

NORFOLK SOUTHERN RAILWAY COMPANY

VISION: BE THE SAFEST, MOST CUSTOMER-FOCUSED AND SUCCESSFUL
TRANSPORTATION COMPANY IN THE WORLD

SUPPLEMENT 1

TO

FREIGHT TARIFF NS 6004-C

SUPPLEMENT 1 CONTAINS ALL CHANGES

DEMURRAGE RULES AND
CHARGES

STORAGE RULES AND
CHARGES

Applying at all NS points in the United States and other points as specifically provided herein.

Also at points on other roads
(See Item 4)

ISSUED June 15, 2009

EFFECTIVE July 6, 2009

ISSUED BY
C. J. Orndorff, Director-Marketing Services
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ITEM 5-A - APPLICATION OF REFERENCED PUBLICATIONS

The following publications contain rules, regulations, charges and allowances specifically referred to herein or that may apply directly or indirectly along with the terms of demurrage, storage and other matters that are covered in this publication.

NS Conditions of Carriage #1-Series
NS Conditions of Carriage #2-Series (Coal)
NS 6303 Rules for Handling Hazardous Materials
NS 6500 Canadian Car Demurrage Rules and Charges
NS 8001 Switching
NS 8002 Accessorial Services
NS 9209 Demurrage at Lamberts Point, VA
AAR 2 -- Hazardous Materials Shipping Descriptions (49-series STCC numbers)
BOE 6000 Bureau of Explosives Rules
RER 6411 Official Railway Equipment Register
RPS 6007 Mileage Allowances and Rules
RPS 6008 Demurrage Rules and Charges on Coal etc., at mines
RPS 6740 Heavy Duty Flat Car Charges
OPSL 6000 Official Railroad Station List
STCC 6001 Standard Transportation Commodity Code
UFC 6000 Uniform Freight Classification

For explanation of reference marks, see concluding page of this supplement.

RULES AND OTHER GOVERNING PROVISIONS

ITEM 200-A - GLOSSARY OF TERMS:

1. **Actual Placement:** When a car is placed in an accessible position for loading or unloading or at a point designated by Consignor or Consignee.
2. **Assignee:** A shipper who has requested and has been assigned cars to a specific pool of cars for their use.
3. **Assigned Car:** A car of any ownership specifically requested and assigned to a shipper from a pool of assignment service cars.
4. **Car Days:** A twenty four (24) hour period or fraction thereof commencing 0000 hours (Local Time) after actual or constructive placement until the car is released and available to NS.
5. **Closed Gate:** When a car cannot be placed on Consignee's siding at time of arrival due to siding having a locked gate-, door and/or standing instructions not to place any cars unless the Consignee first contacts NS for placement instructions. All cars are constructively placed at time of arrival.
6. **Consignee:** The party to whom a shipment is consigned or the party entitled to receive the shipment.
7. **Consignor:** The party in whose name cars are ordered.
8. **Constructive Placement:** When a car cannot be actually placed because of any condition attributable to the Consignor or Consignee, such car will be held at an available hold point and notice will be given the Consignor or Consignee that the car is held awaiting instructions. However, cars actually placed on customer siding will be considered constructively placed and no notification provided. Car Days will begin if instructions to NS are not received before 0000 hours (See Car Days), of day following notification.
9. **Credit Day:** Non-chargeable day. Credits can only be earned on those cars released to carrier for further disposition.
10. **Electronic Means:** Any approved electronic device (i.e. AccessNS, email, telephone, facsimile) used to communicate to CYO the disposition of a car.
11. **Forwarding Instructions:** A bill of lading or other suitable order containing all the necessary information to transport the shipment to final destination. Bill of lading or other suitable order must be given to NS via electronic data interchange or facsimile to the Agency Operations Center at 1-800 580-6092.
12. **Grain Unit:** 45 cars or more railroad cars, moving under one Bill of Lading or Waybill.
13. **Grain Unit Car Day:** A twenty four (24) hour period or fraction thereof commencing at the time of actual placement of all cars in the grain unit, (minimum of 45 cars).
14. **Holidays:** The following days will be considered NS Holidays: New Year's Eve Day, New Year's Day, Labor Day, President's Day, Good Friday, Thanksgiving Day, The Day After Thanksgiving, Memorial Day, Christmas Eve Day, Christmas Day, Independence Day.
15. **▲ Hold Point:** The rail station where Assigned Cars are made available to the shipper.
16. **Lease Track:** Track (s) assigned to a user by written agreement. Lease Track will be treated the same as private track.
17. **Loading:** The complete or partial loading of a car in conformity with NS loading and clearance rules, and the furnishing of forwarding instructions.
18. **% NOPA:** A courtesy notification that a consignees railcar has arrived to the serving yard and is either available for ordering in (closed gate) or will be placed on the following service day (open gate).
19. **NS Track:** All tracks which NS provides for its own uses and purposes and other tracks located inside of its right-of-way or yards and terminals.
20. **Open Gate:** When a Consignee does not place any restrictions (physical or otherwise) on NS to place cars on their siding upon arrival.
21. **Origin Turnover:** Origin Turnover occurs when a car is loaded, and Consignor authorizes the carrier to accept shipping instructions from another party, while the car is still at origin.
22. **Ordered Placed:** The date and time that a car is to be placed on a private track.
23. **% Originating Storage:** Originating storage occurs when a private car has been pulled loaded and is held on railroad owned tracks awaiting forwarding instructions.
24. **Private Car:** A car bearing other than railroad reporting marks and which is not a Railroad Controlled Car.
25. **Private Track:** Trackage assigned for individual use including privately owned or leased tracks.
26. **Public Delivery Track:** Any accessible track open to the general public for loading or unloading.
27. **Railroad-Controlled Cars:** a car with railroad reporting marks.
28. **Reload:** When the same car is completely unloaded and then replaced with a revenue load. Reloading will be expressed (with cars unloading demurrage) from the date of tender to the date forwarding instructions are received.
29. **% Service Window:** The designated block of time within a service day that NS has agreed to physically pull and place a customer's car's.
30. **Stopped in Transit:** When cars are held enroute because of any condition attributable to the Consignor or Consignee, or owner of the lading.
31. **Storage Day:** A 24 hour period, or part thereof.
32. **Tender:** When NS gives notification that a car is available for unloading or loading by either actual or constructive placement to Consignor or Consignee.
33. **Time:** Local time is applicable. Time is expressed on the basis of the 24-hour clock. (EXAMPLE: 12:01 AM is expressed as 0001 hours.)
34. **Unloading:** The complete unloading of a car and notice from the Consignee that the car is empty and available to NS.

For explanation of reference marks, see concluding page of this supplement.

ITEM 600-A - RULES GOVERNING CARS HELD FOR LOADING:

Release: (see Note below)

- (a) A car is released as of the date and time NS receives advice that the car is available and forwarding instructions are provided.
- (b) When Consignor does its own switching, the time a car is held for loading will commence once empty car(s) are placed on interchange tracks, and will continue until (i) car(s) are returned to an industrial interchange track, and (ii) NS receives forwarding instructions,
- (c) Cars found to be overloaded or improperly loaded while at origin will not be considered released until the load has been adjusted.

Note: Railroad Controlled Cars loaded and turned over to a third party at the same origin will be governed by this rule. Shippers may invoke this rule by tendering an ORIGIN TURNOVER FORM to Norfolk Southern. This form is available at the Norfolk Southern web site WWW.NSCORP.COM or by calling the Norfolk Southern Agency Operations Center at 800-854-2780.

Computation:

- (a) ▲ Car Days will be computed from the first 0000 hours (See Car Days, Item 200) after Tender (i) until released with forwarding instructions for Railroad Controlled Cars, or (ii) until placement is made for Private Cars. In the case of Private Cars, the separate calculation for originating storage charges will be computed from the time that the loaded car is pulled and held on railroad controlled tracks by NS without forwarding instructions to time of receipt of required forwarding instructions.
- (b) On cars placed prior to date for which ordered, Car Days will be computed from the first 0000 hours of the day for which the car was ordered until the car is released.
- (c) Empty cars placed without being ordered, will be considered as having been ordered and actually placed on that day.

Credits:

- (a) ▲ One (1) Credit Day will be earned for each Railroad controlled car released for which forwarding instructions have been received.
- (b) ▲ Five (5) Credit days will be earned for each empty private car under constructive placement.
- (c) ▲ Zero (0) credits will be earned for each loaded private car pulled for which forwarding instructions have not been received.
- (d) % Zero (0) credits will be earned when an empty private car is actually placed in lieu of being constructively placed.

For explanation of reference marks, see concluding page of this supplement.

ITEM 700-A – RULES GOVERNING CARS HELD FOR PURPOSES OTHER THAN LOADING OR UNLOADING:

This Item applies to cars held:

- (a) On orders of the Consignor or Consignee.
- (b) While awaiting Disposition from the Consignor or Consignee.
- (c) As a result of conditions attributable to the Consignor or Consignee.

Note: Does not apply to origin turnovers.

Disposition: That information, which allows NS to either tender or release the car from the Consignor's or Consignee's account.

Release: Date and time that NS receives advice that the car is released and forwarding instructions are given on cars.

Computation: Car Days will be computed from the first 0000 hours: (See Car Days, Item 200).

- (a) After Tender until Release, on cars: (1) Partially unloaded. (2) Reconsigned.
- (b) After tender until date of refusal on refused loaded cars (Consignee).

Credits: No Credit Days will be earned for a car that is released.

ITEM 1010-A – DEMURRAGE / STORAGE APPLICATION

<u>Demurrage Application</u>	<u>Loading Credits</u>	<u>Unloading Credits</u>	<u>Per Car Daily Charge</u>
Railroad Controlled Cars	1	2	\$100.00
Origin / Destination Credits			
Other than loading Or unloading	0		\$100.00
<u>Storage Application</u>	<u>Loading Credits</u>	<u>Unloading Credits</u>	<u>Per Car Daily Charge</u>
◆ Empty Private Cars	5 (note 1, 2)		\$60.00
Assigned Cars	1	0	\$20.00
◆ Loaded Private Cars	0	2 (note 2)	\$60.00

Note 1: 3 credits will be allowed for empty Private Cars stored or held on Railroad tracks at Louisville, KY or empty tank cars stored or held on Railroad tracks at Garden City, GA, Port Wentworth, GA, Savannah, GA and Colehour, IL. The Per Car Daily charge at these locations is \$90.00

Note 2: Direct placement of private cars (absent constructive placement) will not trigger a Credit Day.

For explanation of reference marks, see concluding page of this supplement.

ITEM 1012-A -HAZARDOUS COMMODITIES

With respect to unloading credits, this provision applies in lieu of item 1010 for commodities listed below.

	<u>Unloading Credits</u>	<u>Per Car Daily Charge</u>
Hazardous Material other than TIH	2	\$100.00 (see item 1015)
TIH Material identified in note	0	\$690.00 (see item 1015)

▲ Note 1:

TIH STCC codes: 4821019, 4821261, 4821722, 4830030, 4904209 – 4904211, 4904879, 4907409, 4907434, 4909306 – 4909307, 4910370, 4916138, 4918180, 4918505, 4918507, 4920101 – 4920113, 4920115 – 4920116, 4920122, 4920135, 4920160, 4920164 – 4920165, 4920167, 4920173 – 4920175, 4920178, 4920180 – 4920181, 4920183 – 4920184, 4920187 – 4920189, 4920195 – 4920196, 4920300 – 4920325, 4920331, 4920337, 4920342 – 4920344, 4920346 – 4920349, 4920351 – 4920360, 4920368 – 4920369, 4920371, 4920373, 4920375, 4920378 -4920383, 4920392, 4920394 – 4920396, 4920398 - 4920399, 4920502 – 4920505, 4920508 – 4920511, 4920513, 4920515 – 4920518, 4920522 – 4920523, 4920526 – 4920528, 4920530 – 4920531, 4920534 – 4920536, 4920547, 4920550, 4920556, 4920559, 4920570 – 4920571, 4920715, 4921000, 4921003 – 4921004, 4921006, 4921008 – 4921010, 4921016, 4921019 – 4921020, 4921023 – 4921024, 4921028, 4921063, 4921202, 4921207, 4921211, 4921213, 4921216, 4921239, 4921245, 4921248, 4921251 – 4921252, 4921254 – 4921255, 4921275, 4921287 – 4921288, 4921304, 4921401 – 4921402, 4921404 – 4921405, 4921413 – 4921414, 4921420, 4921438, 4921473, 4921487, 4921495, 4921497, 4921558, 4921587, 4921695, 4921722, 4921727, 4921730, 4921741 – 4921742, 4921744 – 4921746, 4921756, 4923113, 4923117, 4923209, 4923298, 4927004, 4927006 – 4927012, 4927014, 4927018 – 4927019, 4927022 – 4927028, 4927099, 4930024, 4930030, 4930050, 4930204, 4930260, 4931201, 4932010, 4932352, 4932385, 4933327, 4935231, 4936106, 4936110, 4936565

▲ **ITEM 1100-A – LEASE TRACK OVERAGE**

In the event a customer makes arrangements with Norfolk Southern to have a lease track agreement at a certain location, and the number of private cars described in the lease track agreement at that location exceeds the capacity of the track space allotted pursuant to the applicable, lease track agreement, an overage charge of \$50.00 per car will be assessed on all cars exceeding the lease limit. The overage charge will be applied on all overage cars commencing at 00:00 the day following the day the lease limit was exceeded. A car is considered in lease track status if after notification of arrival, the car is not ordered before the beginning of the next Service Window. No free time or credits will be allowed. Lease track excess is not provided relief against NS holidays. Also an intra-terminal switch charge will be assessed when the cars are requested to be spotted, or moved from the plant to the lease track for forwarding.

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- # - Matter formerly shown and not brought forward is hereby eliminated, account obsolete.
 - ▲ - Change in wording which results in neither increase nor reduction in charges.
 - ◆ - Increase.
 - % - Addition.

- THE END -