

**PORT OF LAKE CHARLES
TARIFF NO. 013**

ORIGINAL TITLE PAGE

**LAKE CHARLES HARBOR AND TERMINAL DISTRICT
“PORT OF LAKE CHARLES”
(A Political Subdivision of the State of Louisiana)**

**P. O. BOX 3753 – LAKE CHARLES, LA 70602
STREET ADDRESS: 150 MARINE STREET (70601)**

**TARIFF NO. 013
(CANCELS TARIFF NO. 012)**

(Revised and Republished as authorized by the
Board of Commissioners and effective as of January 1, 2011)

RATES, RULES, AND REGULATIONS

ISSUED BY
BOARD OF COMMISSIONERS
LAKE CHARLES HARBOR AND TERMINAL DISTRICT

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**PORT OF LAKE CHARLES
TARIFF NO. 013**

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SECTION ONE
GULF SEAPORTS MARINE TERMINAL CONFERENCE

GULF SEAPORTS MARINE TERMINAL CONFERENCE
Federal Maritime Commission Agreement 224-200163
Approved December 2, 1988

Participating Members

- (1) Board of Commissioners of the Port of New Orleans
- (2) Board of Commissioners of Lake Charles Harbor and Terminal District
- (3) Greater Baton Rouge Port Commission
- (4) Orange County Navigation and Port District of Orange, Texas
- (5) Mississippi State Port Authority at Gulfport
- (6) Port of Beaumont Navigation District of Jefferson County, Texas
- (7) Port of Houston Authority of Harris County, Texas
- (8) Board of Trustees of the Galveston Wharves
- (9) Alabama State Docks Department, Port of Mobile
- (10) South Louisiana Port Commission, LaPlace, Louisiana
- (11) Board of Navigation and Canal Commissioners of the Brownsville
Navigation District of Cameron County, Texas
- (12) Board of Commissioners of the Port of Port Arthur Navigation District of
Jefferson County, Texas
- (13) Board of Commissioners of the Tampa Port Authority of Hillsborough County, Florida
- (14) Port of Pensacola, Pensacola, FL
- (15) Panama City Port Authority
- (16) Brazos River Harbor Navigation District of Brazoria County, Texas
- (17) Port of Corpus Christi Authority
- (18) Board of Commissioners of the Jackson County Port Authority (Port of Pascagoula)
- (19) Manatee Port Authority, Palmetto, Florida
- (20) St. Bernard Port, Harbor and Terminal District, Chalmette, LA
- (21) Port of West St. Mary, Franklin, LA

NOTICE: The Gulf Seaports Marine Terminal Conference agreement permits the participating members to discuss and agree upon port terminal rates, charges, rules, and regulations. Any such rates, charges, rules, and regulations adopted pursuant to said agreement, shall be published in the respective tariffs of said members and so identified by proper symbol and explanation.

SHIPPERS' REQUESTS AND COMPLAINTS: Shippers, or other users of the facilities and services of the members of said Conference, desiring to present requests or complaints with respect to any such rates, charges, rules, and regulations adopted pursuant to said Conference agreement, should submit the same, in writing to the Chairman of the Conference, at the address below, giving full particulars, including all relevant facts, conditions, and circumstances pertaining to the request or complaint. Should further information be required by the Conference for full consideration of the request or complaint, the Conference Chairman will so advise. The said Chairman will notify such shipper or complainant of the docketing of the matter and of the date and time of the proposed meeting and if said shipper and complainant desires to be heard, he or she shall make request upon the Chairman in advance of the meeting.

Allen Moeller, Conference Chairman
P. O. Box 70
Pascagoula, MS 39568

ISSUED: DECEMBER 17, 2010

EFFECTIVE: January 1, 2011

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SECTION TWO
DEFINITIONS

ITEM (SYMBOL)	SUBJECT:
100	<p>DOCKAGE:</p> <p>A charge assessed against a vessel for berthing at a wharf, pier, bulkhead structure, bank, or moored to another vessel so berthed.</p>
102	<p>AGENT OR VESSEL AGENT:</p> <p>The vessel agent is the agent for the vessel owner or the vessel cargo and as such, all Port charges will be submitted to the vessel agent who shall be responsible to the Port for prompt payment.</p>
103	<p>BERTH:</p> <p>The water area at the edge of a wharf, including mooring facilities, used by a vessel while docked.</p>
105	<p>WHARFAGE:</p> <p>A charge assessed against all cargo, inbound or outbound passing or conveyed over, onto, through (pipeline), or under wharves and the transit sheds built thereon or between vessels (to or from barge, lighter, or water) when berthed at a wharf or when moored in a slip adjacent to a wharf including mid-stream operations.</p>
110	<p>STORAGE:</p> <p>A charge assessed on cargo which remains in transit sheds, warehouses or on other Port facilities or properties after free time for the accumulation of inbound or outbound cargo has expired.</p>
111	<p>HANDLING:</p> <p>The service of physically moving cargo between point of rest and another place on property owned, leased or controlled by the Port, other than the end of ship's tackle.</p>
112	<p>LOADING AND UNLOADING:</p> <p>The service of loading or unloading cargo between any place on the terminal, railroad cars, trucks lighters or barges or any other means of conveyance to or from the terminal facility.</p>

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SECTION TWO
DEFINITIONS

ITEM (SYMBOL)	SUBJECT:
115	FREE TIME: The specified period of time during which cargo may occupy space assigned to it on all Port owned or leased or controlled property free of storage charges immediately prior to the loading or subsequent to the discharge of such cargo on or off a vessel.
120	DAY: A period of twenty-four (24) consecutive hours or fraction thereof on any calendar day or days used in the computation of charges.
121	LAY DAYS The definition of a lay day is a non-cargo working day.
125	WHARVES, PUBLIC: Wharves and facilities owned or operated by "the District" to which the shipping public has access on equal terms.
130	WHARVES, PRIVATE: Wharves not operated by "the District" and restricted to handling business of the operators.
135	EXECUTIVE DIRECTOR: The Executive Director of the Lake Charles Harbor and Terminal District so designated and tasked by (LA Enrolled Act No. 149) LA R.S. 34:204.1.
136	LAKE CHARLES HARBOR AND TERMINAL DISTRICT (LCH&TD): Also, may be referred to as "the District", "Port of Lake Charles", or the "Port."
140	BOARD OF COMMISSIONERS OF THE LAKE CHARLES HARBOR AND TERMINAL DISTRICT: The governing authority of the Lake Charles Harbor and Terminal District is referred to as the "Board."

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SECTION TWO
DEFINITIONS

ITEM (SYMBOL)	SUBJECT:
145	<p>EXPLANATION OF SYMBOLS AND ABBREVIATIONS:</p> <ul style="list-style-type: none">(C) Denotes Change in Wording(A) Denotes Increase in Charges(R) Denotes Decrease in Charges(*) Denotes New Provision(**) Denotes Deletion of a Provision(***) Corrections Made Due to Error(E) ExplanationMBM 1,000 board feet. One MBM equals 2,265 C.M.MC Measurement Cargo; Freight on which transportation charges are calculated on the basis of volume measurement (40 CUBIC FEET).ST Short Ton (2,000 lbs.)NOS Not Otherwise Specified.MT Metric Ton 2,204.6 pounds or 1,000 kilograms.M Meter 39.37 inches (approximately).
150	<p>METHOD OF CANCELING ITEMS OR PAGES:</p> <p>As the tariff is amended, from time to time, the most current "Board" approved version will be published on "the District's" website at www.portlc.com .</p>
155	<p>OVERTIME HOLIDAYS FOR FREIGHT HANDLERS AND LONGSHOREMAN LABOR:</p> <p>All Saturdays and Sundays are overtime days. Overtime Holidays are:</p> <p>New Year's Day, Martin Luther King, Jr. Day, Memorial Day (Observed), Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.</p> <p>Holidays falling on Sunday will be observed the following Monday. No Work shall be performed on Labor Day and Christmas Day.</p>
160	<p>PORT LABOR HOLIDAYS:</p> <p>As applied within this Tariff, the term "holidays" include the following named days:</p> <p>New Year's Day, Martin Luther King's Birthday Day, Mardi Gras, Good Friday, Independence Day, Labor Day, Veteran's Day (November 11), Thanksgiving Day, Christmas Day, General Election Day (Every 2 years on even numbered years) and other holidays as declared by the Governor of the State of Louisiana.</p> <p>Holidays falling on Saturday will be observed on the preceding Friday. Holidays falling on Sunday will be observed the following Monday. No Work shall be performed on Labor Day and Christmas Day.</p>

ISSUED: DECEMBER 17, 2010 EFFECTIVE: January 1, 2011

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**SECTION TWO
DEFINITIONS**

ITEM (SYMBOL)	SUBJECT:
165	PUBLIC AREAS: Those areas within the City Docks which have not been exclusively leased by "the District" to another entity.
170	CITY DOCKS AND BULK TERMINAL NO. 2: Wharves and facilities owned or operated by "the District" in the area bordered by Marine Street, Calcasieu River, and Contraband Bayou in Lake Charles, LA.
171	BULK TERMINAL NO. 1: Wharves and facilities owned or operated by the District in the area bordered by Bayou D'Inde Road and the Calcasieu River.
172	INDUSTRIAL CANAL: Owned by "the District" in the area bordered by Highway 384 and the Calcasieu Ship Channel.
173	FOURNET STREET TERMINAL: Owned by "the District" in the area bordered by the Calcasieu River and Fournet Street.
174	WESTLAKE PROPERTY: Owned by "the District" in the area bordered by Miller Road and the Calcasieu River.

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
175	<p>INTERPRETATION OF TARIFF:</p> <p>The interpretation of this tariff shall be the responsibility of the Board of Commissioners of the Lake Charles Harbor and Terminal District or their designee and exception to such interpretation shall be resolved in accordance with Louisiana law.</p>
180	<p>TARIFF CHANGES:</p> <p>All rates, rules, and regulations, as set forth in this tariff, are subject to change without notice except as required by law.</p>
185	<p>AUDIT OF MANIFEST:</p> <p>The Port reserves the right to audit all manifests and to use such audits as a basis for calculating charges due the Port. Manifest will be presented to the Port upon request and any and all discrepancies found are subject to re-invoicing by the Port.</p>
190	<p>MOVING VESSELS TO PROTECT PROPERTY OR FACILITATE COMMERCE AND NAVIGATION:</p> <p>Every vessel must, at all times, have on board at least one person in charge with authority to take such action in any emergency as may be demanded, and in the event it becomes necessary, in order to facilitate commerce or navigation, or for the protection of other vessels or property, that any vessel be moved, or the position thereof changed, the Executive Director or designee is hereby authorized and directed to order and enforce the removal of such vessel, at its own expense, to such place as may be directed; and it shall be prohibited for the master, owner, or agent of such vessel to fail, neglect, or refuse to obey any such order.</p> <p>Upon the failure or refusal of the person in charge of such vessel to change the position thereof, as directed by the Executive Director or designee, it shall be the District's duty, to cause to be boarded such vessel with such assistance as may be necessary and to change the position thereof at the expense of such vessel.</p>
192 (A)	<p>RAILCAR SWITCHING:</p> <p>After a railcar has been spotted for activity into any of the Port's terminals or industrial properties and a request is made by a stevedore, tenant, vendor, importer, exporter, or their agents, for movement within that or about facility under the control of the port, a charge of \$55.56 per railcar per switch will be charged by the Port for additional switching.</p>

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
193	<p>RAILCAR SPOTTING PROCEDURES AND DEMURRAGE:</p> <p>Once the Port is notified by the railroad company that cars have arrived in Lake Charles and are available for delivery into the Port's terminal and/or industrial property for loading or discharge, the Port will spot the railcars in accordance with the customer's instructions. Customers have four (4) days credited per railcar for discharging and two (2) days credit for loading.</p> <p>All railcar billing must be billed as "care of Lake Charles Harbor & Terminal District". Any and all demurrage will be for the account of the customer. The Port shall not, under any circumstances be liable for demurrage. Rail cars improperly billed will not be accepted by the Port and will be returned to the railroad.</p>
194 (*)	<p>RAILCAR STORAGE ON PORT TRACKAGE</p> <p>For storing railcars on Port property whether loaded or empty, a rate of \$60.00 per railcar per day will be assessed.</p>
195	<p>DUMPING OF OIL OR REFUSE:</p> <p>It shall be prohibited to throw, discharge, or deposit, or cause, suffer, or procure to be thrown, discharged or deposited, either from or out of any ship, barge, or other floating craft of any kind, or from the shore, wharf, manufacturing establishment, or mill of any kind, any refuse matter or other substance of any kind or description whatever into the navigable waters of the Calcasieu River Ship Channel, Bayous or Tributaries under the jurisdiction of the Port of Lake Charles; and it shall be prohibited to deposit, or cause, suffer, or procure to be deposited material of any kind in any place, or on the bank of any navigable water, where the same might be washed into such navigable water, either by ordinary or high tides, or by storm or floods or otherwise, whereby navigation within the jurisdiction of the Port of Lake Charles shall or may be impeded or obstructed; provided, that nothing herein contained shall extend to, apply to, or prohibit operations in connection with the improvement of the Port, or the construction of public works considered necessary and proper by the Port; and provided, further, that nothing herein contained shall extend to, apply to, or prohibit the depositing of any material above-mentioned in such navigable waters within such limits as may be defined, and under such conditions as may be prescribed by the proper Engineer Officer of the United States Department of Defense.</p> <p>It shall be prohibited for any person to pump, discharge, or deposit, or to cause or permit to be pumped, discharged or to pass or to allow to escape in or into the waters of the Port of Lake Charles any oil, spirits, or inflammable liquid, or any coal tar, or refuse or residuary product of coal, or any petroleum, asphalt, bitumen, or other carbonaceous material or substance of any product or compound thereof, or any bilge water containing any of said materials or substances.</p>

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
200	<p>STORAGE OF EXPLOSIVES, GASOLINE, AND OTHER PETROLEUM PRODUCTS ON WHARVES:</p> <p>The storing of gasoline, distillate of any liquid petroleum products, other than lubricating oil, or any automobile, truck, or mechanical appliances, in the sheds, warehouses, or upon the wharves or aprons, is prohibited. In the case of automobiles for shipment, all gasoline must be thoroughly drained from tanks and batteries disconnected before cars will be permitted to remain on the wharf, or in transit sheds. Trucks will be permitted on the wharf and in the transit sheds only for the purpose of lifting or discharging freight and must at all times be in charge of a competent operator. Gasoline or explosives will be permitted to remain on the wharf for a vessel under certain conditions, but shall not be permitted to be received on the wharf for a vessel overnight, nor shall the same be placed in close proximity to cotton, flour, rice, or other cargo subject to damage from same. Parking overnight of automobiles, trucks, or mechanical appliances in the sheds, warehouses, or other structures, including wharves is prohibited.</p> <p>Any violation of this tariff item will cause the Port to remove item or items at total cost incurred at owner's expense plus a twenty-five (25%) administrative fee.</p>
201	<p>TRAFFIC:</p> <p>All operators of motor vehicles while on Port premises are subject to and shall comply with the traffic codes of the State of Louisiana which will be enforced at all times.</p>
202	<p>PARKING:</p> <p>All employees, customers, associates, vendors, contractors, lessees, laborers, stevedores, and their agents will park their vehicles in a manner that does not interfere with Port operations or jeopardize worker safety. The Port reserves the right to direct vehicles to designated parking areas and issue citations or have violator's vehicles towed from the Port premises at owner's expense.</p>
203	<p>PROPER SAFETY APPAREL:</p> <p>All employees, customers, associates, vendors, contractors, lessees, laborers, stevedores, and their agents will, at all times, while on Port premises follow all Port Safety Rules and Regulations, including but not limited to wearing the proper safety apparel such as hard hats, safety reflective vests, and hard-toe foot protection. The Port's Safety Rules and Regulations can be obtained from the Port's web site at www.portlc.com.</p>
205	<p>SMOKING:</p> <p>No person shall smoke or have an open flame in or around any buildings, structures, transit sheds, warehouses and terminal aprons or vessel berths.</p>

ISSUED: DECEMBER 17, 2010

EFFECTIVE: January 1, 2011

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
206	<p>GLASS CONTAINERS:</p> <p>Glass containers are prohibited on all Port premises.</p>
207	<p>ALCOHOLIC BEVERAGES ON PORT PREMISES:</p> <p>Possessing, serving, or imbibing of alcoholic beverages at any time, by any persons, on Port premises is prohibited. However, with certain exceptions, and with the permission of the Executive Director or his designee, this item may be waived.</p>
208	<p>DRUG-FREE WORKPLACE POLICY:</p> <p>The Lake Charles Harbor and Terminal District will not tolerate any illegal substance or illegal drug possession, drug paraphernalia, abuse, or use which imperils the health and wellbeing of its employees, customers, associates, vendors, contractors, and constituents or which threatens services to the public.</p> <p>The District's employees, customers, associates, vendors, contractors, and constituents have the right to a drug and alcohol free environment.</p> <p>The District is committed to maintaining a safe and healthy workplace. To support this policy, the District will vigorously comply with the requirements of the Federal Drug-Free Workplace Act of 1988.</p> <p>Any illegal drug, substance or immediate precursor as described in Schedule I through V of Louisiana Revised Statute 40:964 or Section 202 of the Controlled Substances Act (21 U.S.C. 812) are prohibited on the premises of property owned and operated by the Lake Charles Harbor and Terminal District.</p>
210	<p>DANGEROUS WEAPONS:</p> <p>The carrying of dangerous weapons or the possession of any dangerous weapons on the premises of the Lake Charles Harbor and Terminal District by any person is prohibited. The District's Harbor Police and other law enforcement officials, who are authorized by law to carry or possess dangerous weapons, and by those persons specifically authorized in writing by the Executive Director or designee to carry dangerous weapons is permitted. For this section, dangerous weapons including but not limited to any gas, liquid, or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm or as otherwise defined under Title 14 of the Louisiana Revised Statutes.</p>

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
211	<p>CAMERAS AND PHOTOGRAPHS:</p> <p>The Port of Lake Charles is a restricted area. Cameras, video equipment and use of cameras in cell phones are strictly forbidden. Exceptions to this item can only be granted by the Executive Director or his designee. The press and media personnel must be escorted by Port personnel at all times.</p>
212	<p>CONSENT TO SEARCHES</p> <p>Any person, vehicle or vessel entering the properties or facilities of the Lake Charles Harbor and Terminal District (Port of Lake Charles) for any purpose, including but not limited to all employees, contractors, subcontractors, suppliers, vendors, service providers, tenants, stevedores, longshoremen, vessel agents, line handlers, freight forwarders, consent, by entering on or utilizing the properties or facilities of the Lake Charles Harbor and Terminal District (Port of Lake Charles), to the search or inspection of their person, vehicle, office, structure, leased area or vessel by the harbor police, either on a random basis and with or without probable cause or reasonable suspicion regarding the suspected violation of any provision of this tariff or violation of any applicable law, rule or regulation or to carry out the enforcement of the provisions of this tariff or any applicable law, rule or regulation.</p>
215	<p>RESPONSIBILITY FOR LOSS OR DAMAGE:</p> <p>Notwithstanding any law to the contrary, specifically, but not limited to Louisiana Civil Code, Article 2926-2963 and the maximum extents permitted by law, the Port will not be responsible for the damage or loss of any freight being loaded or unloaded at the public wharves and will not be responsible for any delay to same, nor for damage to freight on its wharves or sheds by fire, leakage, or discharge of water from sprinkler fire protection system, collapse of building, rats, mice, moths, weevils, frost, or the elements nor will it be answerable for any delay, loss, or damage arising from combination of strikes or any persons in their own employ or in services of others nor for any consequences arising there from. Specifically, no relationship of deposit or bailment shall exist between the Lake Charles Harbor and Terminal District and the owner or any person connected with goods or freight located on or at public wharves or warehouses or in any premise owned by the Lake Charles Harbor and Terminal District and; therefore, the Lake Charles Harbor and Terminal District shall not be responsible for any loss or damage of whatever nature to goods or freight, provided, however, the above provision will not apply if said loss or damage is caused by the fault and/or negligence of the Lake Charles Harbor and Terminal District and/or its employees. It is further provided, however, that steamship companies having freight on the wharves will be permitted to make their own arrangements for watchman service. All limits of liability are as shown in Item 240.</p>

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
217	<p>CARE, CUSTODY, AND CONTROL OF CARGO: REMOVAL OF DAMAGED BAGGED CARGO</p> <p>Unless expressly provided for by written agreement between the District and the shipper of any cargo, the District does not take or assume the care, custody, and control of any cargo delivered to any facility, transit shed, or other property of the District. The care, custody, and control of any cargo received at any transit shed, facility, or other property of the District shall be assessed by the party unloading or receiving such cargo. In regard to cargo received at City Docks, such care, custody, and control shall be deemed to be assumed by the District's unloading contractor as to cargo received into public transit sheds, facilities or other property and, as to other areas at City Docks leased or control led by others, such care, custody, and control shall be deemed to be assumed by the party receiving the cargo or leasing the transit shed, facility, or other property.</p> <p>Due to the threat of rodent or vector infestation, damaged bagged grain or grain product cargo delivered, received, or loaded into any facility, transit shed, or other property of the District shall be removed from such property of the District within five (5) days. In the event such damaged bagged cargo is not timely removed, the District will dispose of such damaged cargo as it deems appropriate and the District shall not be responsible to anyone for any loss relating to such disposal. The District, at its discretion, will collect charges from the party unloading or receiving such cargo, for the actual cost of such disposal plus a twenty-five (25%) administrative fee.</p>
220	<p>DAMAGE TO DISTRICT'S PROPERTY:</p> <p>It shall be prohibited for any person to destroy, damage, disturb, deface, any buoy, float, life preserver, sign, notice, or any other public property of the District. Every person and every vessel responsible for any damage to any District public property or any kind or character shall be liable for and charged with the cost and expense of the replacement or repair of the property so damaged or destroyed. In the event any damage is done to a wharf or wharf premises by any person or vessels, the designated agent of the Executive Director or designee must forthwith report, in writing to the Executive Director, the extent of the damage, together with the name of the person or vessel causing such damage, the date and hour, if possible, and the name and addresses of persons witnessing such accident. The expense of repairing said damage will be charged against the person or vessel responsible therefore, and in addition thereto any person causing any damage shall be liable to the conditions described in Item 340.</p>
225	<p>FIRE APPARATUS:</p> <p>No person shall obstruct or interfere with the free and easy access to fire apparatus. Except in case of fire, no person shall remove or in any manner disturb any extinguisher, fire hose, fire hydrant, or any other firefighting appliance installed in or upon the Port's premises. Automobiles, trucks, or mechanical appliances found blocking or obstructing access will be towed at owner's expense.</p>

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
230	<p>EXPLOSIVES, FLAMMABLES, AND OTHER DANGEROUS ARTICLES:</p> <p>Persons desiring to handle explosives, flammables, or other dangerous articles on Port premises, over the public wharves or elsewhere, must communicate in writing and in advance of their arrival on Port premises, with the Executive Director or designee, furnishing full particulars of the shipment. Shipments will be accepted only after a full compliance by shippers or delivering carrier with the rules and regulations of federal, state, and local regulatory agencies governing the transportation of said articles.</p> <p>When a shipment is of a highly flammable or explosive nature, wharfage or handling facilities will not be provided except under special agreement. No cargoes will be handled without the Executive Director or designee receiving and approving a Material Data Safety Sheet (MSDS) prior to arrival of cargo. It is the shipper's responsibility to supply to the District all pertinent international shipping required data on said shipments prior to delivery to the District's facility.</p> <p>Port charges of EXPLOSIVES, FLAMMABLES, and OTHER DANGEROUS ARTICLES as well as environmentally sensitive cargoes will be quoted outside of Port's tariff prior to all shipments. The Port reserves the right to decline handling such cargoes described in this item.</p>
235	<p>APPLICATION FOR BERTH AND RESPONSIBILITY FOR CHARGES LOSS OR DAMAGE:</p> <p>Vessels, tugs, barges, their owners, or agents, desiring a berth at any public wharf, shall make written application to the Port's operations department, (Berth Application forms are provided for on the Port's website at www.portlc.com). Such application shall be made as far in advance as possible, but not less than 48 hours, to the Executive Director or designee. Failure to provide all information on the Berth Application shall be reason to deny the application.</p> <p>As a part of its application for berth, or immediately upon its arrival, the vessel, its owners or agents, shall advise the Port of the protection and indemnity association (P & I Club) which affords the vessel indemnity coverage as well as the name and telephone number of the local legal representative thereof, knowledgeable with regard to such coverage.</p> <p>Any damage caused by the vessel to the wharf or any installation or equipment which is the property of the Port, whether it be through incompetence or carelessness on the part of the pilot or officer of the ship carrying out operations or for any other reason, shall be the responsibility of the master and of the owners of the vessel causing the damage. The Port shall be able to detain the ship until it has received a satisfactory guarantee for the amount of the damage caused or a reasonable estimate thereof.</p>

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
235	APPLICATION FOR BERTH AND RESPONSIBILITY FOR CHARGES LOSS OR DAMAGE: (CONTINUED)

Vessels, tugs, barges, their owners, or agents that fail to file a Berth Application will not be granted a berth. If the vessel, tug, or barge ties-up to the Port's wharf, pier or dock and it is discovered that a Berth Application was not applied for, the vessel, tug, barge, their owner or agent can be ordered off and the vessel, tug, or barge will be assessed full dockage.

Vessels, tugs, barges, their owners, or agents desiring a berth at any public wharf will be subject to all rules and regulations under 33 CFR Parts 101 through 106, Chapter I, Subchapter H – Maritime Security/Homeland Security.

Copy of the Berth Application can be found at the Port's website at www.portlc.com under Item 403.

Vessels are only authorized to berth at those berths stipulated in the berth assignment. Applications for berths will be construed by the Port to mean that all charges as shown in this tariff, or by supplement thereto, or issued in letter form by the Port will promptly be paid upon presentation of the Port's invoice that all vessels and other users of Port facilities shall comply with all rules and regulations. It shall not be incumbent upon the Port to have invoices for port charges signed by masters of vessels following request by a recognized steamship agent for berthing space.

236	BERTHS, ASSIGNING OF, VACATING OF, AND RULES TO GOVERN:
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The Executive Director or his designee shall have the sole, complete and final authority with regard to berth availability, vessel assignment, vessel shifting, the vacating of berths or facilities and any and all related operational issues or decisions relating to the use by vessels of Port berths or facilities that may arise from time to time with regard to the assigning, vacating, occupying or use of any berth or other Port facility and rules relating thereto and, further, the Port or any officer or any employee shall not be responsible to any vessel for any demurrage, damages for delay or loss of use or other similar claims resulting from the actions or inactions of the Executive Director or his designee.

The Executive Director or designee reserves the right to assign berths to all vessels for inward or outward cargo, and in order to expedite the movement of vessels as well as cargo over the public wharves or piers, the assigning of vessels to such berths, the shifting of vessels in berth, as well as the vessels' turn in berth, shall be left solely to the discretion and option of the Executive Director or designee.

In order to expedite the handling of vessels when there are more vessels assigned to specific berths than can be accommodated, or when in the judgment of the Executive Director such a congested condition appears imminent, vessels already in berth may

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ITEM (SYMBOL)	SUBJECT:
236	<p>BERTHS, ASSIGNING OF, VACATING OF, AND RULES TO GOVERN: (CONTINUED)</p> <p>be required, as determined by the Executive Director, to work the amount of overtime to the extent deemed necessary by the Executive Director or designee, at the sole expense of the vessel's owner, operator, or agent.</p> <p>When vessels call at any assigned berth and in the opinion of the Executive Director or designee sufficient congestion exists in the Port, that impedes the normal flow of cargo through the Port, the vessel so assigned to lift cargo will do so on overtime at the vessel owner's expense to the extent deemed necessary by the Executive Director or designee.</p> <p>Vessels shall also be required to work at the maximum capacity deemed expedient and necessary in the judgment of the Executive Director or designee, and shall work the necessary type and amount of equipment and personnel as ordered by the Port. The Executive Director or designee reserves the right to assign berths to all vessels for inward or outward cargo, and in order to expedite the movement of vessels as well as cargo over the public wharves or piers, the assigning of vessels to such berths, the shifting of vessels in berth, as well as the vessels' turn in berth, shall be left solely to the discretion and option of the Executive Director or designee.</p> <p>Vessels occupying a berth, not working and refusing to work maximum capacity must, if directed by the Executive Director in his discretion, vacate the berth (at vessel's expense) if another vessel requests the berth. The vessel requesting the berth must work maximum capacity.</p>
240	<p>LIMITS OF LIABILITY:</p> <p>No provisions contained in this tariff shall limit or relieve the Port from liability for its own negligence, nor require any person(s), vessel(s), or lessee(s) to indemnify or hold harmless the Port from liability for its own negligence. See Item 620.</p>
245	<p>PROCEDURES FOR NOTIFYING THE PORT OF PENDING VESSEL ARRIVAL:</p> <p>The Port reserves the right to take vessels in or out of vessels arrival rotation for the Port's convenience. The Port will advise the agents involved of the vessel's rotation.</p> <ol style="list-style-type: none">1. The Port will accept written berth applications for vessel or barge arrivals from a registered Port shipping agent with the name of the vessel/barge and quantity and type of commodity to be loaded or unloaded from such vessel or barge. The Port will not accept applications for vessels or barges which indicate lay days more than sixty (60) days beyond the date of application and/or which do not have the actual vessel name (TBN's are not acceptable.) Vessel substitutions will be allowed only if lay days remain the same.

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ITEM (SYMBOL)	SUBJECT:
245	<p>PROCEDURES FOR NOTIFYING PORT OF PENDING VESSEL ARRIVAL: (CONTINUED)</p> <ol style="list-style-type: none">2. Subsequent applications by agents with coincidental or overlapping days may be accepted by the Port, subject to prior applications having precedence.3. The Port will confirm, in writing to agents, its acceptance of the vessel's written applications and the lay days granted for such applications. If there are conditions to this acceptance (e.g. No. 2 above), these conditions will be noted on the Port's confirmation.4. Lay Berth Status: When a vessel arrives prior to the days outlined on its vessel application and the berth is available for docking but not available to start loading, the vessel owner or agent may apply in writing to the Port for lay berth status. Lay berth status dockage rate will be seventy-five (75) percent of the published dockage rates in this tariff. At the discretion of the Executive Director or his designee, lay days may or may not be granted.5. During the week prior to arrival, written updates (via email) are required to be sent to the Port's Traffic Office by the vessel, vessel owner, barge owner, shipper, or shipping agent prior to vessel or barge arrival at the following interval: <p style="text-align: center;">ONE WEEK 96 HOURS 48 HOURS 24 HOURS</p><p>Prior to the final week before arrival, written updates are required midway between the date of application and the vessel ETA. Additional written updates will be required midway between the date of the last update and the vessel's ETA (via email) until the above intervals apply. ETA updates for barges prior to the final week before arrival should be sent to the Port's Traffic Office as received. During the final week, the above schedule will apply.</p><p>Additionally, any time a change in ETA is known, the Agent must report the changed ETA to the Port.</p>6. If a vessel or barge is in compliance with Sections 1-5 above, and if the vessel or barge arrives earlier than or within its agreed lay days and passes its cleanliness inspection, and if cargo is available for loading, and if no force majeure conditions exist at the time of vessel or barge arrival, the Port will make every effort to commence loading or unloading upon its arrival or in the case of any early arrival.

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ITEM (SYMBOL)	SUBJECT:
245	<p>PROCEDURES FOR NOTIFYING PORT OF PENDING VESSEL ARRIVAL: (CONTINUED)</p> <p>7. A vessel or barge arriving later than the agreed upon lay days will be assigned a berth position. In no event will it be allowed to delay the loading or unloading of a subsequent vessel or barge that has complied with Sections 1-6 above.</p> <p>9. The Port will make every effort to properly administer the above scheduling procedures, however, it is recognized that operating issues beyond the control of the Port may interfere with the loading/unloading schedule. If these issues occur and require a change in operations, the Port reserves the right to change the vessel or barge loading/unloading rotation and any financial hardship this may cause the vessel will be for the owner's account.</p> <p>Should such changes be necessary, the Port will advise any or all affected parties and will seek the most equitable solution regarding any changes to be made.</p>
255	<p>INSURANCE:</p> <p>The charges provided for herein do not include any expense for first party insurance coverage of any character covering property not owned by the Lake Charles Harbor and Terminal District, nor will such insurance be placed into effect by this Port under its policies.</p>
260	<p>PAYMENT OF BILLS AND DELINQUENT LIST:</p> <p>All invoices issued by the Lake Charles Harbor and Terminal District are due and payable upon presentation to vessels, their owners, or agents, or any firms, persons, or corporations using facilities under the operation of the District. The District reserves the right to estimate and collect, in advance, all charges which may accrue against vessels, their owners, or agents, or other users of the facilities, or against cargo loaded or discharged by such vessels or other users of the facilities, whose credit has not been properly established with the District, or who have been, on at least two (2) previous occasions, on the delinquent list. Use of the facilities may be denied unless such advance payment or deposits are made.</p> <p>Should there be any question with regard to the validity of any invoice issued by the District, or the accuracy thereof, such matters must be in writing and addressed to the Director of Administration and Finance, Lake Charles Harbor and Terminal District, P.O. Box 3753, Lake Charles, LA 70602, written twenty (20) days after the invoice is presented for payment. Errors will be rectified by adjustment or amendment to the invoice based on information received and facts determined by the Executive Director or designee. Any invoice not so questioned within the twenty (20) day period will be considered valid and final.</p>

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ITEM (SYMBOL)	SUBJECT:
260	<p>PAYMENT OF BILLS AND DELINQUENT LIST: (CONTINUED)</p> <p>Any invoice issued by the District which is unpaid thirty (30) days after the date the invoice is issued shall be deemed to be delinquent.</p> <p>As to any invoices which are or become delinquent on or after thirty (30) day from the effective date of this amendment, an interest charge of twelve (12) percent per annum of the amount of the invoice shall be due and owing from the date of delinquency until paid. Such interest charge shall be calculated on a per annum basis of three hundred sixty five (365) days.</p> <p>Additionally, should it be necessary for the District to file suit to collect any delinquent invoice or to enforce any provision of this tariff, the party obligated herein to pay such invoice under this section or the party against whom enforcement of the tariff is sought, consents to such suit being filed in the Fourteenth Judicial District Court, Parish of Calcasieu, State of Louisiana, or the Lake Charles City Court, Ward 3, Parish of Calcasieu, State of Louisiana, and further the party not prevailing shall be obligated to pay reasonable attorney fees incurred by the prevailing party.</p>
265	<p>LINES REQUIRED AT WHARF:</p> <p>It shall be prohibited for any person to make fast any vessel to any public wharf or mooring facility except with such lines and in such manner which meet accepted good marine practice. The Executive Director or his designee has the right to order any vessel re-secured to any public wharf or mooring facility which does not meet accepted good marine practices at the owner's expense.</p>
270	<p>TO USE ONLY MOORING FACILITIES PROVIDED:</p> <p>It shall be prohibited for any person to make fast any line, rope, or mooring to any wharf, landing, shed, or to any pile or poles supporting same, or to any dolphin or fender pile, except to the mooring piles, mooring bits, or rings provided for such purpose. All mooring and unmooring evolutions shall be accomplished using good marine practice.</p>
275	<p>USE OF DOLPHINS OR WHARVES IN TURNING:</p> <p>It shall be prohibited for any vessel, or any person in charge of any vessel, to use any dolphin or mooring bits of any wharf (or structure) to brake or swing such vessel at any wharf with any part of such vessel against the wharf.</p>
280	<p>USING LINES TO CHECK SPEED:</p> <p>It shall be prohibited for any vessel, or any person in charge of any vessel, to make fast or cause to be made fast, any lines to any mooring cluster, bollard, mooring bit, or cleat, or any part of the public wharf structure, for the purpose of checking speed of vessels.</p>

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RULES AND REGULATIONS

ITEM
(SYMBOL)

SUBJECT:

285

LOAD LIMITS:

Load limits in this item are the maximum allowed "dead load" in transit sheds and on docks of the Port. Special lifts may be accommodated with an engineered lift plan which must be approved in advance by the Port. All users are required to adhere to these limits and are liable for their failure to do so.

All cargoes that approach these maximums must be approved in advance by the Executive Director or designee before being placed in transit sheds or upon wharves.

TRANSIT SHEDS

WHARVES

No. 1,2,3,4,5, and 6	500 lbs. per sq. ft.	No. 1,2,3	1000 lbs. per sq. ft.
No. 7	800 lbs. per sq. ft.	No. 4,5,6	550 lbs. per sq. ft.
No. 8 (open berth)	1000 lbs. per sq. ft.	No. 7	1200 lbs. per sq. ft.
No. 9	550 lbs. per sq. ft.	No. 8 (open berth)	1000 lbs. per sq. ft.
No. 9A	1200 lbs. per sq. ft.	No. 9	550 lbs. per sq. ft.
No. 15, 15B	1100 lbs. per sq. ft.	No. 9A	2000 lbs. per sq. ft.
		No. 15, 15B	1100 lbs. per sq. ft.

290

CHUTES REQUIRED:

It shall be prohibited for any person to handle or transfer any ballast, stone, bricks, sand, rubbish, or other matter, or material that will sink, from any wharf to any vessel, unless a canvas or other chute contrivance is used in such a manner as will effectually prevent any part of such substance from falling into the water.

295

WHARF OBSTRUCTIONS:

Stevedore's tools, appliances, equipment, vehicles, or any other material including but not limited to unused or discarded dunnage materials and broken pallets or object which is not part of a cargo must be removed from wharves and wharf premises upon sailing of a vessel. If any such obstruction is not promptly removed as required herein, failure to comply with this item shall result in the application of penalties provided for in Item 330 and Item 340 of this tariff. After one notice to the stevedore company to clean and remove obstructions, the Port reserves the right to clean and remove obstructions for vessel operations at the stevedore expense plus a twenty-five (25%) administrative fee for cleaning and removal of obstructions.

300

PRIVATE WHARVES:

Owners of private wharves will be permitted to handle only such business as may belong to them or originate with them over their wharves. They are not permitted to compete in the wharfage business against the public wharves.

ISSUED: DECEMBER 17, 2010

EFFECTIVE: January 1, 2011

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SECTION THREE
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ITEM (SYMBOL)	SUBJECT:
305	<p>RAT GUARDS:</p> <p>All vessels, upon docking at general cargo docks and bulk grain facility No. 2, shall immediately provide and install rat guards on all lines between the vessel and the dock. Rat guards must remain in place until vessels are ready to cast off their lines.</p> <p>Failure to comply with this item shall result in the application of penalties provided for in Item 340 of this tariff.</p>
310	<p>CARGO STATEMENTS OTHER THAN PUBLIC WHARVES:</p> <p>The owner, agent, operator, or master of any vessel loading or discharging cargo at any private wharf within the limits of the Lake Charles Harbor and Terminal District shall furnish to the Port, within ten (10) days after sailing of each vessel, a certified statement showing the weight and character all cargo discharged from or delivered to the said vessel, including points of origin on inward cargo and points of destination on outward cargo.</p>
315	<p>REPORTS REQUIRED FROM TOWING COMPANIES AND OTHERS:</p> <p>The owner, agent, or operator of any watercraft engaged in the towing or transportation of any commodities that tie-up, make fast, or hold against any wharf, pier, or property owned, and/or under the control of the Port is subject to all rates, rules, and regulations covered by this tariff, including but not limited to berth applications and docking charges. Failure to comply will subject the owner, agent, or operator concerned to the conditions prescribed in Item 340 of this tariff.</p> <p>All watercraft engaged in towing or transportation utilizing the District's facilities must have a current Tug Boat Permit issued by the District on file in the Port's Administrative Office. A copy of the Tug Boat Permit is located in Item 381 of this Tariff.</p>
320	<p>COMPLAINTS:</p> <p>All protests or complaints of any character whatsoever must be addressed to the Executive Director or designee, in writing.</p>
324	<p>PORT DIRECTIVES:</p> <p>The Executive Director may issue Port Directives that impact operations and activities within the District or within or upon the Calcasieu River and Pass Channel as the Executive Director deems necessary and prudent, together with the fixing of terms and conditions where appropriate and take such enforcement action that is deemed appropriate, including, but not limited to, enforcement under Items 325 and 340 of Tariff 013 and subsequent Port Tariffs.</p>

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ITEM (SYMBOL)	SUBJECT:
325	<p>ENFORCEMENT OF LAW, RULES, AND REGULATIONS:</p> <p>Except in those cases where the duty is specifically imposed upon some other officer or employee of the Lake Charles Harbor and Terminal District, it shall be the duty of the Executive Director or designee to enforce applicable law, rules, and regulations, including but not limited to the provisions of this tariff. The District adopts criminal provisions of Title 14, Louisiana Revised Statutes and traffic or motor vehicle provisions of Title 32, Louisiana Revised Statutes except for such provisions which have no application to the District.</p> <p>Enforcement policies and procedures shall include appropriate due process. Enforcement protests, complaints, and appeals shall be initiated in accordance with Item 320 of this tariff.</p> <p>The Chief of the District's Harbor Police Department is the designee for enforcing criminal, traffic, and motor vehicle law, rules, and regulations. Warnings and/or fines are enforcement tools commonly exercised. The enforcement tool of exclusion or entry prohibition is reserved for serious offenses, the likely repetition of which would adversely affect safety and security on District premises. Exclusion will generally be permanent.</p> <p>Temporary exclusion may, however, be warranted to honor tenant or customer requests, with appropriate cause, or to ensure payment of fines. Violations of exclusion notices will be treated as criminal trespass.</p> <p>Submission of appeals to exclusion orders will be followed by an informal non-judicial administrative hearing by a Board consisting of the Executive Director and at least two (2) other members, one (1) of whom should be a representative of the employer of persons initiating an appeal. Appeals to traffic citations will be heard by the District's Safety Board.</p>
330	<p>DUNNAGE:</p> <p>No dunnage will be furnished by the Port. The Port reserves the right to require the use of dunnage under cargo and equipment that is likely to cause damage to the floors, dock aprons, wharves, and lay down yards. Vessel owners, or their agents, and stevedoring companies may secure permission to store a reasonable amount of dunnage in the sheds, convenient to their assignments, upon application in writing to the Executive Director or his designee. Should it be necessary to change position of dunnage for the purpose of conserving space, the owner will arrange to perform this service at his expense when notified to do so by the Executive Director or designee. The term dunnage in this item also includes, but is not limited to, unused dunnage, discarded dunnage, stevedore cargo boards, sticker material, packing material and grocery pallets.</p>

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ITEM (SYMBOL)	SUBJECT:
330	<p>DUNNAGE: (CONTINUED)</p> <p>Further, all unused dunnage or discarded dunnage materials must be removed from the wharves or other Port property by the stevedoring company upon completion of the loading or unloading of a vessel. The stevedore will have fifteen (15) days to remove unused or discarded dunnage, stevedore cargo boards, sticker material and grocery pallets and any other materials the Executive Director or his designee deem necessary. After fifteen (15) days from the date of notice from the Port to the stevedore to remove dunnage, the Port will remove and dispose of said materials as it sees fit at the expense of the stevedore plus a twenty-five (25%) administrative fee. Failure to comply will result in the implementation of Item 295 of this tariff.</p>
335	<p>REQUEST FOR STATEMENT OF TONNAGE:</p> <p>All vessels, their owners, or agents, or any other persons, firms or corporations shall, upon request of the Executive Director or designee, furnish without delay, statement showing weight and measurements of commodities covering any shipments or cargo in transit sheds, wharves, or occupying space on any property under the control of the Port.</p>
340	<p>CONTRACTUAL DAMAGES:</p> <p>Any person, vessel, firm, or corporation, or agent or employee, or stevedore thereof, who shall make use of any wharf, landing, or other services provided by the Port or who shall traverse any waters within the territorial jurisdiction of the Port, thereby contracts with the Port to pay to the Port the proper toll, charge, or fee thereof as fixed by this tariff and further, contracts with the Port to follow and comply with all rules and regulations as set forth in the Port's tariff. Any failure to pay such toll, charge, or fee or any failure to comply with any of the rules and regulations set forth in the tariff, shall constitute a breach of contract between the Port and such person, vessel, firm, or corporation, and shall automatically place such person, vessel, firm or corporation in default of its obligations under the Port's tariff. Any person, vessel, firm, or corporation who is in default of its contract with the Port, as set forth above, shall be liable to the Port for liquidated damages in the amount of \$2,500.00 per day for each day that said person, vessel, firm, or corporation is in default of any obligations set forth under the tariff.</p>
345	<p>MOORING, UNMOORING, AND SHIFTING:</p> <p>Arrangements for mooring, unmooring, and shifting vessels are to be made with private companies who are permitted by the Lake Charles Harbor and Terminal District to perform such service.</p>

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ITEM (SYMBOL)	SUBJECT:
345	<p>MOORING, UNMOORING, AND SHIFTING: (CONTINUED)</p> <p>Line Handlers desiring to provide vessel mooring services at the public wharves must file an application with the Lake Charles Harbor and Terminal District and be approved by the Executive Director or his designee (conditions and application form can be found on the Port website at www.portlc.com. Line Handlers must supply a completed application form and supporting documents, including required insurance and other information of the applicant, as the Executive Director or designee deems appropriate. The Executive Director or his designee has the authority to grant final approval.</p>
350	<p>COMMODITIES SUBJECT TO WHARFAGE:</p> <p>All commodities delivered to or received from vessels which are anchored in the river, or occupying berths at the public wharves, or mooring places, or are moored outside of other vessels occupying berths at public wharves, are subject to wharfage.</p> <p>Cargo placed on public wharves or in transit sheds thereon shall be considered to have earned wharfage when so placed and wharfage will be assessed to the cargo whether or not it is actually loaded on vessels or other means of transportation.</p> <p>All commodities (with the exception as noted in Item 355) passing over or under the public wharves to or from vessels shall be subject to wharfage.</p>
355	<p>CARGOES EXEMPTED:</p> <p>The following cargoes will be exempted from the payment of wharfage:</p> <ol style="list-style-type: none">(1) Ship's stores and fuel intended for vessel's own use.(2) Cargo discharged upon public wharves from vessels and immediately transshipped to other vessels shall not be subject to the payment of a second wharfage provided such cargo does not leave the public wharves.(3) Cargoes exempted in long-term written contractual agreements providing for total costs handling.(4) Water purchased from the Lake Charles Harbor and Terminal District.

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
360	<p>COLLECTION OF WHARFAGE:</p> <p>The amount due from wharfage assessed on commodities must be guaranteed by the vessel, its owners, or agents, and the use of public wharf facilities or anchorage grounds by the vessel, its owners, or agents, shall be deemed an acceptance and acknowledgement of this guarantee.</p> <p>Wharfage charges on cargo not loaded aboard a vessel shall be paid by the shipper or party owning such cargo.</p> <p>Within ten (10) days after the completion of discharge of inward cargo and within ten (10) days after the sailing and/or loading of vessels with outward cargo, the owners or agents of such vessels shall remit to the Port all wharfage charges due.</p> <p>At the option of the Port, wharfage is collectible before the sailing of the vessel or removal of the cargo.</p>
365	<p>RIGHT TO DOCK:</p> <p>The Port reserves the right to refuse to allow vessels the use of the public wharves or mooring clusters.</p>
370 (C)	<p>DOCKAGE AT OTHER THAN PUBLIC WHARVES:</p> <p>The Port reserves the right to assess as set out in Item 650 (Dockage) against any vessel when tying up at private wharves or mooring facilities; also to assess wharfage charges as set out in Items 410-615 under Section Four of this tariff and Items 725-745 of this tariff against any commodity received from and/or discharged to the water over which the Executive Director has jurisdiction.</p>
375	<p>TWIC ESCORT SERVICE</p> <p>All commercial cargo vehicles requiring an escort to fulfill the TWIC requirements for entry into and exit from Port facilities will be provided an escort only by an employee of the Port at a charge of \$50 per hour for the first hour and \$25 per hour for any additional hours needed. Payment will be made in a manner authorized by the Executive Director.</p>
380	<p>ANNUAL STEVEDORING PERMITS:</p> <p>Stevedoring companies desiring to operate over the public wharves must file an application along with a payment of \$7,500 for a new initial stevedoring permit (nonrefundable) as outlined under Item 675, Section Five, Miscellaneous Charges, addressed to the Lake Charles Harbor and Terminal District, attention Executive Director, and such application is subject to review and approval by the Port's Board of Commissioners. Each year thereafter, a new application must be filed requesting a</p>

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TARIFF NO. 013**

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**SECTION THREE
RULES AND REGULATIONS**

ITEM (SYMBOL)	SUBJECT:
380 (C) (A)	<p>ANNUAL STEVEDORING PERMITS: (CONTINUED)</p> <p>renewal of their original stevedore permit and submit the annual renewal fee of \$3,500 (nonrefundable) as outlined under Item 675, Section Five, Miscellaneous Charges, addressed to the Lake Charles Harbor and Terminal District, attention Executive Director, and such application is subject to review and approval by the Port's Board of Commissioners. All existing and new stevedoring permits issued, are subject to the following conditions:</p> <ol style="list-style-type: none">1. The Executive Director or designee shall be advised in writing as to party in charge of operations of the applicant's stevedoring company, its 24 hour telephone number, and the address of its office.2. The stevedoring company agrees to maintain its equipment, materials, and supplies (Gear Locker) within the areas assigned to them and covered by a ground lease with the Port and will not permit their equipment, materials, and supplies to remain on the docks or within unassigned areas when the company is not working. See Item 295.3. The stevedoring company agrees to provide its own portable trash disposal units and portable toilets needed to accommodate its operations and shall be responsible to have trash connected to its operations removed from Port property at the stevedores expense. This item also includes, but is not limited to, unused dunnage and discarded dunnage, stevedore cargo boards, sticker material and grocery pallets. The stevedore will have ten (10) days to remove unused dunnage and discarded dunnage, stevedore cargo boards, sticker material and grocery pallets and any other materials the Executive Director or his designee deem necessary. After ten (10) days from the date of notice to remove said materials, the Port will remove and dispose of said materials as it sees fit at the expense of the stevedore plus a twenty-five (25%) percent administrative fee. The stevedoring company shall not dispose of trash or materials in the portable units under lease to the Port.4. It shall be the full responsibility of the stevedoring company to ensure that its employees, vendors, sub-contractors and agents follow the safety rules, Facility Security Plan, and the rules and regulations of the Port (included but not limited to the Port's Tariff No. 013 or any subsequent tariff in effect), as pertaining to stevedoring operations; abide by the Port's traffic regulations; and to maintain the cleanliness of Port facilities within which stevedoring companies operate. Upon issuance of license, stevedore will provide Port with a copy of its current safety manual. A maintenance charge (Item 675 of Port's Tariff No. 013) shall be assessed against all cargo handled by stevedoring companies through City Docks ship berths. If extraordinary Port services are required to ensure cleanliness and sanitary conditions, stevedoring companies will be billed for actual documented Port costs including an administrative fee of twenty-five (25) percent of the Port's cost. Stevedoring companies shall also follow the Port's instructions for handling and removal of dunnage. See Item 330.

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
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380 (C) (A)	ANNUAL STEVEDORING PERMITS: (CONTINUED)
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5. The stevedoring company recognizes and agrees that their use of the Port's facilities is a limited privilege which carries the responsibility and liability of repairing and/or replacing all facilities and/or equipment owned or leased by the Port and which are damaged and/or destroyed by the stevedoring company's employees or agents. The stevedoring company also has the responsibility of reporting such damage and/or destruction immediately after an incident. In order to help protect warehoused cargo from rain-damage, the stevedoring company shall promptly close warehouse doors during inclement weather and at close of work. Item 220 also applies. Failure to do so will result in Port personnel closing all doors and stevedore will be invoiced for services rendered including an administrative fee of twenty-five (25%) percent of the Port's cost.

6. In accordance with Item 217 of the Port's tariff, the stevedoring company shall be deemed to have the care, custody, and control of any cargo handled or received by such stevedoring company at any transit shed, facility, or other property of the District and the stevedoring company shall indemnify and hold harmless the District, to the maximum extent permitted by law, as to any claim or loss arising out of or associated with such care, custody, and control. On a daily basis, the stevedore company shall provide the Port's operations department an accurate and complete inventory of cargo under its care, custody and control, this includes but is not limited to cargo received, loaded or unloaded and delivered. When applying for a new stevedore permit, applicants must provide the Port with previous year tonnage handled and anticipated tonnage for the renewal year.

7. The stevedoring company shall furnish to the Port, Certificates of Insurance as provided for in the application. The Port reserves the right to establish minimum adequate coverage limits.

The stevedoring company shall furnish the Port the following type of coverage and minimum limits of liability per occurrence. Insurance must remain in place and current at all times.

COMMERCIAL GENERAL LIABILITY	\$5,000,000
COMMERCIAL AUTO LIABILITY	\$5,000,000
STEVEDORE'S LEGAL LIABILITY	\$5,000,000
WAREHOUSEMAN'S LEGAL LIABILITY	\$5,000,000
EMPLOYER'S LIABILITY	\$5,000,000
WORKERS COMPENSATION AND USL&H (as required by state law)	
Any other insurance as required by state law	

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
380 (C) (A)	<p>ANNUAL STEVEDORING PERMITS: (CONTINUED)</p> <p>THE PORT OF LAKE CHARLES MUST BE NAMED AS “AN ADDITIONAL NAMED INSURED”, AND BE GRANTED “A WAIVER OF SUBROGATION” IN FAVOR OF THE PORT OF LAKE CHARLES. The Port, at its discretion, may request other information and amendments to the required insurance certificates.</p> <p>8. The stevedore company will furnish to the Port an irrevocable letter of credit in favor of the Port of Lake Charles in the amount of \$25,000 within thirty (30) days of acceptance by the Port’s Board of Commissioners. Once approved by the Board of Commissioners, the Executive Director or his designee will issue the license.</p> <p>9. Any stevedoring company found not complying with these conditions willfully or through negligence shall be placed on reasonable notice to rectify the situation. Failure to do so within a reasonable time frame specified by the Executive Director or his designee, from such notice will result in their permit to operate within the Port’s facilities being suspended or canceled by the Executive Director. No refund of any part of the payment (stevedoring fee), made with the permit application, will be made upon cancellation and the stevedoring company shall remain responsible for any obligations or liability created by the stevedoring company.</p> <p>10. On a daily basis (not later than 10:00 a.m.), the stevedore must provide the Port’s traffic department with written documentation of the previous day’s reports for receipt, load-out and discharge of cargoes handled (“daily reports”). These reports must include, but are not limited to the following:</p> <p style="padding-left: 40px;">Daily labor reports containing all classes of labor ordered and received by operation and start time.</p> <p style="padding-left: 40px;">Daily reports detailing the loading and or discharging with number of rejections, torn, damaged, etc.</p> <p style="padding-left: 40px;">A copy of the signed mates receipt will be forwarded to the Port’s traffic department within 24 hours after completion of the vessel.</p> <p style="padding-left: 40px;">A report showing the cargo summary of rejections, torn, damaged, etc... when the vessel has completed loading or discharging.</p> <p style="padding-left: 40px;">A manifest prior to unloading and an annotated manifest on vessel cargo unloaded.</p>

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
380 (C)	<p>ANNUAL STEVEDORING PERMITS: (CONTINUED)</p> <p>11. Any and all damages occurring to any of the Port's facilities must be reported to the Port's operation department and to the Harbor Police Department immediately via email to hpdocs@portlc.com.</p> <p>12. The Lake Charles Harbor and Terminal District encourages the stevedore company applying for a license to use local labor and the payment of competitive wages and benefits in order to maintain the standard of living of employees of the stevedore company. The District also encourages the use of local service providers whenever possible.</p> <p>13. A copy of the applicant's Certificate of Authority from the State of Louisiana, Secretary of State which evidences applicant's authority and approval to conduct business within the State of Louisiana.</p> <p>14. Other considerations for granting a stevedore license includes, but is not limited to the following criteria:</p> <ul style="list-style-type: none">✓ New business opportunities (not existing/current business at the Port).✓ Detailed equipment list company owns and proposed to be placed at Port's facility.✓ Business plan to grow business at Port.✓ Letters of recommendation from other port authorities which the stevedore is currently doing business with.✓ A labor study, evaluated by the Executive Director each year, addressing sufficient labor to support the addition of a new stevedore.✓ Other information the Executive Director may request. <p>15. It is understood and agreed to by all stevedore companies making application for stevedore permits with the District and those granted stevedore permits by the District for work at the District's City Docks facility that such stevedore work shall be undertaken only in the public areas of City Docks and not areas exclusively leased to another entity unless the permit holder is part of an exclusive cargo handling agreement with the entity controlling the exclusively leased area of the District or the stevedore permit holder is a party to an exclusive cargo handling agreement with the District. Specifically, no applicant for a stevedoring permit or a permitted stevedore company shall handle any bagged agricultural cargoes, including PL-480 cargo and all commercial bagged cargo, except by exclusive special contract with the District.</p>

These conditions are made a part of the stevedoring permit issued and attached thereto.

Terms and Conditions Accepted:

Stevedoring Company

By: _____

Officer

DATE

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
381	ANNUAL TUG BOAT COMPANY PERMITS:

Tug Boat companies desiring to provide tug services to vessels utilizing the public wharves must file an application along with a check for \$1200.00 as outlined under Item 676, Section Five, Miscellaneous Charges, with the Executive Director or designee, and said application is subject to approval by the Executive Director. All Tug Boat Company new permits issued are subject to the following conditions:

1. The Executive Director or designee shall be advised in writing as to party in charge of operations, the telephone number, and the address of the office.
2. The Tug Boat Company agrees to maintain its tugs and equipment in good condition and shall at all times comply with all provisions of this Tariff.
3. The Tug Boat Company agrees to provide its own trash disposal and it shall comply with all provisions of this tariff and particularly, with Item 195, and all applicable laws, rules, and regulations.
4. It shall be the full responsibility of the Tug Boat Company to ensure that its employees follow the safety rules, Facility Security Plan, and other applicable regulations of the Port which are posted in the Port's tariff and accessible at www.portlc.com.
5. Subject to reasonable direction and control of the Port, Tug Boat companies may from time to time temporarily use the docks and other facilities of the Port to lay berth tugs while awaiting serving of vessels utilizing Port docks or facilities. Prior to utilizing any facilities of the Port or Port-owned property, a Tug Boat company shall notify the Port's Harbor Police.
6. The Tug Boat company recognizes and agrees that their use of the Port's facilities is a limited privilege which carries the responsibility and liability of repairing and/or replacing all facilities and/or equipment owned or leased by the Port and which are damaged and/or destroyed by the Tug Boat company's employees. The Tug Boat Company also has the responsibility of reporting such damage and/or destruction immediately after an incident.
7. The Tug Boat company shall furnish to the Port, Certificates of Insurance on their Workmen's Compensation and Employer's Liability; Automobile Bodily Injury and Property Damage; Fire and Lightning, Extended Coverage and Vandalism and Malicious Mischief; Comprehensive General Liability and Umbrella; U. S. Longshoremen and Harbor Worker's Act. The Port reserves the right to establish minimum adequate coverage limits.

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
381	ANNUAL TUG BOAT COMPANY PERMITS: (CONTINUED)

8. Any Tug Boat company found not complying with these conditions willfully or through negligence shall be placed on notice to rectify the situation. Failure to do so will result in their permit to provide services to vessels utilizing Port-owned properties, docks, or facilities being canceled thirty (30) days from the date of notice issued by the Executive Director or designee. No refund of any part of the payment, made with the permit application, will be made upon cancellation.
9. A valid permit holder will be allowed to move oil and diesel products for its consumption only without Port supervision during normal Port working hours.
10. A copy of all business licenses held by the applicant; including evidence of authority and approval to conduct business within the State of Louisiana.

The Port must be notified of pending movements prior to docking.

These conditions are made a part of the Tug Boat Company Permit issued and attached thereto.

Terms and Conditions Accepted:
Tug Boat Company

By: _____
Officer

382	ANNUAL VESSEL AGENCY PERMITS:
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Vessel agents desiring to represent vessels calling at the public wharves must file an application and receive approval from the Lake Charles Harbor and Terminal District annually, (conditions and application form can be found on the Port's website at www.portlc.com). An application fee of \$500.00 must accompany the completed application form and supporting documents, including financial and other information of the applicant, as the Executive Director or designee deems appropriate. Along with the application, all applicants must present evidence of authority and approval to conduct business with the State of Louisiana and such other information deemed appropriate by the Executive Director. (This item moved and renumbered from Item No. 715).

383	ANNUAL LINE HANDLERS PERMIT PROCEDURES:
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Line Handling companies desiring to operate at the public wharves must file an application as outlined herein. No line handlers shall conduct business within the District without first securing a permit from the District as set forth herein. Permits are granted for a period of one (1) year.

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
383	ANNUAL LINE HANDLERS PERMIT PROCEDURES: (CONTINUED)

The District reserves unto the Executive Director or his designee the right to grant or deny any line handlers' application.

A permit application form and permit procedures may be obtained from the Port's website at www.portlc.com. An application will not be accepted and processed until the following documents are received:

- (1) A fully completed application form;
- (2) The applicant's articles of incorporation, if any;
- (3) A list, including complete names, addresses, phone numbers and email addresses, of the applicant's full-time and part-time employees, including supervisors who the applicant intends to employ at the District;
- (4) A copy of the applicant's safety and training programs, including substance abuse policies or programs; if any;
- (5) A copy of all business licenses held by the applicant; including evidence of authority and approval to conduct business within the State of Louisiana;
- (6) Insurance certificates (limits and coverage) as specified in the District's Tariff No. 013 or any subsequent tariffs. In addition to providing the required coverage limits, each applicant must also name the Port as an "additional named insured" and grant a "waiver of subrogation". A copy of the endorsement to the policies must also be provided; and
- (7) Any other information requested by the Executive Director.

The Executive Director will consider:

- (1) The applicant's past performance, including, but not limited to, its ability to provide consistent, adequate, and high quality services, its conformance with industry safety practices and environmental regulations, and its implementation of safety and training programs and substance abuse policies and programs;
- (2) The applicant's ability to provide full-time onsite personnel or other resources necessary and suitable for the services intended to be performed at the District;

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
383	<p>ANNUAL LINE HANDLERS PERMIT PROCEDURES: (CONTINUED)</p> <p style="margin-left: 40px;">(3) The applicant's work experience and personnel at the District, including, but not limited to, its managers' and employees' work history, including such personnel's active involvement in seaports and length of time in the vessel agency business;</p> <p style="margin-left: 40px;">(4) Such other factors that the Executive Director deems relevant.</p> <p>After receipt and review by the Executive Director of a completed application accompanied by all requested documentation, the Executive Director shall inform the requesting party, in writing, whether the permit will be granted, denied, or held in abeyance pending the receipt of further information or documentation. In the event that further information or documentation is needed, the District shall inform the applicant of the information or documentation that is sought.</p>
385	<p>FUMIGATION REQUIREMENTS:</p> <p>Bagged agriculture products that remain in the transit sheds for a period of forty-five (45) days must be fumigated, and again at each forty-five (45) day period as long as the products remain in the transit sheds. All expense of fumigation will be for the account of the cargo owners, shippers, consignee, or to whom the cargo is in care, custody, and control while in the transit sheds.</p> <p>If the fumigation is not performed as required herein, the Lake Charles Harbor and Terminal District reserves the right to fumigate the cargoes and/or the transit sheds in which the cargoes are located and to bill the cargo owners, shippers, consignees, or whoever has care, custody, and control of the cargoes for the cost of such fumigation.</p>
390	<p>ASSISTING WITH COLLECTION OF CHARGES OF THE LAKE CHARLES SEAFARERS' CENTER:</p> <p>Dues and assessments of the Lake Charles Seafarers' Center, located at the Lake Charles Harbor and Terminal District City Docks facility, represent the charges of that non-profit organization for humanitarian services and facilities available, without discrimination, to seafarers of all vessels calling on terminals within the navigable waterway system operated by the District. Dues and assessments of \$50.00 payable by operators of all crewed ships per port call will be invoiced by the Lake Charles Harbor and Terminal District for the direct pass-through to the Lake Charles Seafarers' Center.</p>

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
395	<p>DISPOSAL OF OIL WASTE:</p> <p>Under the provisions of Annex I of the International Convention for the Prevention of Pollution from Ships, known as MARPOL 73/78, and the regulations, Part 158 of Title 33 of the Code of Federal Regulations (33 CFR 158), all terminals and ports which receive tankers or other ocean going vessels of 400 gross tons or more must provide adequate oily waste reception facilities. If desiring to discharge oily wastes, the vessel, her owners, and agents are responsible for selecting an inspected and approved company that meets USCG requirements for receipt of oily wastes and, further, are responsible for making the necessary arrangements for discharging wastes.</p> <p>The USCG maintains a listing of approved transporters of oily wastes subject to the applicable regulations for the transfer of oil (33 CFR 154-156). Any inquiries should be directed to the Commanding Officer, USCG MSU Lake Charles 337-491-7800.</p>
400	<p>DISPOSAL OF SHIP'S GARBAGE:</p> <p>Marpol 73/78, Annex V, requires ports and terminals to provide for receiving ship originated garbage. Garbage is defined as "all kinds of victual, domestic, and operational waste, excluding fresh fish and parts thereof, generated during the normal operation of a ship and liable to be disposed of continually or periodically."</p> <p>"Medical wastes, hazardous wastes, and those wastes commingled with them that require special handling" also must be appropriately disposed.</p> <p>Annex V further requires for proper disposal of "contaminated" garbage. Agencies of the U.S. Department of Homeland Security regulate these activities.</p> <p>Vessel agents are responsible for making required arrangements for disposal of ship's garbage. A signed Berth Application for use of the Port's facilities is an acknowledgement of agent obligation. Agent is required to utilize a vendor currently holding a "Certificate of Adequacy" for a Reception Facility (COA) at the Port of Lake Charles.</p> <p>The USCG issues a "Certificate of Adequacy for Reception Facility" to the Lake Charles Harbor and Terminal District. Any inquiries should be directed to the Commanding Officer, USCG MSU Lake Charles 337-491-7800.</p>

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
402	CERTIFICATES OF INSURANCE.

INSURANCE REQUIREMENTS

I. Insurance Requirements:

1. The insurance coverage requirements can be waived if a “Request for Insurance Coverage Waiver” is approved by the Executive Director – see Item III below.
2. The Special Entrance Permit allows 20 days to provide the necessary insurance documentation.
3. Companies making deliveries to or pickups from Port owned locations or facilities must provide evidence of coverage equal to or exceeding the State of Louisiana statutory automobile liability limit.
4. Companies providing services (other than deliveries) to waterfront locations or facilities, or companies utilizing mobile equipment at any location or facility, or companies leasing any Port properties must; at a minimum:
 - a. execute in favor of the Lake Charles Harbor and Terminal District the indemnity and hold harmless agreement (see Item II below), and
 - b. provide certificates of insurance naming the Lake Charles Harbor & Terminal District as “an additional named insured,” granting a “waiver of subrogation” and warranting coverage for the following minimum limits:
 - General Liability - \$1,000,000 aggregate and \$500,000 each occurrence – (comprehensive).
 - Automobile Liability - \$1,000,000 aggregate and \$500,000 each occurrence – (bodily injury).
 - Automobile Liability - \$1,000,000 each occurrence – (property damage)
 - Workmen’s Compensation - State of Louisiana – Statutory Limits
 - c. A copy of the endorsement to the policies must be provided.
5. The insurance coverage requirements can be increased as necessary for services deemed as being of greater risk.

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TARIFF NO. 013**

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SECTION THREE
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
402	CERTIFICATES OF INSURANCE: (CONTINUED)

II. Indemnity and Hold Harmless Agreement:

_____ agrees to indemnify and hold harmless the Lake Charles Harbor and Terminal District from and against all losses or expenses (including costs and attorney fees) for any suit, claim, settlement, award or judgment (hereinafter referred to as "claim") because of personal injury, including death, at any time resulting there from, or loss of or damage to property, including loss of use thereof, sustained by any person or persons arising out of or in consequence of any activity accomplished or performed by _____, its agents or employees on the property of the Lake Charles Harbor and Terminal District, except to the extent the claim shall have been caused solely by the negligent act of the Lake Charles Harbor and Terminal District.

III. Request For Insurance Coverage Waiver:

To:
From:
Re: Request For Insurance Coverage Waiver
Location: _____ Phone _____
Company Name: _____
Work To Be Performed: _____

Specific Waiver Requested: _____

Justification: _____

Approved by:
District Director _____ Date _____
Port Director _____ Date _____

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TARIFF NO. 013**

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**SECTION THREE
RULES AND REGULATIONS**

ITEM SUBJECT:
(SYMBOL)

403 BERTH APPLICATION:

BERTH APPLICATION AND ASSIGNMENT

TO: TRAFFIC DEPARTMENT
LAKE CHARLES HARBOR AND TERMINAL DISTRICT
P. O. BOX 3753
LAKE CHARLES, LA 70602

BERTH APPLICATION NO. _____
LAY BERTHS MUST BE VACATED
WHEN GIVEN FOUR (4) HOURS
NOTICE. VESSEL FAILING TO
DO SO BECOME LIABLE FOR
CHARGES RESULTING FROM THIS
VIOLATION.

We hereby apply for Berth:

Vessel: _____ Type: _____

Charterers/Owners: _____ Port of Registry: _____

Nationality: _____ GRT _____ Length: _____

P&I Club _____

ETA: _____ Sailing Date: _____ Days in Port: _____

Agent: _____ Stevedore: _____

Cargo to be Loaded: _____ Total (Tons/lbs.): _____

Will Lift Cargo for the Following Ports: _____

Next Port of Call: _____ Last Port of Call: _____

Cargo to be Discharged: _____ Total (Tons/Lbs.) _____

Point of Origin: _____ Approved Line Handler: _____

It is understood and agreed that the Lake Charles Harbor and Terminal District will not be responsible for the safety of any vessel nor injury or damage thereto, nor to the employees of any vessel, their agents or assigns, nor to the property of any vessel or the property of its employees, agents, or assigns, regardless of cause or source thereof, while tied-up at the facilities.

The applicant further agrees to abide by all rules and regulations shown in the Lake Charles Harbor and Terminal District's Tariff No. 013 or the Tariff in place at the time and date the Port of Lake Charles accepted this application and all customs of the Port.

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SECTION THREE
RULES AND REGULATIONS

ITEM SUBJECT:
(SYMBOL)

403 BERTH APPLICATION: (CONTINUED)

FURTHER, ALL VESSELS, IN ADDITION TO LIABILITIES AS PROVIDED BY LAW, SHALL BE RESPONSIBLE FOR THE FULL EXTENT OF ANY DAMAGES CAUSED BY IT TO THE FACILITIES OF THE LAKE CHARLES HARBOR AND TERMINAL DISTRICT IN PARTICULAR, ANY VESSEL CAUSING DAMAGE SHALL BE RESPONSIBLE FOR THE FULL REPLACEMENT COST (NOT THE DEPRECIATED VALUE) OF ANY STRUCTURE OF THE LAKE CHARLES HARBOR AND TERMINAL DISTRICT DAMAGED AND SHALL BE RESPONSIBLE FOR ALL ENGINEERING, LEGAL, AND ADMINISTRATIVE COSTS INCURRED BY THE PORT IN THE MAKING OF SUCH REPAIRS.

DOMESTIC, EXPORT, OR IMPORT CARGO BOOKED FOR MOVEMENT OVER LAKE CHARLES HARBOR AND TERMINAL DISTRICT FACILITIES (PORT OF LAKE CHARLES) IS SUBJECT TO RATES, CHARGES, RULES AND REGULATIONS PUBLISHED IN THE DISTRICT'S TARIFF NO. 013 OR THE TARIFF IN PLACE AT THE TIME AND DATE THE PORT OF LAKE CHARLES ACCEPTED THIS APPLICATION, ON FILE WITH THE FEDERAL MARITIME COMMISSION. COPY OF CURRENT TARIFF WILL BE FURNISHED, WITHOUT CHARGE ON REQUEST

Please file all copies with Port Authority office for completion.

REQUESTED BY AND AGREED TO:

LAKE CHARLES HARBOR AND TERMINAL DISTRICT
PORT OF LAKE CHARLES:

DATE

* ASSIGNED
BERTH NO. _____ DATE: _____

* Subject to Availability

404 TRANSPORTATION WORKERS IDENTIFICATION CREDENTIAL (TWIC):

As mandated by the Maritime Transportation Security Act of 2002 (the "Act"), the District and all persons entering or utilizing facilities of the District must comply with the Act, its rules, regulations and required Transportation Workers Identification Credential (TWIC). Strict compliance with the Act, its rules and regulations (as amended and supplemented from time to time) is required. Specifically, compliance with 33 CFR 101.514, 49 CFR 1572 and the United States Coast Guard Navigation and Vessel Inspection Circular (NVIC) 03-07 (as amended and supplemented from time to time) is required. The District has adopted policies and procedures to implement the Act, its rules and regulations and such policies and procedures (as amended and supplemented from time to time by the District), which are available on the District's web site, are adopted by reference and required to be followed by all persons entering or using District facilities. All persons, vessels and any user of District facilities failing to comply with the provisions of this tariff item, the Act, its rules and regulations and District policies relating to the Act are subject to fine and other enforcement provisions provided for by this tariff and by law. Vessels and their agents shall be responsible and liable for any such fines or enforcement relating to the actions or inactions of vessels in that regard, including, but not limited to, seamen not in possession of a valid Transportation Worker Identification Credential (TWIC) and found unescorted by a TWIC holder in a restricted area of the District.

ISSUED: DECEMBER 17, 2010

EFFECTIVE: January 1, 2011

**PORT OF LAKE CHARLES
TARIFF NO. 013**

ORIGINAL PAGE 36

SECTION FOUR
RATES AND CHARGES

ITEM (SYMBOL)	SUBJECT:	<u>Wharfage</u>	<u>Unloading</u>	<u>Loading</u>
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405 **LOADING, UNLOADING, AND WHARFAGE CHARGES:**

The Port of Lake Charles employs a terminal contractor for loading and unloading functions at the Port.

The Port of Lake Charles publishes this tariff for the convenience of customers of the Port; actual rates should be confirmed with the Port's car unloading contractor prior to any operation. Rates stated in this tariff are maximum chargeable rates.

The rates and charges shown are for loading and unloading of trucks and railcars in the course of regular business hours only. Any work performed after regular business hours will be assessed and billed at overtime rates.

Overtime work performed will be at one and one-half times rates named herein. All cargo will be handled in the order of time of receipt so far as conditions and circumstances permit.

Mixed shipments are considered to be two or more articles which have different loading and unloading rates and are handled during the same operation. Charges for handling mixed shipments must be reconfirmed with the Port's terminal contractor.

In those instances where the unloading stevedore has contracted with road haul carrier to assist in road haul carrier's terminal operations, and for which road haul carrier has agreed to pay the unloading stevedore for those services, unloading charges will be reduced to the extent the unloading stevedore has been compensated by road haul carrier.

The Port reserves the right to enter into contractual agreements for rates and charges other than shown here based on volume, seasonal fluctuations, time constraints, and other specific circumstances.

Refer to Items 610 through 615 for special rates and charges concerning particular situations.

All charges shown in this tariff for handling and wharfage charges are in cents per short ton (2000 lbs.) or (40 cubic feet) and apply to all shipments at actual weight or measurement ton whichever produces the greater revenue. Volume shipments will be subject to special arrangements made, in advance, with the Port. Published rates are maximum rates and are subject to volume incentive negotiations.

By authority of law of the State of Louisiana and the regulations of the Lake Charles Harbor and Terminal District, these are maximum reasonable rates that can be assessed within the area of the Lake Charles Harbor and Terminal District.

**PORT OF LAKE CHARLES
TARIFF NO. 013**

FIRST REVISED PAGE 37

SECTION FOUR
RATES AND CHARGES

ITEM SUBJECT:
(SYMBOL)

Handling and wharfage charges are in cents per short ton (2000 lbs.) or measurement ton (40 cubic feet) and apply to all shipments at actual weight or measure whichever produces the greater revenue to the Port. Volume shipments will be subject to special arrangements made, in advance, with the Terminal. Published rates are maximum rates and are subject to volume incentive negotiations.

		<u>Wharfage</u>	<u>Unloading</u>	<u>Loading</u>
409	MAINTENANCE FEES: All cargo is subject to a maintenance charge of thirty-two (32¢) cents per revenue ton which shall be assessed against all cargo handled by stevedoring companies through City Docks ship berths. If extraordinary Port services are required to ensure cleanliness and sanitary conditions, stevedoring companies will be billed for actual documented Port costs plus a 25% Port administration fee. See Items 380 and 675.			
410	ALL COMMODITIES, NOT OTHERWISE SPECIFIED: (A) In bags or sacks 100 lbs. or more (B) In boxes or cases 48 lbs. or more (C) In boxes or cases less than 48 lbs. (D) Other than A, B, C (E) Bagged commodities consigned to U.S.D.A., received by U.S.D.A and loaded by vessel for the account of U.S.D.A. under the provision of Title II, Public Law 480 (except rice, Item 575) In bags weighing less than 100 lbs. In bags weighing 100 lbs. or more. In boxes, crates, or bales weighing 48 lbs or more	 228 228 228 228 96 96 96	 1500 1500 1766 2100 1500 1500 1500	 1766 1469 1766 2100 _____ _____ _____
415	ALL COMMODITIES PALLETIZED OR UNITIZED: Weighing 1,000 lbs. to 4,000 lbs. suitable for single forklift handling except as otherwise provided	 174	 600	 632
420	ALUMINUM INGOTS, PIGS, OR SLABS: Banded together in a manner to enable handling by forklift trucks, maximum dimensions 40" X 40", not exceeding 40" in height, gross weight not less than 2000 lbs.	 118	 750	 815
450 (C)	BARITES, DRILLING MUD: Barite, bulk or in super sacks	 107	 _____	 _____
455	BEANS, PEAS, OR LENTILS: In bags weighing 50 lbs. or more	 174	 1500	 _____

**PORT OF LAKE CHARLES
TARIFF NO. 013**

FIRST REVISED PAGE 38

**SECTION FOUR
RATES AND CHARGES**

ITEM SUBJECT:
(SYMBOL)

Handling and wharfage charges are in cents per short ton (2000 lbs) or measurement ton (40 cubic feet) and apply to all shipments at actual weight or measure whichever produces the greater revenue to the Port. Volume shipments will be subject to special arrangements made, in advance, with the Terminal. Published rates are maximum rates and are subject to volume incentive negotiations.

		<u>Wharfage</u>	<u>Unloading</u>	<u>Loading</u>
470	COAL, PETROLEUM COKE:			
	Coal, in bulk:	118	1550	1550
475	BULK COMMODITIES, DRY: NOS	174	—	—
495	FIBERBOARD VIZ: Linerboard, medium density fiberboard and engineered lumber	107	1740	1755
505	GRAIN AND GRAIN PRODUCTS:			
	In bags, weighing less than 100 lbs.	96	1500	—
	Weighing 100 lbs. or more	96	1500	—
	In cases or packages:			
	Weighing less than 110 lbs.	96	1500	1130
	(See Item No. 410(E), for USDA products)			
510	IRON AND STEEL ARTICLES, ALSO BILLETS, BLOOMS, INGOTS, PIG IRON, SLABS, RAILS, RAILWAY TRUCKS, IRON, OR STEEL:	152	1200	1226
(A)	STEEL COILS: weighing over 20,000 lbs each	100	1200	1226
520	LUMBER, FOREST PRODUCTS, NOS, VIZ:			
	Treated or untreated	118	2617	2617
	Lumber, in bundles, unitized in a manner to contain from 500 to 1,000 board feet measure and weighing from 1,000 to 4,000 lbs. per bundle, unloaded from:			
	Bulkhead flatcars	118	1020	—
	Flatbed trucks	118	285	—
	Forest Products, NOS	118	2617	2617
	Logs and Pulpwood	118	—	—
	Mahogany	118	2617	2617
	Poles and Pilings:			
	On flatcars	118	1575	1575
	Other than flatcars	118	2164	2164
	Shingles	118	2164	—
	Switch Ties: Treated or untreated	118	2617	—
	Timber (6" x 6" or over)	118	1564	1689

**PORT OF LAKE CHARLES
TARIFF NO. 013**

ORIGINAL PAGE 39

SECTION FOUR
RATES AND CHARGES

ITEM SUBJECT:
(SYMBOL)

Handling and wharfage charges are in cents per short ton (2000 lbs.) or measurement ton (40 cubic feet) and apply to all shipments at actual weight or measure whichever produces the greater revenue to the Port. Volume shipments will be subject to special arrangements made, in advance, with the Terminal. Published rates are maximum rates and are subject to volume incentive negotiations.

	<u>Wharfage</u>	<u>Unloading</u>	<u>Loading</u>	
520	LUMBER, FOREST PRODUCTS, NOS, VIZ: (CONTINUED)			
	Veneer or plywood, including built-up woods, in packages, 1000 to 4,000 lbs. banded or strapped, suitable for forklift handling:			
	On flatbed truck or flat railcars:			
	0 - 400 Tons	118	530	565
	401 - 750 Tons	118	465	500
	751 - 3500 Tons	118	425	400
	3,501 Tons or more	118	285	320
	Other than flatbed truck or flat railcars			
	five (5) car minimum	110	370	595
	(Delete)		_____	_____
525	MACHINERY AND EQUIPMENT NOS:	228		
530	METALS AND METAL PRODUCTS: Including pipe, pipe fittings and hardware, structure steel, NOS:	235	_____	_____
540	DELETED			
555	PAPER AND PAPER ARTICLES, NOS:			
		118	1150	1150
	Paper Products, woodpulp in bales	118	490	590
	Paper Products, linerboard in rolls 36" to 60" in diameter:			
		118	272	455
	Paper Products newsprint, printing or wrapping in rolls 36" to 60" in diameter:			
		118	350	565
560	PETROLEUM COKE, CALCINED			
	Petroleum Coke, calcined, in bulk	118	1550	1550
	Petroleum Coke, Raw (green), in bulk	118	_____	_____
565	PLASTICS AND RESINS: Baled, Bagged or in Drums	118	RATES ON REQUEST	
570	PROJECT CARGO: Wharfage rate to be negotiated	(TBN)		

ISSUED: DECEMBER 17, 2010

EFFECTIVE: January 1, 2011

**PORT OF LAKE CHARLES
TARIFF NO. 013**

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SECTION FOUR
RATES AND CHARGES

ITEM SUBJECT:
(SYMBOL)

Handling and wharfage charges are in cents per short ton (2000 lbs.) or measurement ton (40 cubic feet) and apply to all shipments at actual weight or measure whichever produces the greater revenue for the Port. Volume shipments will be subject to special arrangements made, in advance, with the Terminal. Published rates are maximum rates and are subject to volume incentive negotiations.

		<u>Wharfage</u>	<u>Unloading</u>	<u>Loading</u>
575	RICE:			
	In cases or packages:			
	Weighing 50 lbs. or more per package	96	1000	1035
	Weighing 90 lbs. to 110 lbs.	96	1000	1055
	Railcars:			
	In sacks weighing 50 lbs. to 90 lbs.	96	1000	1035
	In sacks weighing 90 lbs. to 110 lbs.	96	1000	1055
	Flatbed Trucks: with no sides not palletized			
	In sacks, weighing 50 lbs. to 90 lbs.	96	1000	1035
	In sacks weighing 90 lbs. to 110 lbs.	96	1000	1055
	Flatbed Trucks: with sides, not palletized			
	In sacks weighing 50 lbs. to 90 lbs.	96	1000	1035
	In sacks weighing 90 lbs. to 110 lbs.	96	1000	1055
	In sacks, minimum 3,000 lbs. per pallet, 14 pallets per flatbed <i>truck capable</i> of being unloaded by forklift, minimum 24 trucks per day, between the hours of 0800-1200/1300-1700 hours Monday through Friday. Overtime hours Monday through Friday are 1701 hours to 0759 hours. Pallets furnished by unloading stevedores. All costs for rehandling pallets will be assessed against shipper.			
	Weighing 50 lbs. to 90 lbs.	96	1000	_____
	Weighing 90 lbs. to 110 lbs.	96	1000	_____
	Rice, in bags consigned to U.S.D.A, received for U.S.D.A., and loaded by vessel for the account of U.S.D.A., under <i>the provisions of Title II, Public Law 480:</i>			
	In Railcars:			
	Weighing 50 lbs. to 90 lbs.	96	1500	_____
	Weighing 90 lbs. to 110 lbs.	96	1500	_____
	In Flatbed Trucks not palletized:			
	Weighing 48 lbs. to 55 lbs.	96	1500	_____
	Weighing 100 lbs. or more	96	1500	_____

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TARIFF NO. 013**

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**SECTION FOUR
RATES AND CHARGES**

ITEM SUBJECT:
(SYMBOL)

Handling and wharfage charges are in cents per short ton (2000 lbs.) or measurement ton (40 cubic feet) and apply to all shipments at actual weight or measure whichever produces the greater revenue for the Port. Volume shipments will be subject to special arrangements made, in advance, with the Terminal. Published rates are maximum rates and are subject to volume incentive negotiations.

		<u>Wharfage</u>	<u>Unloading</u>	<u>Loading</u>
590	SODA, CAUSTIC OR SODA ASH NOS: In bulk liquid: 150 In packages: (Note: Wfg, loading & unloading quoted upon request)			
600	VEGETABLE OILS AND/OR FATS, INCLUDING COPRA, COTTONSEED, LINSEED, PEANUT, SESAME, SOYBEAN AND VELVET BEAN OIL: In barrels 260 In barrels, palletized, and banded 260 In boxes or cases, weighing Less than 48 lbs. 260 48 lbs. or more: 260		1145 585 1766 1469	1145 585 1766 1469
610	NOS - Not otherwise specified: Wharfage rate to be negotiated (TBN)			
611	VEHICLES, VIZ: SEE NOTE. Automobiles, trucks, and buses 314 Campers and motor homes 317 Tractors, trailers, and farm implements 380		_____ _____ _____	_____ _____ _____

Note: Published in accordance with record adopted by Gulf Seaports Marine Terminal Conference in regular meeting on June 1, 1995. Rates are not subject to maximum provisions of Item 405.

615 HANDLING CHARGES BULK MATERIAL:

Bulk material will be handled at rates shown below:
PART ONE

For direct movements from rail hopper cars to vessels:
Per short ton (2,000 pounds) 730

Subject to conditions below (1) through (5):

- (1) When completion of loading requires less actual working hours than the minimum number of hours required to be paid longshoremen and/or Port Labor, then such non-production time shall be paid by the shipper.

ISSUED: DECEMBER 17, 2010

EFFECTIVE: January 1, 2011

**PORT OF LAKE CHARLES
TARIFF NO. 013**

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SECTION FOUR
RATES AND CHARGES

ITEM (SYMBOL)	SUBJECT:
615	<p>HANDLING CHARGES BULK MATERIAL: (CONTINUED)</p> <ul style="list-style-type: none">(2) Minimum movement of 2,000 short tons for rate stated.(3) Wharfage will be charged as shown in Items 410 through 615 Series.(4) Should loading operations be delayed prior to stipulated starting time or stopped during loading for any reason not attributable to the Port, such non-production time shall be paid by the shipper.(5) Bulk Material must flow at 250 short tons or more per hour to qualify for these rates. Additional charges will be made on materials which do not meet minimum flow requirements.(6) Cargoes placed on pads or in silos will be subject to a storage charge of seven (7) cents per short ton per day.

Special handling rates may be quoted by the Executive Director or designee for volume and other movements.

PART TWO:

Calcined Petroleum Coke will be handled at Bulk Terminal No. 1, provided advance arrangements have been made; and, subject to the provisions of Item 635.

During normal working hours (Straight time):

Railcars will be unloaded and placed in storage for a charge of	\$4.15 per S.T.
Trucks will be unloaded for a charge of	\$3.45 per S.T.
Railcars will be loaded for a charge of	\$4.15 per S.T.
Trucks will be loaded for a charge of	\$4.15 per S.T.
Barges loading/unloading	RATES QUOTED UPON REQUEST

All calcined coke stored in Port owned facilities at Bulk Terminal No. 1 will be stored at a charge of seven (7) cents per short ton per day. Storage begins the day unloaded or the effective date of this item and ends with first day of loading. In addition, owner of cargo will be liable for damage to Port facilities resulting from storage and/or handling of coke, normal wear and tear excepted.

STEVEDORING RATES WILL BE QUOTED ON REQUEST.

**PORT OF LAKE CHARLES
TARIFF NO. 013**

ORIGINAL PAGE 43

**SECTION FOUR
RATES AND CHARGES**

ITEM (SYMBOL)	SUBJECT:
616	TRANSFER CHARGES

All liquid bulk cargo transferred directly between vessels, except consumables used by vessel, will be subject to a charge of \$2.35 per short ton in addition to all other applicable charges. The owner of the cargo, the vessel, the vessel's agent, and the reloading stevedore are jointly and severally liable for all charges.

**PORT OF LAKE CHARLES
TARIFF NO. 013**

ORIGINAL PAGE 44

SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:
620	<p>HOLD HARMLESS AGREEMENT:</p> <p>(A) Any person or firm whose product is handled and/or stored by the Lake Charles Harbor and Terminal District in or on any of the facilities or premises owned and/or operated by the Lake Charles Harbor and Terminal District agrees that it shall occupy the Port's premises at its own risk and shall indemnify the Port against any events, loss, cost, damage, claim, action, or liability paid, suffered, or incurred as a result of any use of the Port's premises or as a result of such handling or storing of its product by its agents, servants, employees, customers, visitors, or licensees of any kind, including without limitation, use or occupancy of the Port's premises or of the carelessness, negligence, or improper conduct of the Port or Company, its agents, servants, employees, customers, visitors or licensees.</p> <p>(B) The company covenants and agrees, at its expense, to pay and to indemnify and save the Port, the Board of Commissioners and each member, officer, employee thereof, and its Executive Director or designee, individually, harmless of, from and against any and all claims, damages, demands, expenses, and liabilities (of any character or nature whatsoever regardless of by whom imposed), and losses of every conceivable kind, character, and nature whatsoever (including, but not limited to, claims for loss or damage to any property or injury to or death of any person) asserted by or on behalf of any person, firm, corporation or governmental authority arising out of, resulting from, or in any way connected with the work to be done, handling and/or storing of the Company's commodity. The Company also covenants and agrees, at its expense, to pay, and to indemnify and save the Port, the Board of Commissioners and each member, officer, and employee thereof, and its Executive Director or designee and all costs, reasonable counsel fees, expenses, and liabilities incurred in any action or proceeding brought by reason of any such claim or demand. In the event that any action or proceeding is brought against any of the aforesaid parties by reason of any such claim or demand, the Company shall, upon notice from the Port, resist and defend such action or proceeding on behalf of the Port. The Company also covenants and agrees, at its expense, to pay and to indemnify the Port, the Board of Commissioners, and each member, officer and employee thereof, and its Executive Director or designee, individually, from and against, all costs, expenses, and charges in connection with the performance of its obligations hereunder or in the enforcement of the provision hereof, including, without limitation, reasonable counsel fees.</p> <p>(C) No provisions in this tariff shall limit or relieve the Port from liability for its own negligence, nor require any persons, vessels or lessees to indemnify or hold harmless the Port Authority from liability for its own negligence.</p>
625	<p>HANDLING LIQUID BULK MATERIALS</p> <p>(A) Liquid bulk handling services are performed under contract with the lease of the liquid facilities.</p> <p>(B) Handling rates will be quoted for shipment of all liquid bulk commodities, including crude and refined petroleum, petroleum products and petrochemicals.</p>

**PORT OF LAKE CHARLES
TARIFF NO. 013**

SECOND REVISED PAGE 45

SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:																											
630	<p>LOADING/UNLOADING OF STORED CARGOES:</p> <p>All commodities shipped which do not meet the standards and/or specifications necessary for safe and secure storage and are deemed unfit and unsuitable for safe storage by the Executive Director or designee are subject to rejection.</p>																											
635	<p>WORK OTHER THAN LOADING AND UNLOADING CARGO:</p> <p>When cargo work is performed for which there is no charge stipulated elsewhere herein, such work will be performed at a rate based on the cost of labor, equipment, and materials plus twenty-five (25) percent.</p>																											
640	<p>HANDLING DAMAGED CARGO:</p> <p>When the stipulation of the Damaged Cargo Rules of the Deep Sea and Coastwise Longshore and Cotton agreement or the Warehouse Workers Local No. 1349 Agreement, are invoked and the stevedoring company handling said cargo is required to pay the double time charges set out in the rules, said additional charge will be assessed against the handling of that particular damaged cargo.</p>																											
645	<p>CARGO IDENTIFICATION:</p> <p>All shipments must be assigned an identification number upon arrival at the Port and before being unloaded by the unloading contractor.</p>																											
650 (A)	<p>DOCKAGE:</p> <p>All vessels docking at a Port facility will be charged a port dockage fee as set forth in this item. Dockage will be assessed on the Length Overall (LOA) of vessels (except as otherwise stated) on the basis of 24-hour days (from midnight to midnight), including Saturdays, Sundays, and holidays: A full day will be charged against any fraction of a day a vessel is at the dock.</p> <p>A. SHIPS AND OCEAN-GOING BARGES:</p> <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;"><u>RATE PER FOOT</u> <u>LOA IN FEET PER DAY</u></th> <th style="text-align: center;"><u>RATE PER METER</u> <u>LOA IN METERS</u></th> <th style="text-align: center;"><u>PER DAY</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">0-199 \$ 2.54</td> <td style="text-align: center;">0. – 60.6</td> <td style="text-align: center;">\$ 8.31</td> </tr> <tr> <td style="text-align: center;">200-399 \$ 3.33</td> <td style="text-align: center;">60.9 – 121.6</td> <td style="text-align: center;">\$ 11.02</td> </tr> <tr> <td style="text-align: center;">400-499 \$ 4.53</td> <td style="text-align: center;">121.9 – 152.1</td> <td style="text-align: center;">\$ 14.86</td> </tr> <tr> <td style="text-align: center;">500-599 \$ 6.09</td> <td style="text-align: center;">152.4 – 182.5</td> <td style="text-align: center;">\$ 19.97</td> </tr> <tr> <td style="text-align: center;">600-699 \$ 7.07</td> <td style="text-align: center;">182.8 – 213.0</td> <td style="text-align: center;">\$ 23.20</td> </tr> <tr> <td style="text-align: center;">700-799 \$ 8.98</td> <td style="text-align: center;">213.3 – 243.5</td> <td style="text-align: center;">\$ 29.44</td> </tr> <tr> <td style="text-align: center;">800-899 \$ 10.81</td> <td style="text-align: center;">243.8 – 274.3</td> <td style="text-align: center;">\$ 35.07</td> </tr> <tr> <td style="text-align: center;">900 & over \$ 12.92</td> <td style="text-align: center;">274.3 – OVER</td> <td style="text-align: center;">\$ 42.44</td> </tr> </tbody> </table>	<u>RATE PER FOOT</u> <u>LOA IN FEET PER DAY</u>	<u>RATE PER METER</u> <u>LOA IN METERS</u>	<u>PER DAY</u>	0-199 \$ 2.54	0. – 60.6	\$ 8.31	200-399 \$ 3.33	60.9 – 121.6	\$ 11.02	400-499 \$ 4.53	121.9 – 152.1	\$ 14.86	500-599 \$ 6.09	152.4 – 182.5	\$ 19.97	600-699 \$ 7.07	182.8 – 213.0	\$ 23.20	700-799 \$ 8.98	213.3 – 243.5	\$ 29.44	800-899 \$ 10.81	243.8 – 274.3	\$ 35.07	900 & over \$ 12.92	274.3 – OVER	\$ 42.44
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**PORT OF LAKE CHARLES
TARIFF NO. 013**

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SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:															
650 (A)	DOCKAGE: (CONTINUED)															
	B. INLAND BARGES, TUG BOATS, SMALL CRAFT:															
	<table border="0" style="width: 100%;"><thead><tr><th style="text-align: left;"><u>LOA IN FEET</u></th><th style="text-align: left;"><u>RATE PER 24-HOUR DAY</u></th><th style="text-align: left;"><u>LOA IN METERS</u></th></tr></thead><tbody><tr><td>0 – 199</td><td>\$ 145.34</td><td>0 – 60.9</td></tr><tr><td>200 – 299</td><td>\$ 264.10</td><td>61.0 – 91.3</td></tr><tr><td>300 – 399</td><td>\$ 323.52</td><td>91.4 – 129.8</td></tr><tr><td>400 – Over</td><td>\$ 402.84</td><td>129.9 – Over</td></tr></tbody></table>	<u>LOA IN FEET</u>	<u>RATE PER 24-HOUR DAY</u>	<u>LOA IN METERS</u>	0 – 199	\$ 145.34	0 – 60.9	200 – 299	\$ 264.10	61.0 – 91.3	300 – 399	\$ 323.52	91.4 – 129.8	400 – Over	\$ 402.84	129.9 – Over
<u>LOA IN FEET</u>	<u>RATE PER 24-HOUR DAY</u>	<u>LOA IN METERS</u>														
0 – 199	\$ 145.34	0 – 60.9														
200 – 299	\$ 264.10	61.0 – 91.3														
300 – 399	\$ 323.52	91.4 – 129.8														
400 – Over	\$ 402.84	129.9 – Over														
	<p>Tugboats awaiting loading or unloading of barges are not assessed dockage.</p>															
	C. Upon request, bulk vessels docked at general cargo berths awaiting berthing at Berth 10 (Bulk Terminal No. 2) or Berth 14 (Bulk Terminal No. 1) will be assessed seventy-five (75) percent of the normal dockage rate.															
	D. The Executive Director or designee may, at his option, enter into special dockage agreements for berth assignments for lay berthing.															

655 FREE TIME AND STORAGE CHARGES:

The Port will permit thirty (30) days free time for the accumulation of general cargo in its transit sheds. After expiration of free time, a storage rate of forty-five (45) cents per revenue ton per day will be assessed.

The Port will permit thirty (30) days free time for the accumulation of general cargo in its outside storage areas. After expiration of free time, storage rate of twenty-three (23) cents per revenue ton per day or fraction thereof will be assessed.

NOTE: Free time for the accumulation of USDA commodities and commercial rice bags in the transit sheds shall be forty-five (45) days. After expiration of free time, storage charges will be assessed per ton, per day or fraction thereof starting on day forty-six (46) days at a rate of forty-five (45) cents.

Additional free time may be considered, at the sole discretion of the Executive Director or designee, subject to the availability of space, when applied for in writing before the expiration of the free time authorized in this item.

Bagged cargo received into warehouses by the Port is subject to Port storage charges. Storage charges will apply up to and until bagged cargo is loaded into an ocean container for export; or in the case of general cargo and bagged cargo not being loaded into an ocean container, storage charges apply up to and until the first day vessel loading operations commence.

The Port does not engage in the business of warehousing or storage of cargo in its transit sheds or on its wharves.

**PORT OF LAKE CHARLES
TARIFF NO. 013**

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SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:
655	<p>FREE TIME AND STORAGE CHARGES: (CONTINUED)</p> <p>Cargo which remains in transit sheds beyond authorized free time will be removed, at the discretion of the Port, without notice and at the expense and risk of the owner or shipper, to other locations, including, but not limited to, open storage, off-dock warehouses or public warehouses.</p> <p>The cost of such removal must be paid when invoiced and the Port will retain legal possession of all such cargo so removed until all charges are paid. The Port will dispose of such cargo, after a reasonable length of time decided by the Executive Director or his designee, by sale at public auction for the purpose of satisfying any unpaid charges pertaining thereto.</p>
657	<p>CONTAINER STORAGE:</p> <p>The District's Director of Operations or designee will assign Port space for storage of containers. Any request for such storage must be conveyed to the District prior to arrival of containers. Each unit will be subject to a container storage charge of \$3.21 per unit per day commencing on the first day of placement. The storage charge due to the District does not apply to containers placed in District-leased designated container locations.</p>
660	<p>CARGO TRANSFERS – DOCK RECEIPTS:</p> <p>Cargo received by the Port, which is transferred from one shipper to another, requires a signed dock receipt by both shippers approving the transfer of cargo. The original shipper is liable for the payment of all charges through the date of transfer. The shipper accepting the transferred cargo is liable for all payments thereafter.</p>
665	<p>CARGO TRANSSHIPMENTS:</p> <p>All cargo (NOTE 1) received by the Port for export, which is subsequently removed from docks and transshipped to another port for loading on a vessel, will be assessed a transshipment charge of \$2.14 per short ton in addition to all other applicable charges. The owner of the cargo, the vessel, the vessel's agent, and the reloading stevedore, are jointly and severally liable for all charges.</p> <p>Prior authority must be received from the Port before cargo is removed from the Port.</p> <p>NOTE 1: Does not include bulk cargo stuffed into containers.</p>

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TARIFF NO. 013**

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SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:
670 (C)	<p>WATER:</p> <p>VESSELS: A charge of three hundred ninety-one (391) cents per 1,000 gallons will be assessed to customers for the furnishing of water plus a service charge of \$75.00 straight time and \$100.00 overtime for the furnishing of equipment and labor for the connection of water lines to vessels. Vessels and/or agents shall be responsible for the safe return of water hoses and connections used to supply vessels with water.</p> <p>A minimum charge of \$50.00 for water will be assessed.</p>
(*)	<p>LAND BASED LESSEE'S: For land based activities of Lessee's or adjacent operators that are connected to the District's water distribution system the following rates shall apply based on meter readings:</p> <p style="padding-left: 40px;">0-10,000 gallons = \$35 per month flat rate Over 10,000 gallons = \$2.95 per 1000 gallons per month</p>
675	<p>STEVEDORE FEES:</p> <p>A charge of \$3,500.00 per year will be assessed against each stevedoring company operating over the public wharves. The application fee of \$3,500.00 must accompany the completed application form and supporting documents, including financial and other information of the applicant, as the Executive Director or his designee deems appropriate. Along with the application, all applicants must present evidence of authority and approval to conduct business with the State of Louisiana and such other information deemed appropriate by the Executive Director. Stevedoring companies applying for a stevedore license for the first time will be assessed a one-time application fee of \$7,500 as outlined in Item 380 of this tariff or subsequent Port tariff.</p> <p>A maintenance charge of thirty-two (32) cents per ton shall be assessed against all cargo handled by stevedoring companies through City Docks ship berths. If extraordinary Port services are required to ensure cleanliness and sanitary conditions, stevedoring companies will be billed for actual documented Port costs plus a twenty-five (25%) percent administrative fee. See Item 380.</p>
676	<p>TUG BOAT FEES:</p> <p>A charge of \$1,200.00 per year will be assessed against each Tug Boat company providing tug services for vessels utilizing the Port's docks, properties, or facilities. The charge shall be payable The application fee of \$1,200.00 must accompany the completed application form and supporting documents, including financial and other information of the applicant, as the Executive Director or designee deems appropriate. Along with the application, all applicants must present evidence of authority and approval to conduct business with the State of Louisiana and such other information deemed appropriate by the Executive Director.</p>
680	<p>CARGO HANDLING:</p> <p>Loading and unloading of cargo to and from rail cars and trucks to public areas will be performed by the Port's authorized contractor.</p>

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TARIFF NO. 013**

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SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:									
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680	CARGO HANDLING: (CONTINUED)									
		<p>The authorized unloading contractor shall pay the Port \$1.34 per short ton for bagged cargoes received via truck. This charge shall not be construed as an unloading charge as outlined in Section Four, Rates and Charges of this tariff.</p> <p>All arrangements for loading and unloading services will be arranged directly between shippers and receivers and the Port's authorized contractor.</p>								
<hr/>										
685	CARGO HANDLING, CHECKING/RECEIVING/STACKING:									
		<p>The Port's authorized contractor will assess a charge of seventy-five (75) cents per short ton of cargo against the stevedore loading the vessel for services of checking, receiving, and stacking cargo in transit sheds.</p>								
<hr/>										
690	PALLET USE:									
		<p>The Port's authorized unloading contractor will assess a charge of \$2.50 per short ton of cargo against the stevedore loading the vessel for use of pallets.</p>								
<hr/>										
695	SUPERVISION REQUIREMENTS:									
		<p>Supervision by Port personnel is required for the following operations:</p> <ol style="list-style-type: none">1. Loading and Unloading hazardous or dangerous cargoes and environmentally sensitive cargoes.2. Vessels purging and conditioning (using flare). Note: Permission must be granted by the Executive Director or his designee prior to vessel operations. <p>Satisfactory arrangements for this supervision must be made in advance by the vessel's agent. This supervision will be furnished at a cost plus twenty-five (25) percent to cover administrative overhead. A minimum billing of two (2) hour call-out will be assessed at a rate of \$50.00 per hour straight time.</p> <table border="0" style="width: 100%;"><tr><td style="width: 40%;">Straight Time Hours:</td><td style="width: 60%;">0800 hrs. – 1200 hrs. 1300 hrs. – 1700 hrs.</td></tr><tr><td>Overtime hours Monday through Friday</td><td>1701 hrs. – 0759 hrs.</td></tr><tr><td>All hours Saturday and Sunday</td><td>Time and a half</td></tr><tr><td>All hours Holidays (See Item 160)</td><td>Double time and a half</td></tr></table> <p>The charges for this service will be made against the vessel's agent.</p>	Straight Time Hours:	0800 hrs. – 1200 hrs. 1300 hrs. – 1700 hrs.	Overtime hours Monday through Friday	1701 hrs. – 0759 hrs.	All hours Saturday and Sunday	Time and a half	All hours Holidays (See Item 160)	Double time and a half
Straight Time Hours:	0800 hrs. – 1200 hrs. 1300 hrs. – 1700 hrs.									
Overtime hours Monday through Friday	1701 hrs. – 0759 hrs.									
All hours Saturday and Sunday	Time and a half									
All hours Holidays (See Item 160)	Double time and a half									
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715	(THIS ITEM HAS BEEN RE NUMBERED and MOVED FROM Item #715 to Item #382 in this tariff)									

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TARIFF NO. 013**

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SECTION FIVE
MISCELLANEOUS CHARGES

ITEM (SYMBOL)	SUBJECT:												
720	GATE CHARGE FOR CONTAINERS:												
	<p>Lake Charles Harbor and Terminal District will assess a fee of \$20.00 per container for units moving to or through Port facilities. Container gate charges will be invoiced upon arrival at the Port's terminal.</p>												
721 (A)	SECURITY FEES:												
	<p>All vessels calling at a Port facility will be charged a security fee of eight (8%) percent of total dockage assessed per Port call.</p> <p>Security fees on cargo shall be assessed in cents per short ton (2000 lbs.) and apply to all shipments at actual weight or measurement ton (40 cubic feet) whichever produces the greater revenue shall be assessed as follows:</p> <table border="0" style="width: 100%;"><tr><td style="width: 60%;">Breakbulk</td><td>\$0.17 cents per short ton</td></tr><tr><td>Bulk</td><td>\$0.0375 cents per short ton</td></tr><tr><td>Liquid bulk</td><td>\$0.0375 cents per short ton</td></tr><tr><td>Containers</td><td>\$3.50 per box (unit)</td></tr><tr><td>Vehicles</td><td>\$1.00 per vehicle</td></tr><tr><td>Passengers</td><td>\$1.00 per passenger</td></tr></table>	Breakbulk	\$0.17 cents per short ton	Bulk	\$0.0375 cents per short ton	Liquid bulk	\$0.0375 cents per short ton	Containers	\$3.50 per box (unit)	Vehicles	\$1.00 per vehicle	Passengers	\$1.00 per passenger
Breakbulk	\$0.17 cents per short ton												
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Containers	\$3.50 per box (unit)												
Vehicles	\$1.00 per vehicle												
Passengers	\$1.00 per passenger												

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TARIFF NO. 013

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SECTION SIX
BULK GRAIN
RATES AND CHARGES

ITEM (SYMBOL)	SUBJECT:
725 (**)	DELETED

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TARIFF NO. 013**

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**SECTION SIX
BULK GRAIN
RATES AND CHARGES**

ITEM (SYMBOL)	SUBJECT:
730 (**)	DELETED

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TARIFF NO. 013

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SECTION SIX
BULK GRAIN
RATES AND CHARGES

ITEM (SYMBOL)	SUBJECT:
730 (**)	DELETED
740 (**)	DELETED
745	DELETED
746	DELETED

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TARIFF NO. 013**

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**SECTION SEVEN
BULK GRAIN
RULES AND REGULATIONS**

ITEM (SYMBOL)	SUBJECT:
750 (**)	DELETED
755 (C)	EXPORT GRAIN TERMINAL: The export grain terminal is located on property owned by the Port but leased to IFG Port Holdings, LLC, which is responsible for operating the facility. Request to use the terminal and all other communications should be made directly to IFG Port Holdings, LLC at 150 Marine Street, Box 11, Lake Charles, LA 70601, Telephone 337-721-1921.
760 (**)	DELETED
765 (**)	DELETED

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TARIFF NO. 013

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SECTION SEVEN
BULK GRAIN
RULES AND REGULATIONS

ITEM (SYMBOL)	SUBJECT:
770 (**)	DELETED
775 (**)	DELETED

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TARIFF NO. 013**

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**SECTION SEVEN
BULK GRAIN
RULES AND REGULATIONS**

ITEM (SYMBOL)	SUBJECT:
775 (**)	DELTED
780 (**)	DELETED
785 (**)	DELTED

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**SECTION SEVEN
BULK GRAIN
RULES AND REGULATIONS**

ITEM (SYMBOL)	SUBJECT:
790	DELETED
795 (**)	DELETED
800 (**)	DELETED
805 (**)	DELETED

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**SECTION SEVEN
BULK GRAIN
RULES AND REGULATIONS**

ITEM (SYMBOL)	SUBJECT:
805 (**)	DELETED
810 (**)	DELETED
815	DELETED
820	DELETED

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**SECTION EIGHT
BULK GRAIN
RENTAL AND USE OF ELEVATOR EQUIPMENT
AND SPECIAL PROVISIONS**

ITEM (SYMBOL)	SUBJECT:
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825 (**)	DELETED
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830 (**)	DELETED
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TARIFF NO. 013**

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**SECTION EIGHT
BULK GRAIN
RENTAL AND USE OF ELEVATOR EQUIPMENT
AND SPECIAL PROVISIONS**

ITEM (SYMBOL)	SUBJECT:
831 (C)	<p data-bbox="326 436 992 464">USE OF ELEVATOR AND BULK TERMINAL NO. 2</p> <p data-bbox="326 506 1495 730">Effective immediately, the District no longer operates the Lake Charles Harbor and Terminal District Public Elevator or Bulk Terminal No. 2 as a public grain terminal. The Elevator and Bulk Terminal No. 2 have been leased to IFG Port Holdings, LLC, a private company. The rates posted in the District's Tariff No. 013 are no longer applicable. For the use of the Elevator and Bulk Terminal No. 2, and a schedule of rates and terms and conditions and all other communications should be made to IFG Port Holdings, LLC at 150 Marine Street, Box 11, Lake Charles, LA 70601, Telephone 337-721-1921.</p>
835 (**)	DELETED

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TARIFF NO. 013**

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SECTION NINE
PORT DIRECTIVES

DIRECTIVE SUBJECT:
(SYMBOL)

2007-001 TYPE OF ACTIVITY IN THE CALCASIEU SHIP CHANNEL THAT REQUIRES PRIOR APPROVAL BY THE EXECUTIVE DIRECTOR:

Port Directive: In accordance with law and the Tariff, specifically Item 324, and in order to minimize the dangers to Channel operations posed by these and other inherently risky operations, the Port issues the following regulation:

No activity which involves submerging a vessel or structure within the Channel or close enough to the Channel where a casualty could impact normal Channel operations is permitted without the prior written permission of the Executive Director of the Lake Charles Harbor and Terminal District and upon such terms and conditions as the Executive Director may specify.

No activity which involves the salvage of a vessel that has experienced a casualty outside the Channel shall take place within the Channel or close enough to the Channel where a further casualty could impact normal Channel operations is permitted without the prior written permission of the Executive Director of the Lake Charles Harbor and Terminal District and upon such terms and conditions as the Executive Director may specify.

No activity involving an unseaworthy vessel shall take place within the Channel or close enough to the Channel where a casualty could impact normal Channel operations is permitted without the prior written permission of the Executive Director of the Lake Charles Harbor and Terminal District and upon such terms and conditions as the Executive Director may specify.

No activity of any vessel that could reasonably be assumed to potentially have a negative impact on the Channel, except normal and ordinary transits of seaworthy vessels, shall take place within the Channel or close enough to the Channel where a casualty could impact normal Channel operations is permitted without the prior written permission of the Executive Director of the Lake Charles Harbor and Terminal District and upon such terms and conditions as the Executive Director may specify.

Requests for permission to engage in the activities outline herein must be made in writing to the Director of Navigation and Security for the Port.

The Executive Director will grant or deny permission to engage in the activities outline herein in consultation with the Director of Navigation and Security for the Port.

Nothing herein shall apply to a vessel in distress where the application of this directive may reasonably be assumed to cause, or increase, a threat to life or the catastrophic loss of property, provided no other alternatives to preventing the loss of life or the catastrophic loss of property are readily available.

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TARIFF NO. 013

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SECTION NINE
PORT DIRECTIVES

DIRECTIVE (SYMBOL)	SUBJECT:
2007-001	TYPE OF ACTIVITY IN THE CALCASIEU SHIP CHANNEL THAT REQUIRES PRIOR APPROVAL BY THE EXECUTIVE DIRECTOR: (CONTINUED)

Enforcement: The Executive Director is authorized to issue and enforce this directive in accordance with Items 324, 325 and 340 of the Tariff.

Done and signed this 26 day of February in the year 2007.

Current Executive Director
Executive Director