



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**

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Issued: July 30, 2021

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**GEORGIA PORTS AUTHORITY
MTO Schedule No. 11**

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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-A, to the extent applicable. In the event the terms and conditions of MTOS No. 5-A 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 <i>Loaded</i> 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, 2020

Issue Date: October 1, 2020

Subject: Storage on Empty Containers

Empty containers marshaled on the ARP will be assessed an excess empty container storage charge. The charge is applicable for each empty container exceeding the Allowable Empty Container inventory for the monthly reporting period.

Computation of the Allowable Empty Container inventory for the monthly reporting period:

Step 1

Calculate the weekly average. Loaded and empty containers that move via railcar from the ARP to Garden City Terminal, for the last three (3) months prior to the current monthly billing period are used to calculate the weekly average.

Step 2

The weekly average as calculated in Step 1 is multiplied by the number of days in the current billable month. That number is then multiplied by a factor of **.75** to get the Allowable Empty Container total. The number of empty containers allowed will be compared 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 ARP Rule 34-210. This will be calculated and invoiced on a monthly basis to the ocean carrier or its agent.

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
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-A, 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: April 1, 2020

Issue Date: February 5, 2020

Subject: Consolidated Rate for International Containers- Per Lift**CONSOLIDATED RATE FOR INTERNATIONAL CONTAINERS – PER LIFT**

Loaded import container \$900.00 per container per lift
Loaded import container \$900.00 per container per lift
Empty import container \$850.00 per container per lift
Loaded export container \$550.00 per container per lift
Empty export container \$500.00 per container per lift
<i>Services included in the Consolidated Rate:</i>
1) Rail transport to/from the ARP and the Chatham ICTF or Mason ICTF
2) Terminal handling at the ARP
3) <i>Gate interchange at the ARP</i>
4) <i>Lift fee at the ARP</i>

Rule 34-205

Effective Date: October 1, 2021

Issue Date: July 30, 2021

Subject: Facility Storage for International Loaded Containers

(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	\$ 15.00
Days 4-6, per TEU, per day	\$ 28.00
Days 7-20, per TEU, per day	\$41.00
Each Additional Day, per TEU	\$82.00

Rule 34-210

Effective Date: October 1, 2021

Issue Date: July 1, 2021

Subject: Facility Storage Rate on Empty Containers (ARP)

FACILITY STORAGE RATE ON EMPTY CONTAINERS	\$4.00	per container
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Rule 34-220

Effective Date: October 1, 2021

Issue Date: July 30, 2021

Subject: Non-Rail Container Rate

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

ARP departure via motor carrier — \$225.00