

BHS-8001- A

**BURNS HARBOR SHORTLINE
RAILROAD CO.**

LOCAL FREIGHT TARIFF BHS-8001-A

**CONTAINING
SWITCHING RATES AND CHARGES
AND
GOVERNING RULES AND REGULATIONS
AT
PORT OF INDIANA BURNS HARBOR**

SWITCHING TARIFF

**ISSUED BY:
BURNS HARBOR SHORTLINE RAILROAD CO.
6625 S. Boundary Drive
Portage, IN 46368**

ISSUED: September 15, 2022

EFFECTIVE: October, 1 2022

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GENERAL RULES AND REGULATIONS

ITEM 2 GENERAL APPLICATION OF TARIFF AND LIMITS OF LIABILITY

This Tariff is applicable for all switching movements performed by the BURNS HARBOR SHORTLINE RAILROAD CO. unless covered by a separate freight volume agreement. Liability for loss or damage to freight shipments will be governed by statute, 49 U.S.C. 11706.

ITEM 10 HOURS OF SERVICE AND HOLIDAYS

- a) Hours of service and performance are subject to change based upon THE RAILROAD’s scheduled operation and switching. Accessorial charges will be applied to services rendered outside of the prescribed scheduled operating and switching times or on designated holidays when service is not provided.

- b) “NORMAL SWITCHING HOURS” – BHS will perform regular switching operations Monday through Friday, 8:00 AM until 8:00 PM excluding Holidays as defined below.

- c) Services required to be performed on days or at hours other than those set forth in a) above will not be deemed to fall within the term “normal operation periods”, or “workdays”. Such days or hours will be deemed to fall within the term “Special Switching” and rates in accordance with Item 230 will apply.

“HOLIDAYS” – where the term “Holiday” is used in this Tariff such term will be construed as referring to the days listed below (See Note 1):

- | | |
|---------------------------|--------------------------|
| New Year’s Day (Observed) | Veteran’s Day |
| Thanksgiving Day | Good Friday |
| President’s Day | Day After Thanksgiving |
| Memorial Day | Christmas Eve (Observed) |
| Independence Day | Labor Day |
| Christmas Day (Observed) | |

ITEM 15 METHOD OF CANCELING ITEMS

As this tariff is supplemented, numbered items with letter suffixes cancel corresponding numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A. Example: Item 445-A cancels Item 445 and Item 365-B cancels Item 365-A in a prior supplement which in turn canceled Item 365. _

ITEM 25 SUPPLEMENTS AND REISSUES

When reference is made in this tariff, or supplements, to other publications for rates or other information, it includes “Supplements thereto or successive issues thereof.” Where reference is

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made in this tariff to items, it includes “reissues” of such items.

SECTION 1
SWITCHING RULES AND OTHER GOVERNING PROVISIONS

ITEM 30 PERISHABLE FREIGHT

This railroad does not provide protective service. Perishable freight under protective service will be accepted from connecting railroad for delivery to Customers with the understanding that protective service is not provided by this railroad and this railroad no liability for any loss or damage resulting from failure of such protective service.

ITEM 100 BUFFER CARS

When Buffer cars are used, the charge for such car will be \$160.00 per car. BUFFER CARS - Buffer cars are to be placed between the locomotive engine and shipments as required by Federal Regulations.

ITEM 105 IDLER OR TRAILER CARS

Idler or trailer cars will be subject to the same charges, rules, and regulations as are applied to loaded cars. (An idler car is an empty car, on which no part of a load rests, that is used in transporting freight of unusual length or excessive weight for the safe transportation or protection of the lading).

ITEM 110 CARS INTERCHANGED IN ERROR

A charge of \$75.00 per car will be assessed delivering carrier on all cars interchanged to this railroad in error.

ITEM 120 CHARGE FOR REPOSITIONING, REBLOCKING, AND/ OR REDUCING CARS FOR CONNECTING CARRIERS

When it becomes necessary for BHS to reposition, reblock or reduce cars for connecting carriers in order to keep trains in compliance and due to connecting carrier’s inability to pull some or all cars (excluding acts of God) that are ready for interchange, a charge of \$75.00 per car/per occurrence will apply.

ITEM 145 CARS UNABLE TO PLACE AT INTERCHANGE DUE TO CONNECTION NOT MAKING INTERCHANGE TRACKS AVAILABLE

When this railroad brings cars for interchange with connection and tracks are not available for such interchange, this railroad will assess connecting railroad charge of \$50.00 per car per day for each car being held for storage. No car hire will be assessed for such cars.

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ITEM 150 HANDLING OF CARS IN BAD ORDER CONDITION

A charge of \$185.00 per car will be assessed against the carrier which delivers cars to this railroad that contain AAR/ FRA defects to cover the cost of extra handling.

A charge of \$185.00 per car will be assessed against the industry/shipper which offers cars to this railroad that contain AAR/FRA defects to cover the cost of extra handling. The industry/shipper will also be responsible for the costs of the car repairs at the current AAR pricing.

ITEM 155 FAILURE TO PULL INTERCHANGE

This railroad will assess connecting carrier a charge of \$50.00 per car per day, or fraction of a day, for failure to pull cars offered in interchange.

ITEM 170 OVERLOADED CARS

Cars found to be overloaded will be subject to the following additional charges, plus Special Freight Train charge:

(1) \$300.00 per car - When a car is discovered to be overloaded at loading point or within the confines of the industry. Charge to be assessed consignor.

(2) \$300.00 per car - When a car is discovered to be overloaded beyond loading point or confines of the industry. Charge to be assessed consignor.

(It will be the responsibility of the consignor to adjust the lading at their own expense sufficient to eliminate the overload condition.)

(3) \$300.00 per car - When a car is received in interchange from connections and is found to be overloaded, such car will be returned to delivering carrier for adjustment to lading to eliminate the overload condition. Charge to be assessed delivering carrier.

ITEM 190 LOSS AND DAMAGE CLAIMS

Governed, except as otherwise provided herein, by rules and regulations governing the processing of claims for loss, damage, injury and delay to property transported or accepted for transportation contained in 49 CFR Part 1005.1 thru 1005.7, issued by the Surface Transportation Board

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ITEM 200 NON-PAYMENT OF FREIGHT CHARGES

Failure to pay freight and/or additional charges issued for services provided under the terms and conditions of this Tariff will result in the discontinuation of further railroad services, except on a prepaid basis..

ITEM 210 IMPROPER CARS FURNISHED FOR LOADING BY CONNECTING LINES

When cars ordered by industries for loading are refused on account of not being in proper condition to load, a charge of \$185.00 per car will be assessed against the railroad furnishing the car.

ITEM 280 RAIL SECURITY-SENSITIVE MATERIAL (RSSM)

1. A rail car containing more than 2,268 kg (5,000 lbs.) of a Division 1.1, 1.2 or 1.3 (explosive) material as listed and defined Section 173.50 to 173.63 Part 173 of Tariff BOE 6000 Series.

2. A tank car containing a material poisonous by inhalation as defined in 49 CFR 171.8, including anhydrous ammonia, Division 2.3 gases poisonous by inhalation as set forth in 49 CFR (Code of Federal Regulations) 173.115(c), and Division 6.1 liquids meeting the defining criteria in 49 CFR 173.132(a) (1)(iii) and assigned to hazard zone A or hazard zone B in accordance with 49 CFR 173.133(a), excluding residue quantities of these materials; and,

3. A rail car containing a highway route-controlled quantity of a Class 7 (radioactive) material, as defined in 49 CFR 173.403.

All Rail Security-Sensitive Material (RSSM) handling at \$450.00 per car. This charge will be in addition to switch charges listed in Item 5150.

ITEM 405 ABSORBED RATES ONLY

Switching charges provided in this tariff apply on a fully absorbed basis only. All switching charges will be fully absorbed and paid to BHS by the Linehaul carrier(s) interchanging these cars with BHS. Charges in this tariff will not apply on a Rule 11 basis. Any applicable Intermediate Switch charge for movement of cars between Linehaul carrier(s) and BHS will be the responsibility of the Linehaul carrier(s), and will not be absorbed by BHS.

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LOCAL SWITCHING RATES AND CHARGES RATES AND CHARGES IN DOLLARS AND CENTS PER RAIL CAR			
<p>The Switching Charges named below cover the movement of empty or loaded cars between the interchange tracks of Linehaul carriers and any point on the tracks of BHS. Cars emptied and reloaded for outbound movement will be subject to switching charges covering both loaded movements.</p>			
SWITCHING SERVICE	DEFINITION	CHARGE	ITEM
Switching of all Steel STCC's	During all switching hours	\$550.00	A 5000
Switching Dimensional Loads	During all switching hours	\$1500.00	A 5050
Switching of all Grain Products and STCC's.	During all switching hours	\$425.00	A 5100
Switching of all Other Freight	During all switching hours	\$675.00	A 5150
Switching of Locomotives	During all switching hours	\$1000.00	A 5200
Switching of Empty Rail Cars	During all switching hours	\$250.00	A 5350
INTERCHANGE DELIVERY ERRORS	ALL HOURS	CHARGE	ITEM

ITEM 6000 EXPLANATION OF ABBREVIATION FOR STANDARD USE THROUGHOUT THE TARIFF, AS AMENDED		
EXPLANATION	ABBREVIATION	EXPLANATION
Before noon	Inc.	Incorporated
Any quality	In.	Inches
Avenue	KD	Knocked down
Boulevard	KDF	Knocked down flat
Company	L.I.	Long Island
Continued	Lb.(s)	Pound(s)
Collect on Delivery	BHS	BURNS HARBOR SHORTLINE RAILROAD CO.
County	Min.	Minimum

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Cubic Foot (Feet)		
Cubic 100 pounds	No.	Number
Except as Noted	NOI	Not otherwise stated
Et Cetera	NOIBN	Not otherwise included by name
Foot (Feet)	PM	After noon
	P.O.	Post Office
Gallon	Rte.	Route
Heights	St.	Saint or Street
Highway	SU	Set Up
Interstate Highway	TL	Truckload
	U.S.	United States
Surface Transportation Board	Viz: Wt.	Namely Weight

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE ABOVE

REFERENCE MARK	EXPLANATION	REFERENCE MARK
(I)	Denotes Increase	*
(R)	Denotes Reduction	
(D)	Denotes Deletion	
(C)	Denotes change in wording which results in neither an increase or reduction in change	
(N)	Denotes New or Initial Matter	
(N/ C)	Denotes No change in rate or charge	
(INTRA)	Denotes Intrastate application	
&	And	
%	Percent	

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\$	Dollar	
FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE ABOVE		