel, in accordance with the above And with the requirements set forth in 7 CFR 330 and 9 CFR 94. These regulated food Wastes must be handled at a facility approved by the Animal and Plant Health Inspection Service (APHIS). A listing of approved transporters and treatment facilities is available from the Marine Terminal Operator.

Assignees, or their designees, shall provide the necessary reception facilities, when requested to do so for other than APHIS-regulated garbage from any commercial, full-service solid waste firm. Inquiries regarding facilities available for disposal of materials covered by Annex V may be directed to the Marine Terminal Operator.

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ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION ITEM

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PROCEDURES FOR SCHEDULING AND PLACEMENTS OF TRUCKS,  
VANS OR TRAILERS 242

Procedures for the scheduling and placement of trucks, vans or trailers for loading or unloading of cargo, which insure equal access to all shippers, receivers and cargo owners, shall be submitted to the Marine Terminal Operator for his approval by Assignee of a Berth. A Fax fee or any similar direct or indirect charge or assessment by a Assignee, or those acting on their behalf, is strictly prohibited, except where such fee, charge or assessment is also billed to and collected from all cargo shippers, receivers or cargo owners without regard to the party performing the loading and/or unloading service provided for in Section VI of this tariff. No truck loading or unloading operations shall be conducted except in accordance with such procedures. Failure to have on file, with the Marine Terminal Operator approved procedures shall constitute cause for denying the use of District facilities or cancellations of an assignment previously made.

-----  
WATCHMAN 244

Any vessel lying at the wharves shall at all times have on board at least one person in charge of said vessel who has authority to take action, in any emergency, as may be required

-----  
HEAVY LIFT EQUIPMENT, LEASED 246

No heavy lift equipment shall be utilized in loading, unloading or handling of freight and cargo on the premises and facilities of the St. Bernard Port unless permission is first obtained from the Marine Terminal Operator.

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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CONTROL OF LOADING, UNLOADING AND HANDLING OF ALL CARGO	248
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St. Bernard Port reserves the right to control the loading, unloading and handling of all freight and cargo on premises and facilities under its control. No others will be allowed to perform such handling without special permission from the Marine Terminal Operator. If and when such permission is granted, the charges to be assessed are those published in the St. Bernard Port tariff. When another party is permitted to handle freight, the Marine Terminal Operator shall be paid by such party for the use of its facilities at rate to be named, depending upon commodity handled and conditions pertaining thereto.

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WORKING HOURS	250
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The recognized working hours of the Arabi Terminal shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday, holidays excepted. Trucks must arrive at the terminal for loading and unloading prior to 4:00 p.m.

---

DELAYS, DEMURRAGE OR DETENTION ON RAIL CARS	252
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St. Bernard Port assumes no responsibility for delays, demurrage or detention on rail cars.

---

FLOOR LOAD LIMITATIONS	254
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Operations by vessels, their owners, charterers, and agents, so far as they affect loading and strains on structures, shall be limited to such loading and strains as shall not be in excess of those posted in the area, or otherwise designated by St. Bernard Port.

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ST. BERNARD PORT, HARBOR AND  
 TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION II - GENERAL RULES AND REGULATIONS

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APPLICATION	ITEM
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PALLET RENTAL	256
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Cargo pallets will be rented at a charge of \$.24 cents per net ton of cargo palletized minimum charge of six dollars and ninety-six cents (\$6.96). Chocks, separators or stripping, in lieu of pallets, will be rented at a charge of \$0.16 cents per net ton of cargo placed thereon. Minimum charge of six dollars and ninety-six cents (\$6.96). The use of pallets, chocks, separators or stripping carries with it the obligation of the stevedores to return this equipment immediately to the transit shed adjacent to the ship in an acceptable manner as directed by the representative of the terminal. No pallets, chocks, separators or stripping are authorized to be removed from the Terminal by the stevedores.

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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION III - USE OF DISTRICT PROPERTY

---

APPLICATION	ITEM
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APPLICATION FOR BERTH	300
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To accommodate shipping and commerce through this Port, the District merely provides wharves and other facilities to vessels or other persons for their use and performs no services of any kind. The parties assigned the use of such facilities shall perform or cause to be performed any and all services, and conduct all operations necessary in connection with the berthing of vessels, the handling of cargo or property, or other use by the assignee. In all cases, the care, custody and control of such vessels, cargo or other property, shall at all times be and remain the responsibility of her owners, charterers, and agents, and in no case, shall the assignment of a berth, wharf or other facility be deemed or construed as placing such vessel, cargo or other property, in the care, custody or control of the District.

Vessels, their owners, charterers, and agents desiring a berth at the Arabi Terminal must apply to the Marine Terminal Operator (MTO) on forms furnished by the MTO, not less than forty-eight (48) hours in advance of the proposed time of use. If space is available, the Marine Terminal Operator will notify the applicant of a berth assignment by returning a signed copy of said form.

The signed application form, or an authenticated electronic application, and grant of berth assignment, shall constitute a contract, subject to the rates, rules and regulations and provisions contained in this tariff and the ordinances of this District, by and between the MTO and the Vessel, her owner, grant of berth assignment does not convey absolute control of the facility assigned.

Should the vessel which has filed an Application for berth be ordered to berth, and refuse Such berth for any reason, refile of an application will be required in accordance with the provisions of this Tariff. The MTO has the sole discretion to accept and approve the Application for Berth once received.

Exception - Inland Barge Carriers

Inland barge carriers regularly operating at this port may be relieved of filing an "application for Berth" by entering into a written contract with the MTO providing for their submission, within five days following the close of each calendar month, a list of all barges docked or berthed at the Arabi Terminal during the said calendar month, indicating the name or number of each inland watercraft (including barges), the length thereof, the name or location of the public wharf, the date and hour of the arrival and departure of each, sheddage and such other information necessary to assist the MTO is assessing charges. Such barge carriers shall be billed monthly for all applicable dockage and sheddage charges.

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SECTION III - USE OF DISTRICT PROPERTY

---

APPLICATION	ITEM
	300

Inland barge carriers entering into such contracts shall never the less obtain oral permission from the Marine Terminal Operator for, and prior to, the berthing of any barge at the Arabi Terminal.

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SECTION III - USE OF DISTRICT PROPERTY

---

APPLICATION ITEM

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DELAYS CAUSED BY VESSEL 301

Should a vessel at berth find it necessary to receive fuel, water or stores; or to discharge ballast of whatsoever, such activities must be scheduled in advance with the Marine Terminal Operator so that stevedoring activities will be charged against the vessel, its owners and/or agents at a rate of \$5,000.00 per hour.

-----

FAILURE TO VACATE BERTHS 302

The Marine Terminal Operator shall have the right, in its own sole discretion, for any reason it shall determine desirable, without waiver of any rights the MTO may have, to order, without cause, the vessel to vacate the berth at any time. Should the vessel fail to vacate the berth, the vessel shall pay, upon demand, the rate of \$5,000 per hour. Such damages will commence one hour after the MTO issues its order, either verbally or written, to vacate the berth and shall be assessed continuously until the vessel physically vacates the berth. In addition, all costs and expenses in connection with the moving of the vessel, but not limited to attorneys fees and expenses incurred by the MTO, shall be for the account of the vessel.

-----

FIRST CALL ON BERTH PRIVILEGE 304

Definition - First Call on Berth Privilege is a prior claim to be assigned the use of a particular public wharf and berth by vessels pursuant to a written grant to the owners or agents, and shall not be construed as granting exclusive use or absolute control of a particular wharf and berth.

Application - First Call on Berth Privilege may be granted, upon a particular wharf, when available, upon application to the Marine Terminal Operator.

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SECTION III - USE OF DISTRICT PROPERTY

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APPLICATION ITEM

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USE OF MARSHALING YARDS, IMPROVED AND UNIMPROVED LAND AREAS 306

The District has available land areas for use for the marshaling of containers, storage, and handling of cargo or other purposes.

Application - Persons desiring to utilize these areas should direct their written request to the Marine Terminal Operator who will contact the St. Bernard Port, Harbor, and Terminal District.

Terms and Conditions - Subject to published lease rates of the St. Bernard Port, Harbor and Terminal District.

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SECTION III - USE OF DISTRICT PROPERTY

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APPLICATION ITEM

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TERMINAL USE FEE 310

For vessels berthed under GRT dockage status for the purpose to load or discharge cargo solely to or from barge, a Terminal Use Fee will be assessed at a rate of fifty cents (\$0.50) per ton.

Minimum charge for vessels: \$4,000.00 per day or fraction thereof.

-----

STEVEDORE USAGE FEE 312

All persons utilizing the district facilities of this Terminal for the purpose of performing stevedoring or terminal services, pursuant to an application filed in accordance with Item 300, may be assessed a Stevedore Usage Fee of twelve dollars (\$12.00) per net ton of cargo loaded or discharged on dry bulk commodities. The fee, due solely by the party performing the stated stevedoring service(s) is in addition to any other charge, including any district tariff charges, and shall be based on the number of net tons of all cargo handled at the facility.

-----

DUNNAGE USE FEE 313

A fee of \$1.00 per ton applies on all cargo that requires dunnage in order to be stacked in the terminal warehouse or laydown area.

-----

PERIOD OF TIME FOR DOCKAGE 320

The period of time for which dockage shall be assessed against a vessel shall commence when Arrival At Berth and shall continue until Departure From Berth.

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ST. BERNARD PORT, HARBOR AND  
TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION III - USE OF DISTRICT PROPERTY

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APPLICATION	ITEM
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PROVISION OF GANGWAY	325
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For all vessels berthing within the Chalmette Slip, the MTO will provide a safe working gangway for the purpose of embarking and disembarking the vessel. All gangway fees are solely for the account of the vessel.

-----

LINE HANDLING	326
---------------	-----

St. Bernard Port, Harbor and Terminal District requires that line handlers be provided by MTO for berthing and departure of ALL vessels and ocean barges. Refer to the Berth Application for line handling information or call the Terminal Office for information and current rates.

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HARBOR TUGS	327
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The MTO will provide harbor tugs for berthing and departure of ALL vessels and ocean barges. A MINIMUM of one tug is required for berthing and departure. ATSB reserves the right to amend the number of tugs requested. Refer to the Berth Application for harbor tug information or call the Terminal Office for information and current rates.

-----

BUNKER CHARGE	328
---------------	-----

All vessels receiving bunkers from a barge while moored at MTO facilities will be assessed a charge of \$ 4,000.00.

Bunker intentions must be noted on the Berth Application.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION ITEM

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FREE TIME FOR ASSEMBLING OUTWARD CARGO 400

A vessel shall be allowed the use of assigned wharf space for a free time period of 30 calendar days, for the purpose of assembling cargo prior to arrival at her assigned outward berth.

-----  
PAYMENT OF ADJUSTED DEMURRAGE 402

A vessel, her owners, charterers, and agents shall be responsible for the payment of all demurrage charges.

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 TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
OUTBOUND DEMURRAGE	404

A vessel failing to arrive at and occupy her assigned outward berth within the free time allowed in Item 400 shall be assessed the following outbound demurrage charges, based on the cargo received and assembled for outward movement:

\$ .15 per ton (or fraction) per day (or fraction)  
 for the first seven days.

\$ .40 per ton (or fraction) per day (or fraction)  
 for the next seven days.

\$1.00 per ton (or fraction) per day (or fraction)  
 for each day thereafter.

Demurrage charges shall cease at 0001 on the day of arrival of the vessel at her outward berth.

The vessel, her owners, charterers, and agents shall be responsible for the payment of all outbound demurrage charges.

At the option of the Marine Terminal Operator, the cargo may be sent to warehouse storage for account of whom it may concern.

Exceptions

Vessels assembling government relief cargo where the United States is ultimately responsible for transportation and terminal costs shall be assessed the aforesaid outbound demurrage charge. Upon expiration of the 30 days free time, the adjusted demurrage charge assessed against said cargo shall be \$ .08 per ton for each five-day period or fraction. The charge shall cease upon arrival of the vessel scheduled to lift the cargo.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
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EXTENSION OF RECEIVING FOR ASSEMBLING OUTWARD CARGO	406
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A request to extend the receiving date ("First Date"), specified on the Application for Berth, for assembling outward cargo shall be made in writing to the Marine Terminal Operator before 0001 of the receiving date. If time does not permit the transmission of a written request before 0001 of the receiving date, the request may be made by telephone but it must be immediately confirmed in writing. The approval of the request for the extension shall be at the full discretion of the Marine Terminal Operator. Only one such extension shall be granted.

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SUBSTITUTION OF VESSELS	408
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When circumstances arise which, in the opinion of the Marine Terminal Operator, are considered beyond the control of the vessel owner or agent and prevent lifting her outward cargo, another vessel may be substituted to lift the cargo provided that the substitute vessel assumes the receiving date of the original vessel and pays all applicable charges. This substitution shall not be made after the original vessel begins to load her outward cargo. Once a vessel begins to load her outward cargo, any cargo not lifted shall be classified as shutout cargo, subject to Items 440 and 442.

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ST. BERNARD PORT, HARBOR AND  
 TERMINAL DISTRICT

ARABI TERMINAL TARIFF NO. 1

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SECTION IV – VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
DOCKAGE CHARGES FOR VESSELS ENGAGED IN FOREIGN, COASTWISE OR INTERCOSTAL TRADE	410

Regular Dockage Rate

Vessels that are assigned berths for the unloading and/or loading of inward and/or outward cargoes or vessels moored to vessels assigned such berths shall be assessed dockage charges. Beginning on arrival of a vessel at her berth, the dockage charges in Column 1 of Item 414 of this tariff shall be assessed continuously for each consecutive day of 24 hours, or fraction, and said charges will end on the day the vessel completes all cargo operations and releases her berth, except where a vessel is in idle status as described in Exception (1) (a) below. Vessels requesting a change in status resulting in a higher dockage rate shall be assessed such rate effective 0001 hours of the date of the change. The effective date of the change in dockage rates for vessels requesting a change in status resulting in lower rate shall be 0001 hours of the day following the change.

Exceptions

- (1) Special Dockage Rate
  - (a) Special Purpose – Vessels assigned public berths, for the purposes shows below, shall be assessed special dockage charges in Column 3 of Item 412 of this tariff:
    - Vessels handling passengers exclusively, including their personal automobiles;
    - Vessels fitting out<sup>6</sup> for grain
    - Vessels receiving supplies
    - Vessels fumigating;
    - Vessels other than military vessels, on exhibition or display to the public;
    - Idle status, a vessel in an idle status, defined as not out of service, not in repair, and temporarily ceasing loading/unloading, may be subject to removal by the District at the risk and expense of the vessel, her owner, charterer and agent.
  - (b) Repair Status – A vessel in a repair status shall be assessed special dockage at the rates set forth in Column 3 of Item 414.
  - (c) Lay-Up Status – A vessel in a lay-up status, defined as out of service and not in repair status, shall be assessed special dockage rates set forth in Column 3 of Item 414.

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SECTION IV – VESSEL CHARGES/CARGO CHARGES

---

APPLICATION

ITEM

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410

Note 1 - A vessel assessed the aforesaid rates of Exception (1) of this Item shall not receive or discharge cargo or passengers.

Note 2 - Whenever a public berth assigned under Exception (1) of this Item is also the assigned outward berth, the vessel shall be assessed the "regular dockage rate" provided in this Item commencing 0001 of the day the vessel begins to load her outward cargo or on the first day after the free time expires, whichever first occurs.

(2) Government Vessels and Pleasure Craft

At the discretion of the Marine Terminal Operator, government vessels not engaged in commerce may moor at the Arabi Terminal when available free of charge.

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SPECIAL DOCKAGE RATE

411

Vessels may be permitted to berth when neither loading nor discharging of cargo. Beginning on arrival of the vessel at berth, the Special Dockage Rate shall be assessed continually for each twenty-four (24) hours, and said charge shall end when vessel departs the berth or changes in status to a higher dockage charge, see Item 415.

A change in status resulting in higher dockage rate shall be assessed such rate effective at the first 0700 or 1900 prior to call out labor gang(s) to begin stevedoring operations.

Vessels requesting a change in status resulting in lower dockage rate shall be assessed such rate effective immediately upon completion of a twenty-four (24) hour period of Regular Dockage, Item 415, and said dockage shall end on the day the vessel departs the berth. The lower dockage shall apply for each twenty-four (24) hours, or fraction thereof.

DOCKAGE RATE: \$7,500.00 per day

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION ITEM

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CAPE SIZED VESSEL DOCKAGE CHARGES 413

Dockage for any cape sized vessel will be assessed at our Regular Dockage Charge rate as per item 414. The vessel will be assessed dockage at a minimum of four (4) days.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
SHEDDAGE OF DOCKAGE AND SHEDDAGE AND/OR MARGINAL TRACK USAGE RATE	414

Where reference is made hereto by Item 414, 415, 416 and 312 and other provisions of this tariff, the following schedule of dockage rates per foot of vessel length shall apply on a 24 hour day basis or fraction thereof, and sheddage/marginal track rates of Column 2 shall apply for the entire period of the berth assignment:

LOA IN FEET	REGULAR DOCKAGE	SHEDDAGE	SPECIAL DOCKAGE
0-499	\$ 4.96	\$0.63	\$4,000.00
500-599	\$ 7.27	\$1.71	\$4,000.00
600-699	\$ 8.94	\$2.23	\$4,000.00
700-799	\$10.96	\$2.80	\$4,000.00
800-899	\$11.22	\$2.96	\$4,000.00
900-over	\$12.10	\$3.28	\$4,000.00

Charges assessed, pursuant to this provision, will be determined by multiplying the vessel length overall by the applicable rate.

Not applicable when Items 415 is utilized with respect to ships berthing at the terminal.

- a) to discharge or load cargo solely to barges or other vessels and solely from barges or other vessels, or,
- b) to discharge or load dry bulk commodities, whether to or from vessels or to or from a dock, in those instances in which the dry bulk commodities exceed fifty (50%) percent of the tonnage cargo, prorated on that portion of dry bulk commodities on the same vessel.
- c) length does not apply to Special Dockage rage.

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
DOCKAGE CHARGES (G.R.T.)	415

Dockage Charges will be assessed against bulk cargo vessels working bulk cargo (loose or bags) to/from barges or to/from dock when bulk is the sole commodity, or general cargo vessels working cargo solely between vessels and barges.

Dockage charges will be assessed for vessels unloading and/or loading cargo. Dockage charges will be assessed against the vessel, its owners, agents, or operators, at a rate of eighty-six (.86) cents per GRT, for the first twenty-four (24) hours and each succeeding twenty-four (24) hours.

Gross Registered Tonnage is based on the Gross Tonnage of ships as shown in current "Lloyd's Register of Ships".

Minimum charge: \$12,000.00 per 24-hour day.

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COMPUTATION OF DOCKAGE	416
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Part Day Dockage Charges

Vessels shall be assessed on full day's dockage for the first day regardless of the number of hours berthed. After the first day's charges, vessels shall be assessed 50 percent of full day dockage charges for under 12 hours and 100 percent for over 12 hours.

Alternative Basis for Computing Dockage Charges

In the event a vessel, after discharging her inward cargo, and/or lifting part of her outward cargo, departs for other United States Gulf ports, and returns classified as lift the remaining outward cargo left behind, classified as shut out cargo (see Item 440 and 442), or additional outward cargo received subsequent to her departure, dockage charges may be computed as if there were two separate and distinct vessels involved, if the total dockage charges resulting thereby are lower than the regular dockage rate computed on the basis of the continuous and uninterrupted running time, provided in Item 414. When the charges are assessed under this alternative basis, such vessel shall be required to submit separate applications for berths to cover both such arrivals or voyages. In such cases, the date originally assigned to the vessel to receive cargo shall be deemed to be the receiving date of the vessel for determining the charges for her second or return voyage, except that in the event such vessel receives additional cargo after departing this port for another United States Gulf port, then a new receiving date shall be assigned to her, beginning on the day such additional cargo is so received.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

---

APPLICATION ITEM

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SECURITY SURCHARGE Item 417

A security surcharge, as described in this tariff item shall be assessed against, and collected from, all vessels, barges and cargo interests utilizing services of the Chalmette Slip and Arabi Mooring Dolphins (90.5 AHP) facilities at the St. Bernard Port, Harbor and Terminal District in accordance with notice filed with the Federal Maritime Commission by the Gulf Seaports Marine Terminal Conference.

The security surcharge is assessed to recover costs incurred for security assessments, security plans, equipment purchase, installation and maintenance and staffing required to implement and maintain surveillance, access controls, and other mandates by the Maritime Transportation Security Act of 2002 and U.S. Coast Guard regulation 33 CFR 105.

The security surcharge will be assessed against dockage, sheddage, and wharfage as a percentage of total dockage charged, and as a tonnage fee against cargo, with the exception of containers, which will be assessed on a per unit basis. The security surcharge will be assessed in addition to all other fees which may be due under this tariff as follows:

**VESSELS and BARGES:** Eleven and twenty-six hundredths percent (11.26%) of total dockage assessed per port call.

**CARGO:**

- Break-bulk                                 \$       .238 cents per ton
- Bulk   \$       .053 cents per ton
- Liquid Bulk                                 \$       .053 cents per ton
- Containers                                 \$       4.970 per box
- Railcars                                     \$       4.970 per railcar (loaded or unloaded)

Users of the St. Bernard Port, Harbor and Terminal District facilities who withhold, refuse or otherwise fail to pay properly assessed security surcharges, shall be subject to all the collection terms and procedures contained in items 200 & 214 of this tariff. Additionally, at the sole discretion of the St. Bernard Port, Harbor and Terminal District, such users may be denied service or required to deposit estimated port charges in advance of using port authority facilities or receiving services.

This security surcharge is effective on June 1, 2005, and shall remain in effect until revised, rescinded or cancelled by the St. Bernard Port, Harbor and Terminal District.

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION ITEM

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DOCKAGE CHARGES FOR INLAND WATERCRAFT 420

Inland watercraft shall be assessed dockage charges, based upon the registered length, at the following rates per vessel, per day, or fraction:

200 feet and under.....\$104.00  
Over 200 feet to 250 feet.....\$205.00

Exceptions

- (1) Tugs or towboats landing tows will be exempt from dockage charges provided they do not remain at the wharves longer than is necessary to land the tows.
- (2) Inland barges transporting project cargos shall be assessed special dockage at rates pursuant to terms which are subject to negotiations.
- (3) Ocean barges or other non-propelled vessels may be assigned berths at rates pursuant to terms which are subject to negotiation without regard to its registered length

-----  
DOCKAGE OF VESSELS MOORED OUTSIDE OF VESSELS 421

Vessels Moored outside of vessels lying at St. Bernard Port facilities will be subject to the same charges as though moored to the St. Bernard Port facilities.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

---

APPLICATION ITEM

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SHEDDAGE CHARGE FOR INLAND WATERCRAFT 422

Inland watercraft handling domestic cargo and sea barges transported aboard vessels, which make use of a shedded wharf, shall be assessed the following charges based upon the registered length:

75 feet and under.....\$11.75  
Over 75 feet to 100 feet..... 17.00  
Over 100 feet to 175 feet..... 23.00  
Over 175 feet to 200 feet..... 34.50  
Over 200 feet to 250 feet..... 57.50  
Over 250 feet..... 68.75

-----  
PAYMENT OF DOCKAGE AND SHEDDAGE 424

Dockage and sheddage charges assessed against a vessel, pursuant to any provisions of this tariff, shall be payable by said vessel, her owners, charterers and agents.

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

---

APPLICATION

ITEM

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WHARFAGE CHARGES

426

This charge applies on all cargo or freight when said vessels occupy the wharf or berths, except as set forth below:

1. The base rate of wharfage on all drybulk commodities is fifty cents (\$0.50) per net ton of 2000 pounds.
2. With respect to ships berthing at the terminal to discharge or load cargo solely to or from the wharf, the base rate of wharfage for all commodities (other than drybulk commodities) is three dollars (\$3.00) per net ton of 2000 pounds.
3. With respect to ships berthing at the terminal to discharge or load cargo both to or from barges or another vessel and to or from the wharf, the base rate of wharfage on all commodities (other than drybulk commodities) is three dollars (\$3.00) per net ton of 2000 pounds on cargo discharged or loaded to or from the wharf and three dollars (\$3.00) per net ton of 2000 pounds on cargo discharged or loaded to or from barges or other vessels.
4. Wharfage charges are not imposed with respect to cargo (other than drybulk commodities) discharged from or loaded to ships berthing at the terminal to discharge cargo (other than drybulk commodities) solely to barges or other vessels or to load cargo (other than drybulk commodities) solely from barges or other vessels.

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
GENERAL AND SPECIAL WHARFAGE RATES	428

The rate of wharfage on all commodities shall be per net ton or fraction as indicated below:

For vessels berthed to load or discharge cargo solely to or from a dock, wharfage for all commodities (excepting dry bulk) shall be: to or from dock - **\$ 4.00 per Net Ton**

For vessels berthed to load or discharge cargo both to dock and barges, wharfage for all commodities (excepting dry bulk) shall be: to or from dock - **\$ 4.00 per Net Ton**  
to or from barges - **\$ 4.00 per Net Ton**

Dry bulk commodities discharged to barges in conjunction with the loading or discharge of non-bulk commodities:  
to or from barges - **\$ 0.70 per Net Ton**

Wharfage charges will NOT be imposed on general cargo when GRT Dockage is applicable as provided in Item 415.

**NOTE 1** - Cargo of a single shipper or receiver shall be subject to the assessment, solely by the vessel's agent, of a minimum wharfage billing charge of \$ 100.00 per ship's manifest.

**Note 2** - No wharfage shall be assessed on the tare weight of cargo containers when loaded or partially loaded.

Dry bulk commodities discharged to or from dock, or between barge and barge/LASH - **\$ 0.70 per Net Ton**

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

---

APPLICATION

ITEM

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SPECIAL WHARFAGE RATE EXPLANATIONS

430

Caribbean Basin Initiative - The special wharfage rate in Item 428 shall be applicable on all commodities, (except sugar, molasses, coffee and dry bulk cargoes, as well as those commodities which are not eligible articles entitled to duty free treatment under the C.B.I.), when imported from foreign countries designated by the President of the U.S., as beneficiaries under the "Caribbean Basin Economic Recovery Act (P.L. 98-67, Title II; 19 U.S.C. - 2701, et seq.) and when evidenced by copy of U.S. Customs documents, submitted with the manifest, certifying "Duty Free Entry" under said C.B.I. Program.

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PROJECT CARGO SPACE UTILIZATION -

433

St. Bernard Port, Harbor and Terminal District facilities may be made available for the import or export of project cargoes at the daily rate of \$ 50,000.00.

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Revised March 15, 2007

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
COLLECTION AND PAYMENT OF WHARFAGE	434

Wharfage is due by the owners of the commodities on which wharfage is assessed, or due by the passengers carried on vessels for compensation. The collection and payments of same must be guaranteed by the vessels, her owners, charterers and agents, and the use of a public wharf or wharves shall be deemed an acceptance and acknowledgment of this guarantee.

As compensation to said vessel for such collection of wharfage, the District shall pay a collection fee of three percent of the total wharfage charges paid.

Within 10 working days after the completion of all vessel operations, the vessel shall render to the District certified manifests in either printed or electronic form, Bills of Lading or documentation approved in advance by the Marine Terminal Operator, showing the weight and description of all cargo discharged or loaded by said vessel in the Port of St. Bernard, together with such other information prescribed in forms furnished by the District for the purposes of computation and assessment of its tariff charges and shall comply with the United States Customs Automated Commercial System or the St. Bernard Port, Harbor and Terminal District.

Wharfage charges on cargo shall be assessed on the basis of manifest weights except as otherwise provided.

Within 10 working days following the departure of a vessel carrying passengers for hire, such vessel shall submit to the District certified manifests listing all such passengers so embarking and debarking.

A penalty of \$100 per day, not to exceed \$1,000 shall be assessed against said vessels, her owners, charterers, and agents should they fail to render the cargo documentation in the form and within the period provided herein.

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
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FREE TIME FOR INBOUND CARGO	436
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The free time allowed on cargo discharged from a vessel onto public wharves shall be 30 calendar days. Free time will begin at 0001 hours of the first day following final discharge of vessel and will terminate at 2400 of the last free day.

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INBOUND DEMURRAGE CHARGES	438
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Any portion of cargo discharged from a vessel remaining on the public wharves after the expiration of free time shall immediately incur the following inbound demurrage charges:

- (1) \$ .15 per ton (or fraction) per day (or fraction) for the first seven days.
- (2) \$ .40 per ton (or fraction) per day (or fraction) for the next seven days.
- (3) \$1.00 per ton (or fraction) per day (or fraction) for each day thereafter until cargo is removed from wharf.

The vessels discharging the cargo, her owners, charterers and agents, are responsible for the payment of the demurrage charges before the cargo is removed from the public wharves. Marine Terminal Operator shall pay to said vessel a collection fee of three percent of the total demurrage charges incurred.

At the option of the Marine Terminal Operator, the cargo may be sent to warehouse storage for account of whom it may concern.

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REMOVAL OF SHUT-OUT CARGO	440
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Should a vessel shutout any cargo, the same must be removed from the wharf within 48 hours after the departure of the vessel from the wharf.

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ARABI TERMINAL TARIFF NO. 1

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SECTION IV - VESSEL CHARGES/CARGO CHARGES

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APPLICATION	ITEM
SHUT-OUT CARGO DEMURRAGE CHARGES	442

The demurrage charges for shut-out cargo are \$ .14 per ton for each five day period, or fraction, based on the tons of cargo shut out by the vessel. The vessel shutting out cargo, her owners, charterers and agents shall be responsible for the payment of said charges. The charges shall commence the day after the vessel shutting out of the cargo departs from her assigned berth and will cease on the date the lifting vessel begins, receiving her additional cargo, or on commencement of her regular dockage charges. If total shut out demurrage charges do not exceed \$10.00 , they shall be waived.

Within five days following the departure of the vessel shutting out cargo, the vessel shall render to the District a statement, properly certified, showing the weight and description of all such cargo shut out by the vessel and such other information prescribed in District forms for the purpose of computation and public records.

Exception

Vessels shutting out cargo of 200 tons or less shall be exempt from the shut out demurrage charge provided said cargo is not shut out a second time, the cargo does not remain on the wharves for more than 30 days after the departure of the ship for which it was first received, and the cargo does not involve expense to the District or interfere with the efficient operation of the District's property. On the thirty first day after the departure of vessels shutting out cargo, the shut out demurrage charge shall be assessed.

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ST. BERNARD PORT, HARBOR AND  
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2/5/2020

ARABI TERMINAL TARIFF NO. 1

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SECTION V - SERVICE AND EQUIPMENT CHARGES

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APPLICATION	ITEM
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VESSEL WATER SERVICE CHARGES	500
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Potable water will be furnished to vessels berthed at a public wharf, only from approved ship service watering points, upon application to the Marine Terminal Operator and upon entering into a written contract obligating said applicant for the payment of all water charges. The applicant may be required to post, in advance, a certified or cashier's check in an amount equal to the estimated cost of furnishing such service.

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FRESH WATER	502
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A charge for water shall be assessed at the rate of \$5.00 per net ton, with a \$500.00 fee for connect and disconnect.

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SECTION VI - LOADING & UNLOADING (RULES, REGULATIONS & CHARGES)

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APPLICATION	ITEM
DEFINITION - LOADING & UNLOADING	600

Loading and unloading means the service of loading or unloading cargo between any place or point of rest on a public wharf or terminal and railcars, trucks, or any other means of land transportation. Loading and unloading, for purposes of this section shall not include the services provided in conjunction with cargo loaded or unloaded from land transportation conveyance without being placed at point of rest on the public wharf or terminal, as well as cargo loaded or unloaded, directly between carriers and barges, or directly between ocean carriers and open top railcars or open top trucks by ships' tackle.

Truck loading consists of moving cargo over the wharf or terminal facility to the truck, spotted at a place designate by the Assignee of the Berth of his designee, elevating the cargo onto the truck and stowing the cargo in the truck, but shall not include sorting or grading or otherwise selecting the cargo for the convenience of the trucker or the consignee. The service shall include loading on consignee's pallets.

Truck unloading consists of removing cargo from the body of the truck, spotted at a placed designated by the Assignee of the Berth or his designee and moving it over the wharf or other terminal facility.

Since the St. Bernard Port is not involved in loading and/or unloading trucks and/or railcars, we have not covered for same in this tariff, however, the Marine Terminal Operator will be required to address these charges in its tariff.

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ARABI TERMINAL TARIFF NO. 1

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SECTION VI - LOADING & UNLOADING (RULES, REGULATIONS & CHARGES)

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APPLICATION ITEM

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DESIGNATION OF MARINE TERMINAL OPERATOR TO INSPECT & REPORT 602  
LOSS DAMAGE AND SHORTAGE OF SHIPMENTS ON IMPORT CARGO

It shall be the obligation of the Assignee of the Berth or his designee to conduct, or cause to be conducted, as the representative of the owner or receiver of the cargo and Assignee of the Berth, a full, detailed and complete inspection of each shipment of cargo loaded into railcars, for movement under non shipside rates, and to make a written record or report of the condition and count of each such shipment, completely listing in detail all exception found with respect to the quantity and condition of each package or other until comprising each such shipment. Such inspection and record or report shall include proper notation as to overages and shortages, as well as damage found in each such shipment.

Such inspection and record or report of such exceptions, as aforesaid, shall be made on all import or other inbound shipments at the time the Assignee of the Berth or his designee loads each such shipment into the railcar and not prior thereto.

If, at the time of making such inspection there appears to be any material, substantial or unusual damage, loss or shortage in the particular shipment, it shall be the obligation of the party performing the inspection to immediately notify the owner or receiver of the cargo, or his local representative, and afford him the opportunity and privilege to promptly appear to join in the inspection and recordation of the aforesaid exceptions so found, prior to the completion of the loading. The inability or failure, for any reason, of the cargo owner, or his local representative, to make such inspection shall in no manner relieve the Assignee of the Berth from its obligations and legal liabilities. The record or report shall be executed in duplicate and shall show the name and address of the Assignee of the Berth, or his designee, and shall be signed by the person making the inspection and report on behalf of said Assignee. This form shall show the date on which such inspection and exceptions were made as so recorded in the said form of report and shall show the car number and seal numbers of the railcar into which each such shipment I loaded by said designee shall furnish copies to all necessary parties, as well as any party requesting a copy.

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EFFECTIVE: JULY 12, 1995

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