GEORGIA PORTS AUTHORITY

MARINE TERMINAL OPERATOR SCHEDULE ("MTOS")

No. 11

DEFINITIONS, RULES, AND CHARGES
governing
HANDLING AND STORAGE OF CONTAINERS
and
OTHER MISCELLANEOUS SERVICES
applicable at the
APPALACHIAN REGIONAL PORT ("ARP")
OF THE GEORGIA PORTS AUTHORITY
MURRAY COUNTY, GEORGIA

ISSUED BY:
GEORGIA PORTS AUTHORITY
P.O. BOX 2406
SAVANNAH, GA 31402-2406

TABLE OF CONTENTS

SUBJECT	RULE#	PAGE#
Governing Schedule	34-005	3
Application of Schedule	34-015	3
Application of Railroad's Intermodal Service Directory No. 1	34-020	4
Free Time (Appalachian Regional Port-ARP)	34-025	5
Storage on Empty Containers	34-030	6
Loading of Empty Containers	34-035	6
Maintenance and Repair of Chassis and Containers	34-045	6
Holidays	34-055	7
Working Hours	34-060	8
Definitions	34-100	9
Reference Marks	34-105	10
Consolidated Rate for International Containers- Per Lift	34-200	11
Import Loaded Storage and Export Loaded Storage	34-205	11
Terminal Storage Rate on Empty Containers (ARP)	34-210	12
Hazardous Surcharge	34-215	12
Non-Rail Container Rate	34-220	13
Waybill	34-230	13

Rule 34-005

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Governing Schedule

The Marine Terminal Operator Schedule ("MTOS") No. 11, is governed by the Authority's MTOS No. 5, to the extent applicable. In the event the terms and conditions of MTOS No. 5 are inconsistent with the terms and conditions of this MTOS No. 11, the terms and conditions of this MTOS No. 11 shall prevail.

Rule 34-015

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Application of Schedule

The provisions of this MTOS including, without limitation, the rules, definitions, charges and regulations contained herein, shall apply equally to all Users of the Authority's ARP terminal facility, on the effective date shown, or with respect to any amendments to this MTOS, on the effective date of such amendments. The use of the ARP terminal facility or services shall constitute a consent to the terms and conditions of this MTOS, and evidences an agreement on the part of all Users to pay all charges specified in this MTOS and be governed by all rules and regulations contained herein. This MTOS is enforceable by the Authority, and an appropriate court, as an implied contract without proof of actual knowledge of its provisions. Each User shall be liable for noncompliance with the terms of this MTOS by such User's officers, directors, agents, employees, invitees, contractors or subcontractors.

Rule 34-020

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Application of Railroad's Intermodal Service Directory No. 1

The use of the Train Service provided by the Railroad shall constitute a consent to the terms and conditions of the Railroad's Intermodal Service Directory No. 1 (the "Directory"), and shall evidence the User's agreement to all applicable terms and conditions contained therein. Notwithstanding the foregoing, the rates for Train Service payable by any User shall be the rates specified in this MTOS. In the event the Authority, acting as Intermediary, incurs any charges for Train Service under the Directory related to a specific shipment, in addition to the charges payable by the User under this MTOS, the Authority shall pass through such additional charges to the User, and the User agrees to pay the Authority for the additional amounts due under the Directory for the shipment.

Rule 34-025

Effective Date: October 1, 2020 **Issue Date:** October 1, 2020

Subject: Free Time (Appalachian Regional Port-ARP)

Containers will be granted the following free time, beginning with the first 12:01 AM after being unloaded:

(Provided the container has been scheduled through GPA's NAVIS container management system prior to arrival at the ARP)

Loaded container	Five (5) consecutive calendar days (including weekends and holidays).
Non-Rail Loaded container	Five (5) consecutive calendar days (including weekends and holidays).

Note 1 – The staging or storage of bare chassis will not be permitted on the ARP.

Rule 34-030

Effective Date: October 1, 2024 **Issue Date:** August 1, 2024

Subject: Storage on Empty Containers

EMPTY CONTAINER STORAGE COMPUTATION

The Authority will assess an Empty Container Terminal Storage charge for each empty container that exceeds the Allowable Empty Container inventory for the monthly reporting period. The Allowable Empty Container inventory for the monthly reporting period is computed as follows:

Step 1 Calculate the weekly average. The weekly average is calculated using the number of loaded and empty containers that have transferred via railcar from the Appalachian Regional Port (ARP) to Garden City Terminal (GCT) within the last three (3) months prior to the current billing period.

Step 2 Multiply the weekly average, as calculated in Step 1, by the number of days in the current billable month. That number is then multiplied by a factor of **.75** and the total will equal the **Allowable Empty Container Inventory Total**. The Authority will compare the number of empty containers allowed to the actual cumulative empty containers on the terminal for that month. If for the reporting period, the actual cumulative empty container inventory exceeds the Allowable Empty Container inventory, the difference will be assessed the empty container terminal storage charge in MTOS 11 (ARP) Rule 34-210.

Note 1: If an ocean carrier exceeds its Allowable Empty Container total by more than ten (10) percent, the Authority reserves the right, at its sole discretion, to immediately remove empty containers either pursuant to MTOS 11 (ARP) Rule 34-035, or to an off-site location and assess a Terminal Fee of **$40.00**, per container, a Dray Fee of $**55.00**, per dray and a Daily Storage rate of **$6.25**, per container, per day in lieu of the empty container terminal storage charge listed in MTOS 11 (ARP) Rule 34-210. The empty containers will be relocated at the expense and risk of the ocean carrier.

Note 2: The Authority, at its sole discretion, will select the off-terminal storage facility, which shall be less than one (1) mile from the ARP Terminal, or reserve the right to deny the entry of empty containers into its terminal. The Authority shall not be responsible for any charges, fines, citations, or other liabilities as a result of hauling empty containers. For operating efficiencies, the Authority will not be required to dig for a specific container number stored at the off-terminal storage facilities. The first available container will be provided for subsequent removal from the storage facility.

Note 3: The empty container terminal storage charge will be calculated and invoiced monthly to the ocean carrier or its agent. If the Authority implements a container storage rate increase while the container is on the terminal, the entire storage period will be calculated using the increased storage rate.

Rule 34-035

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Loading of Empty Containers

The Authority may at its option, and at any time, load empty containers to a railcar for outbound departure and transit to the Chatham or Mason ICTF. The ARP Consolidated Rate for empty containers as referenced in ARP Rule 34-200 will apply

Rule 34-045

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Maintenance and Repair of Chassis and Containers

Container and chassis maintenance and/or repair will not be permitted at the ARP facility.

Rule 34-055

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Holidays

When reference is made in this schedule to “holidays”, it means the following days:

New Year’s Day
Martin Luther King Jr’s Birthday
Presidents’ Day
Good Friday
Memorial Day
Juneteenth
Independence Day
Labor Day
Veteran’s Day
Thanksgiving Day
Christmas Eve
Christmas Day

In the event the holiday falls on Saturday, the preceding Friday shall be observed. If the holiday falls on Sunday, the subsequent Monday shall be observed.

Rule 34-060

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Working Hours

The recognized working hours of the ARP shall be from 7:00 AM to 6:00 PM, Monday through Friday,

holidays excepted. However, intermodal rail services may be provided at the Georgia Ports Authority's
option, on a 24 hour, 7 days a week basis, if train arrivals and container volumes dictate.

Note 1: The staging or storage of bare chassis will not be permitted on the ARP.

Rule 34-100

Effective Date: August 1, 2018 **Issue Date:** July 1, 2018

Subject: Definitions

CHASSIS
A wheeled device specifically designed to be attached to the under-frame of a container by means of ISO corner fittings for the express purpose of road transport.
CONTAINER
A piece of equipment measuring from 20 to 45 feet in length, designed for the transport of goods. It must be fitted with ISO corner fittings so as to be lifted from or mounted on a chassis or intermodal railcar.
FREE TIME
Specified period of time during which a container may occupy space at the ARP without incurring terminal storage charges.
INTERMEDIARY
Shall refer to the Authority as the arranger of the Train Service on behalf of a User. Each User of the Train Service acknowledges and agrees that the Authority is acting as an Intermediary between such User and the Railroad, and the Authority is not a party to any bill of lading, waybill, or any other document relating to Train Service provided by the Railroad to the User; however, for administrative purposes only and in order to allow for efficiency and commercial processes, the Authority may be listed on such documents. User and Railroad acknowledge that the Authority is a public marine terminal operator and is not a rail operator, shipper, consignor, consignee, beneficial cargo owner, or any other party having any interest in the cargo.
INTERNATIONAL CONTAINER
A container that has had or will have a prior or subsequent waterborne move via the Authority's Garden City Terminal or Ocean Terminal.

INITIAL LIFT
The first lift of a container to or from, the railcar.
LIFT
The placement of a container on to, or off of, a railcar, chassis, or storage stack.
LINE
Ocean carrier providing the water transportation service for an international or landbridge container movement.
NON-RAIL CONTAINER
Any loaded container which has not had a preceding or subsequent rail move via the ARP.
NOTIFY PARTY
Entity or person so identified on the railroad waybill to be informed of container availability.
RAILROAD
Refers to CSX Transportation, Inc.
STORAGE CHARGES
The charges associated with the period of time a container is on the ARP beyond the allowable free time.
SUPPLEMENTAL RAIL LIFT
A charge assessed against any container received via motor carrier without proper pre-advice information (see the Authority's MTO Schedule No. 5, Rule 34-490).
TRAIN SERVICE
The rail line haul service operated by the Railroad between the Authority's Chatham or James D. Mason ICTF and the ARP, in either direction.
USER
Any user of the ARP and/or the Train Service provided by the railroad including, without limitation, any ocean carrier rail carrier, motor carrier, shipper, consignee, consignor, freight forwarder, broker, or other person or entity owning or having custody of cargo or containers moving through the ARP terminal facility, or who use or benefit from use of the ARP terminal facility or services, and the agents, servants, representatives and/or employees of such parties.

Rule 34-105

Effective Date: October 1, 2014 **Issue Date:** September 1, 2014

Subject: Reference Marks

(A) Addition
(C) Change in wording, resulting in neither an increase nor a reduction in charges
(D) Decrease
(I) Increase
(NC) No Change
(R) Reduction

Rule 34-200

Effective Date: June 1, 2025 **Issue Date:** March 18, 2025

Subject: Consolidated Rate for International Containers- Per Lift

CONSOLIDATED RATE FOR INTERNATIONAL CONTAINERS – PER LIFT

Loaded import or loaded export dry or non-refrigerated container moving between Garden City Terminal (GCT) and Appalachian Regional Port (ARP)
$749.00 per container/each direction
Loaded import or loaded export operating refrigerated container moving between GCT and the ARP
$798.00 per container/each direction
Empty container moving between Garden City Terminal and the ARP
$681.00 per container/each direction
Services included in the Consolidated Rate:
1) GCT truck dray of container to/from railcars at GCT's Intermodal Transfer Facilities
2) Rail transport to/from the ARP and the Mason Mega Rail 3) Terminal handling at the ARP
4) Gate interchange at the ARP

5) Lift fee at the ARP

Note 1: The Authority will only arrange rail transport for 20-foot containers if they are provided to Georgia Ports in pairs. The shipper is responsible for ensuring that 20-foot containers are provided to Georgia Ports in pairs.

Rule 34-205

Effective Date: April 21, 2022 **Issue Date:** August 1, 2022

Subject: Import Loaded Storage and Export Loaded Storage

(International Containers as defined herein – ARP Rule 34-100)

After Free Time Expires (See ARP Rule 34-025):

Days 1-3, per TEU, per day	$17.00
Days 4-6, per TEU, per day	$30.00
Days 7-20, per TEU, per day	$43.00
Each Additional Day, per TEU	$86.00

Rule 34-210

Effective Date: October 1, 2022 **Issue Date:** August 1, 2022

Subject: Terminal Storage Rate on Empty Containers (ARP)

FACILITY STORAGE RATE ON EMPTY CONTAINERS

Empty Containers, per container	$4.00

Rule 34-215

Effective Date: March 22, 2025 **Issue Date:** March 21, 2025

Subject: Hazardous Surcharge

Hazardous Surcharge

Applicability:

This charge applies to all containers handled at Authority terminals, moving by rail between Garden City Terminal (GCT) and the Appalachian Regional Port (ARP) that contain Hazardous Materials or Hazardous Waste as defined by federal, state, or rail carrier regulations.

A. Hazardous Surcharge Rate

A Hazardous Surcharge of $108.00, per container shall be assessed by the Authority on all such containers containing hazardous materials or hazardous waste.

B. CSX Intermodal Compliance Reference

This surcharge reflects the additional oversight, documentation, and coordination required for hazardous cargo in compliance with rail partner requirements. All Shippers tendering hazardous materials for intermodal transport must comply with the procedures established in CSX Intermodal Service Directory No. 1 (CSXISD), Section 6.12 – Hazardous Materials and Hazardous Waste.

C. Shipper Responsibility and Indemnification

Shippers shall remain fully responsible for compliance with all applicable hazardous materials transportation regulations. The Authority shall not be liable for delays, costs, or penalties resulting from a Shipper's failure to comply with CSXID or regulatory requirements. The indemnification and hold harmless provisions are set forth in the Authority's MTOS 5, Rule 5-008 and the CSXISD.

Rule 34-220

Effective Date: October 1, 2022 **Issue Date:** August 1, 2022

Subject: Non-Rail Container Rate

(Non-Rail Container as defined in ARP Rule 34-100)

ARP departure via motor carrier — $250.00, per container

Rule 34-230

Effective Date: August 15, 2022 **Issue Date:** March 15, 2022

Subject: Waybill

Prepare Waybill	$50.00, per container