

PORT OF CLEVELAND

TARIFF NO. 1-B

FMC-T 1-B

ISSUED BY

Authority of the Board of Directors of the
Cleveland-Cuyahoga County Port Authority

101 Erieside Avenue

Cleveland, Ohio 44114

ISSUED: April 10, 1970

EFFECTIVE: April 10, 1970

CORRECTION CHECKING SHEET

Future changes in this Tariff will be made by substituting corrected pages for pages herein. Each such correction will be numbered consecutively at the top of the page. To insure subscribers Tariffs are up to date, it is recommended that the correction numbers be checked off below as they are added to the Tariff.

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*APPROVED: Port Authority Resolution 92-19, March 6, 1992

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*APPROVED: Port Authority Resolution 83-9, April 8, 1983

ISSUED: April 8, 1983

EFFECTIVE: May 15, 1983

SECTION ONE – GENERAL RULES AND REGULATIONS

TERMINAL OPERATORS TARIFF

ITEM 100

The Cleveland-Cuyahoga County Port Authority, hereinafter called the Port Authority, is a body corporate and politic created pursuant to Chapter 4582 of the Ohio Revised Code and the exercise by such Port Authority of the powers conferred upon it, including those provided in this Tariff, are deemed to be essential governmental functions of the State of Ohio.

Rates, Rules and Regulations applying at Port Authority facilities in the Port of Cleveland are those published in this Tariff of the Port Authority, issued under the authority of its Board of Directors.

The Port Authority reserves the right to amend this Tariff, or any item or part thereof, provided, however, that, before any such amendments are adopted, ten (10) days advance notice of consideration by the Board of adoption of the Resolution authorizing such amendments will be given to parties requesting in writing such notice. Insofar as possible, changes will be made effective on a calendar year basis.

CONSENT TO TERMS OF TARIFF

ITEM 105

The use of the waterways and facilities under the jurisdiction of the Port Authority constitute a consent to the terms and conditions of this Tariff, and evidences agreement on the part of all vessels, their owners or agents, and other users of the waterways and facilities, to pay all charges specified, and to be governed by all Rules and Regulations contained therein.

SECTION ONE – GENERAL RULES AND REGULATIONS (Cont'd)

COLLECTION OF CHARGES

ITEM 110*

All charges published in this Tariff will be invoiced and collected by the Terminal Operator as per the Addendum to Port of Cleveland Tariff No. 1-B FMC-T 1-B.

*APPROVED: Port Authority Resolution 83-9, April 8, 1983

ISSUED: April 8, 1983

EFFECTIVE: May 15, 1983

SECTION ONE – GENERAL RULES AND REGULATIONS (Cont'd)

DAMAGE TO PORT AUTHORITY PROPERTY, ETC. ITEM 115*

Users of the facilities of the Port Authority shall be held responsible for all damage which they cause to Port Authority property and facilities as per the Addendum to Port of Cleveland Tariff No. 1-B FMC-T 1.B.

Users of the facilities of the Port Authority shall be held responsible for all damage which they cause to the property and facilities of others lawfully on the premises of the Port Authority.

DAMAGE TO VESSELS, CARGO, ETC. ITEM 116

The Port Authority assumes no responsibility for any damage to vessels or equipment incurred for any reason whatsoever within the confines of Cleveland Harbor, or loss or damage to cargo or other property while on the wharves, docks or other facilities under the administration of the Port Authority, or for damage or injuries to others by reason thereof. The Port Authority accepts no responsibility for any damage to vessels caused by surging or pounding at its wharves, docks or other facilities, or any loss or damage to cargo being loaded or unloaded, nor for injury to or loss of cargo on its wharves, docks or other facilities under its administration as a result of high water and weather conditions.

*APPROVED: Port Authority Resolution 83-9, April 8, 1983

ISSUED: April 8, 1983

EFFECTIVE: May 15, 1983

SECTION ONE – GENERAL RULES AND REGULATIONS (Cont'd)

SMOKING AND OPEN FIRES

ITEM 120

Smoking or open fires in the transit sheds, or on the wharves in the vicinity of explosive or flammable cargo, or on or in the vicinity of vessels containing such cargo, is strictly prohibited. All United States Coast Guard Regulations regarding open fires and smoking must be observed at all times.

PARKING

ITEM 125*

The Port Authority reserves the right to designate parking areas for all classes of vehicles. No vehicles shall be parked or otherwise left unattended on the piers outside such designated areas.

Vehicles and/or equipment left unattended in unauthorized areas may be towed away by the Port Authority, and the owner of such vehicle or equipment shall be assessed the cost of such towing.

Vehicles left overnight on Port Authority property without authorization may be towed away by the Port Authority, and the owner of such vehicle shall be assessed the cost of such towing and shall be denied future access to the Port Authority property.

LOITERING

ITEM 130

It shall be unlawful for any person to loiter upon the docks and in the dock area.

TERMINAL NOT A PUBLIC THOROUGHFARE

ITEM 132

The Terminal property is not a public thoroughfare and all persons entering thereon do so at their own risk.

*APPROVED: Port Authority Resolution 94-16, March 11, 1994

ISSUED: March 14, 1994

EFFECTIVE: April 15, 1994

SECTION ONE – RULES AND REGULATIONS-CARGO (Cont'd.)

UNAUTHORIZED USE OF SPACE

ITEM 135

Use of open areas for other than cargo or cargo handling and stevedore equipment, and use of office space and gear rooms is subject to specific permission of the Port Authority. Unauthorized use of such space shall be charged for at one hundred fifty percent (150%) of the rates set forth in Item 635. Such unauthorized occupants being subject to immediate ejection and such unauthorized materials being subject to removal to storage areas at the owner's expense.

CLEANLINESS OF PREMISES

ITEM 140

The Port Authority is responsible only for cleanliness of public roadways, parking areas and similar public areas.

Users of wharves, warehouses and other facilities of the Port Authority shall be held responsible for the cleaning of the property or facility of the Port Authority which they have been allowed to use, or which is assigned or leased to them.

If such users do not maintain the property used by them in a reasonably clean condition, the Port Authority, after notice, may have said property cleaned and charge the user with the cost thereof.

HOLIDAYS

ITEM 145*

For the purposes of this Tariff, "holidays" are those days set out in the ILA-Port of Cleveland Agreement and include the following named days:

NEW YEAR'S DAY	LABOR DAY
MARTIN LUTHER KING DAY	COLUMBUS DAY
EASTER	VETERANS DAY
MEMORIAL DAY	THANKSGIVING DAY
INDEPENDENCE DAY	CHRISTMAS DAY

When any of these days falls on Sunday, the next Monday shall be designated the legal holiday.

SECTION TWO – RULES AND REGULATIONS-VESSELS

DEFINITIONS

ITEM 200*

Vessels: The term "vessel" as used in this Tariff shall be held to mean floating craft of every description, and shall include in its meaning the term "owners, operators and agents" thereof.

Assigned Berths: Are berths on which a specific Terminal Operator has a prior claim for use, said use being non-exclusive with the berths used by others as scheduling permits pursuant to Item 210 herein.

Casual Berths: Are any berths not leased or assigned to a specific Terminal Operator.

APPLICATION FOR BERTHS

ITEM 205

Vessels shall arrange for berth as far in advance of arrival as possible through their Terminal Operator. Berth requests will be received by the Port Authority only from Terminal Operators, and will be approved when the Terminal Operator agrees that the space assigned is adequate for handling the vessel's cargo.

Port Authority reserves the right to refuse a berth to any vessel carrying explosives or hazardous cargo, or for loading or discharging of such cargo. In addition, all vessels must be seaworthy and must be maintained in that condition.

*APPROVED: Port Authority Resolution 83-9, April 8, 1983

ISSUED: April 8, 1983

EFFECTIVE: May 15, 1983

SECTION TWO – RULES AND REGULATIONS-VESSELS (Cont'd)

THE ASSIGNMENT OF BERTHS

ITEM 210*

Berthing space will be assigned by the Port Authority, as available, provided, however:

- 1) Except as provided in Paragraph (2) hereof, berth applications by Terminal Operators for their assigned berths will be approved.
- 2) Berth applications by one Terminal Operator for the assigned berth of another Terminal Operator will be subject to concurrence of the latter, but such concurrence shall not be withheld unless the applicant's use of such berth by the Terminal Operator having been assigned such berth.
- 3) Berth applications by Terminal Operators for casual berths will be approved subject to order of vessel arrivals.

Further provided in regard to the "Heavy Lift" berth (Dock 28 West):

- 4) Upon receipt of appropriate notice, vessels requiring Heavy Lift service will be given preference in all instances.
- 5) If more than one request is made for the same time, the first ship to arrive at the Heavy Lift berth will be given preference.
- 6) A working ship will be entitled to the Heavy Lift berth, even though the time may be outside the regular working period. An idle vessel will promptly vacate the berth so that the working vessel may berth and be ready for discharging and/or loading without undue delay.

*APPROVED: Port Authority Resolution 83-9, April 8, 1983

ISSUED: April 8, 1983

EFFECTIVE: May 15, 1983

SECTION TWO – RULES AND REGULATIONS-VESSELS (Cont'd)

BERTH ALLOCATIONS

ITEM 215*

In order to allocate the use of berthing space in line with need, and to provide continuity of operations and advance planning, the Port Authority will make a determination, in conjunction with the Terminal Operators, at the beginning of each shipping season of berths to be used by specific Terminal Operators.

The Port Authority reserves the right at the beginning of each shipping season to designate any berths as casual as it in its sole judgment determines.

SECTION TWO – RULES AND REGULATIONS-VESSELS (Cont'd)

TERMINAL OPERATORS

ITEM 220*

The Port Authority shall qualify and approve persons or business entities desiring to act as Terminal Operators at the Port of Cleveland. Such persons or business entities shall establish credit to the reasonable satisfaction of the Port Authority.

In order to qualify as a Terminal Operator on Pier 20 through Pier 32, a person or business entity shall be an independent contractor and shall be able and equipped to handle the various types of cargos offered at the Port of Cleveland.

Each Terminal Operator shall be required to observe and perform all applicable provisions of Port of Cleveland Tariff No. 1-B FMC-T 1-B, including the Addendum thereto. The Tariff and Addendum together set forth the terms and conditions to be performed by the Terminal Operator and the Port Authority.

The Terminal Operators at the Port of Cleveland are:

Ceres Terminals, Inc.
103 Erieside Avenue
Cleveland, Ohio 44114

Cleveland Stevedore Company
775 Erieside Avenue Extended
Cleveland, Ohio 44114

LTV Steel Company
LTV Steel Building
P.O. Box 6779
Cleveland, Ohio 44101

Pacific Great Lakes Logistics, Inc.
775 Erieside Avenue Extended
Cleveland, Ohio 44114

*APPROVED: Port Authority Resolution 94-58, September 9, 1994

ISSUED: September 12, 1994

EFFECTIVE: October 13, 1994

SECTION TWO – RULES AND REGULATIONS-VESSELS (Cont'd)

CARGO STATEMENTS

ITEM 225*

All vessels shall furnish the Port Authority, through the Terminal Operator, with a copy of each Discharge Manifest prior to vessel docking and Loading Manifest/Cargo List within forty-eight (48) hours of vessel completion of loading.

Such reports, as noted above, shall be in the form that the Port Authority deems necessary for the compilation of commercial statistics and for the reserving of warehouse or wharf space, or for other purposes.

REMOVAL OF VESSELS

ITEM 230

Every vessel, boat, barge or other water craft must at all times have on board a person in charge with authority to take such action in any actual emergency as may be necessary in order to facilitate common navigation or commerce, or for the protection of other vessels or property. The Port Authority is authorized to order and enforce the removal or change the location of any vessel, boat, barge, or other water craft at the vessel's expense, to such place as the Port Authority may direct, for the purpose of facilitating navigation or commerce, or for the protection of other vessels or property, and it shall be unlawful for the Master, owner or agent of such vessel to fail, neglect, or refuse to obey any such orders of said Port Authority.

*APPROVED: Port Authority Resolution 90-9, April 6, 1990

ISSUED: April 6, 1990

EFFECTIVE: May 6, 1990

SECTION TEO – RULES AND REGULATIONS-VESSELS (Cont'd)

SPEED LIMIT

ITEM 235

The City of Cleveland has adopted a Water Traffic Code applicable to the Port of Cleveland, establishing speed limits and other navigational requirements and providing penalties for violations thereof, codified as Title 33 of the City Ordinances.

POLLUTION

ITEM 240*

1. Water Pollution: It is strictly prohibited to deposit, place, or discharge into the waters under the jurisdiction of the Port Authority any matter which is capable of polluting, defiling or clogging those waters, or which would be in violation of Local, State and/or Federal law.
2. Air Pollution: It is strictly prohibited to allow uncontrolled emissions into the atmosphere from a vessel, building, cargo transfer operation, stock pile or any other appurtenance within boundaries controlled by the Port Authority which would violate Local, State and/or Federal law.

FIRE SIGNAL

ITEM 245

In the event of fire occurring on board any vessel at Port Authority facilities such vessel shall sound five (5) prolonged blasts of the whistle or siren as an alarm indicating fire on board or at the dock to which the vessel is moored. Such signal shall be repeated at intervals to attract attention, and is not a substitute for, but shall be used in addition to other means of reporting a fire. The words "prolonged blast" used in this rule shall mean a blast of from four (4) seconds to six (6) seconds duration.

*APPROVED: Port Authority Resolution 88-12, March 17, 1988

ISSUED: March 17, 1988

EFFECTIVE: April 17, 1988

SECTION TWO – RULES AND REGULATIONS-VESSELS (Cont'd)

COLLISION

ITEM 250

In the event of a collision between two (2) vessels, or between a vessel and any wharf, dock or pier, written report of such collision shall within twenty-four (24) hours be furnished the Port Authority by the Master, owner or agent of said vessel; provided that in the case of a minor collision where a vessel is under way and proceeding to the open sea, there being no need of repair, said report may be mailed by the Master of said vessel from the next Port which it enters; and provided further that in all cases of collision, report of the Master, owner or agent shall not relieve the pilot of the duty of rendering his report within the specified time.

SECTION THREE – RULES AND REGULATIONS-CARGO

HAZARDOUS COMMODITIES

ITEM 300

Explosives and hazardous or highly inflammable commodities or materials may be handled over, under, or received on, the wharves or other facilities of the Port Authority by special arrangement with and at the option of the Port Authority; and the receiving, handling, or storage of such commodities shall be subject to Federal, State, City and Port Authority laws, ordinances, Resolutions, Rules and Regulations.

RESPONSIBILITY FOR LOSS OR DAMAGE

ITEM 305

The Port Authority shall not be responsible for injury to or loss of any vessel or any freight being loaded or unloaded at its wharves, nor for any delay to same, not for injury to or loss of freight on its wharves or in its sheds.

RESPONSIBILITY FOR PIER PICK-UP AND DELIVERY

ITEM 310*

Unless other prior written arrangements have been made with the Terminal Operator, the consignees or shippers, or their freight forwarders, customs brokers or agents, are responsible for making necessary arrangements to insure that the motor carrier and railroad companies make pick-up or delivery of cargo within the allowable Free Time period.

*APPROVED: Port Authority Resolution 76-23, April 9, 1976

ISSUED: April 9 1976

EFFECTIVE: May 1, 1976

SECTION THREE – RULES AND REGULATIONS-CARGO (Cont'd)

HAZARDOUS COMMODITIES

ITEM 315

The Port Authority performs no stevedoring, checking or transfer of cargo, and does not accept custody of merchandise. These services and responsibilities are provided through approved Terminal Operators, the names of which will be provided by the Port Authority on request.

TERMINAL OPERATORS TARIFF

ITEM 320*

Rules and Regulations of the Port of Cleveland Marine Terminal Operators are published separately. Copies of this Tariff will be made available on request to the Terminal Operators listed below.

Ceres Terminals, Inc.
103 Eriside Avenue Extended
Cleveland, Ohio 44114

Federal Marine Terminals, Inc.
775 Erieside Avenue
Cleveland, Ohio 44114

*APPROVED: Port Authority Resolutions 1999-18, 1999-13

ISSUED: March 12, 1999

EFFECTIVE: April 1, 1999

SECTION FOUR – VESSEL CHARGES

DOCKAGE

ITEM 400*

Dockage is a charge assessed against a vessel for berthing or making fast to a wharf or pier. This charge shall be assessed against the vessel, its owners, operators or agents. No other services are covered by this charge.

Lloyd's Register of Shipping measurements shall be used in determining vessel's gross registered tonnage. In the event more than one GRT is listed (as in shelter deck vessels), the highest GRT will be used.

Dockage on seven self-propelled vessels will be charged for on the basis of Nine Cents (\$.09) per Gross Registered Ton of the vessel for each twenty-four (24) hour period, or fraction thereof.

The period of time for which Dockage shall be assessed against a vessel shall commence when such vessel shall commence when such vessel is made fast to the wharf, bulkhead or to another vessel so berthed and shall continue until such vessel has completely vacated such berth.

Dockage on passenger ships, loading and unloading passengers and their baggage only, will be Four cents (\$.04) per Gross Registered Ton of the vessel per twenty-four (24) hour period, or fraction thereof.

Dockage on barges, lighters and other non-self-propelled vessels is negotiable.

Dockage on vessels engaged in Canadian and/or Domestic trade is negotiable.

A self-propelled vessel at berth awaiting gangs or a working berth, or orders, or undergoing repairs will be charged Dockage on the basis of Four Cents (\$.04) per Gross Registered Ton of the vessel per twenty-four (24) hour period, or fraction thereof, provided that advance arrangements have been made with the Port Authority.

Dockage for government and other non-commercial vessels may be waived and off-season lay-up rates negotiated by the President.

SECTION FOUR – VESSEL CHARGES (Cont'd.)

DOCKAGE (Cont'd)

ITEM 400*

The remainder of Item 400 has been relocated to Page 17.

*APPROVED: Port Authority Resolutions 88-12, March 17, 1988

ISSUED: March 17, 1988

EFFECTIVE: April 17, 1988

SECTION FOUR – VESSEL CHARGES (Cont'd.)

WHARFAGE

ITEM 405*

Wharfage is a charge assessed against a vessel or its cargo for the privilege of loading or unloading cargo to or from the terminal or wharf.

All Wharfage charges shall be paid by the party paying the loading/unloading charges, unless it is specifically and clearly stated in writing, that others are obligated for, and have agreed to pay, this charge. No other services are covered by this charge.

Wharfage shall be charged at the following rates per Metric (2,204.6 Pounds) Ton of cargo or fraction thereof:

General Cargo, N.O.S.	\$.80
Containers	\$.80
Dry Bulk Cargo	\$.30
Liquid Bulk Cargo	\$.30
Newsprint Paper	\$.30
Aluminum Ingots, Slabs	\$.80
Zinc Ingots, Slabs	\$.80
Steel Products:	
Coiled Sheets, Sheets	
Coiled Wire Rod, Plate	
Billets, Slabs, Bars	
Rerods, Angles, Beams	
Channels, Pipe	
Galvanized Sheet or Coils	\$.80

Wharfage on vessels engaged in Canadian and/or Domestic trade is negotiable.

SECTION FIVE – CARGO CHARGES

DEFINITIONS

ITEM 500*

Free Time: The specific period of time allowed for the accumulation or removal of cargo before Wharf Demurrage charges or Terminal Storage charges become applicable, however, no Free Time will be allowed on diverted cargo, on cargo which is handled at the Port and does not move across the piers from or to a vessel and on cargo which is placed in storage in Warehouse "A", the long-term storage facility.

Wharf Demurrage: This is a charge assessed against cargo remaining on the pier after expiration of the Free Time period for which no advance storage arrangements have been made.

Terminal Storage: The service of providing warehouse or other terminal space for the storing of either inbound or outbound cargo when advance storage arrangements have been made.

FREE TIME

ITEM 505*

OUTBOUND CARGO

Outbound Cargo Held in Transit Shed or Under Cover:

Twenty (20) calendar days will be allowed prior to actual arrival of vessel, including Saturdays, Sundays and Holidays. Time will be computed from the first 7:00 A.M. after receipt of cargo.

Outbound Cargo Held Outside:

Forty-five (45) calendar days will be allowed prior to actual arrival of vessel, including Saturdays, Sundays and Holidays. Time will be computed from the first 7:00 A.M. after receipt of cargo.

INBOUND CARGO

Inbound Cargo Held in Transit Shed or Under Cover:

Ten (10) calendar days will be allowed on inbound cargo starting from the first 7:00 A.M. after completion of discharge of vessel, including Saturdays, Sundays and Holidays.

*APPROVED: Port Authority Resolutions 94-16, Adopted March 11, 1994

ISSUED: March 11, 1994

EFFECTIVE: April 15, 1994

SECTION FIVE – CARGO CHARGES (Cont'd)

FREE TIME (Cont'd)

ITEM 505*

INBOUND CARGO (Cont'd)

Inbound Cargo Held Outside:

Ten (10) calendar days will be allowed on inbound cargo starting from the first 7:00 A.M. after completion of discharge of vessel, including Saturdays, Sundays and Holidays.

Inbound Cargo Held Outside:

Thirty (30) calendar days will be allowed on inbound cargo, single Bill of Lading, exceeding One Thousand Five Hundred (1,500) Net Tons and will be computed starting from the first 7:00 A.M. after completion of discharge of vessel, including Saturdays, Sundays and Holidays.

In the event the party entitled to possession thereof should make application for delivery of the cargo, or portion thereof, during the Free Time period and the Terminal Operator should be unable for any reason to make available to the party entitled to possession thereof such cargo or portion thereof, the Free Time shall be extended for a period equal to the duration of the Terminal Operator's inability to make the cargo available.

Cargo not moved from the pier within the Free Time period may at any time thereafter, and at the option of the Terminal Operator, be placed in public storage and the risk and expense thereof will be for the account of the goods; and all such charges shall constitute a lien against the goods.

*APPROVED: Port Authority Resolutions 94-16, Adopted March 11, 1994

ISSUED: March 14, 1994

EFFECTIVE: April 15, 1994

SECTION FIVE – CARGO CHARGES (Cont'd)

RESPONSIBILITY FOR DEMURRAGE CHARGES

ITEM 510*

The Terminal Operator may order cars and/or trucks for loading or unloading as a matter of convenience, but shall not be liable for any delay or failure of truck, rail or waterborne carriers to perform.

Failure to clear entire quantity of cargo on any Bill of Lading prior to termination of Free Time period will not relieve consignee or his agent from assessment of Wharf Demurrage charges on balance of cargo on dock.

The owner of inbound cargo and the owner of outbound cargo will be liable for the payment of all Wharf Demurrage which may accrue, except when steamship carrier fails to lift outbound cargo as scheduled, it shall be liable for Wharf Demurrage charges.

Any adjustments or prorations of Wharf Demurrage charges are a matter to be settle between the consignee/shipper, his freight forwarder, customs broker or agent.

WHARF DEMURRRAGE

ITEM 515*

INBOUND CARGO

Inside

Six Cents (\$.06) per one hundred (100) Pounds for the first (1st) period of five (5) calendar days or fraction thereof after expiration of Free Time. Minimum charge Five Dollars (\$5.00).

Twelve Cents (\$.12) per one hundred (100) Pounds for the second (2nd) period of five (5) calendar days or fraction thereof after expiration of Free Time. Minimum charge Five Dollars (\$5.00).

Eighteen Cents (\$.18) per one hundred (100) Pounds for the third (3rd) period of five (5) calendar days or fraction thereof after expiration of Free Time. Minimum charge Five Dollars (\$5.00).

Twenty-Five Cents (\$.25) per one hundred (100) Pounds for the fourth (4th) period and each succeeding period of five (5) calendar days or fraction thereof after the expiration of Free Time. Minimum charge Five Dollars (\$5.00) per each period.

*APPROVED: Port Authority Resolutions 76-23, Adopted April 9, 1976

ISSUED: April 9, 1976

EFFECTIVE: May 1, 1976

SECTION FIVE – CARGO CHARGES (Cont'd)

WHARF DEMURRAGE (Cont'd)

ITEM 515*

INBOUND CARGO (Cont'd)

Inside (Cont'd)

Automobiles, including trucks and other wheeled vehicles, shall be charged at the rate of Two Dollars and Fifty Cents (\$2.50) per vehicle per day.

Outside

Wharf Demurrage on cargo stored in open uncovered areas shall be one-half (1/2) of inside rates. This reduction is not applicable to automobiles, trucks and other wheeled vehicles.

OUTBOUND CARGO

Inside

Seven Cents (\$.07) per one hundred (100) Pounds for each period of ten (10) calendar days or fraction thereof after the expiration of Free Time. Minimum charge Five Dollars (\$5.00) for each period.

Outside

Wharf Demurrage on cargo stored in open uncovered areas shall be one-half (1/2) of inside rates.

Automobiles, including trucks and other wheeled vehicles, shall be charged at the rate of Two Dollars and Fifty Cents (\$2.50) per vehicle per day.

NOTE: For purpose of computing Wharf Demurrage, the above periods of five (5) calendar days include Saturdays, Sundays, and Holidays.

SECTION FIVE – CARGO CHARGES (Cont'd)

COLLECTION OF DEMURRAGE CHARGES

ITEM 520

Item 520 Cancelled – See Item 530.

TERMINAL STORAGE

ITEM 525*

Arrangements for Terminal Storage shall be made in advance with the Terminal Operator, and shall always be subject to availability of space. The use of transit sheds for storage must never interfere with the required availability of the transit sheds for "in transit" cargo movement or the efficient use of the docks.

The use of said shed for storage shall be subject to the Executive Director's rules and direction in all matters relating to use of facilities, storage, method, damage to building or cargo, liability for stored cargo, and such other matters as he deems essential for the efficient operation of the Port. The Port Authority shall not be responsible for loss resulting from fire, theft, damage, or from any other source, to cargo or to any person, firm, or corporation using said facilities.

Terminal Storage rates are established by the Port Authority and are based on a thirty (30) day period or fraction thereof, unless specifically stated otherwise.

Inside Terminal Storage of all steel products shall be assessed at the rate of One Dollar and Fifty Cents (\$1.50) per Metric (2,204.6 Pounds) Ton per thirty (30) day period or fraction thereof.

Outside Terminal Storage of all steel products shall be assessed at the rate of Seventy-Five Cents (\$.75) per Metric (2,204.6 Pounds) Ton per thirty (30) day period or fraction thereof.

Outside Terminal Storage of all bulk products shall be assessed at the rate of Fifty Cents (\$.50) per Metric (2,204.6 Pounds) Ton per thirty (30) day period or fraction thereof.

Terminal Storage rates on all other commodities are available upon request.

*APPROVED: Port Authority Resolutions 88-12, Adopted March 17, 1988

ISSUED: March 17, 1988

EFFECTIVE: April 17, 1988

SECTION FIVE – CARGO CHARGES (Cont'd)

COLLECTION OF DEMURRAGE CHARGES AND STORAGE CHARGES ITEM 530

All Terminal Storage charges and Wharf Demurrage charges shall be assessed and collected by the Terminal Operator before the goods are released as per the Addendum to Port of Cleveland Tariff No. 1-B FMC-T 1-B.

RAIL CAR/TRUCK LOADING AND UNLOADING ITEM 535

The Port Authority performs no stevedoring, checking or transfer of cargo, and does not accept custody of merchandise. These services and responsibility are provided through approved Terminal Operators, the names of which are listed in Item 320 and Item 540.

Charges for rail car/truck loading and unloading are set forth in the separate Tariff of the Terminal Operators.

TERMINAL OPERATOR TARIFF ITEM 540*

Item 540 has been relocated to Page 23-A.

*APPROVED: Port Authority Resolutions 84-18, Adopted April 6, 1984

ISSUED: April 6, 1984

EFFECTIVE: May 4, 1984

SECTION FIVE – CARGO CHARGES (Cont'd)

TERMINAL OPERATORS TARIFF

ITEM 540*

Rates of the Port of Cleveland Marine Terminal Operators are published separately. Copies of this Tariff will be made available on request to the Terminal Operators listed below.

Ceres Terminals, Inc.
103 Erieside Avenue
Cleveland, Ohio 44114

Cleveland Stevedore Company
775 Erieside Avenue Extended
Cleveland, Ohio 44114

LTV Steel Company
LTV Steel Building
P.O. Box 6779
Cleveland, Ohio 44101

Pacific Great Lakes Logistics, Inc.
775 Erieside Avenue Extended
Cleveland, Ohio 44114

ISSUED: September 12, 1994

EFFECTIVE: October 13, 1994

PORT OF CLEVELAND
TARIFF NO. 1-B
FMC-T 1-B

FIRST REVISED PAGE NO. 24
Correction No. 123

SECTION SIX – MISCELLANEOUS CHARGES

ELECTRIC POWER

ITEM 600

Electric power will be supplied by the Terminal Operator. All electric power connections are subject to approval by the Port Authority.

LIGHTS

ITEM 605

All transit sheds are provided with lighting. All wharves are provided with floodlights.

FRESH WATER

ITEM 610*

Fresh water will be supplied by the Terminal Operator. All fresh water connections are subject to approval by the Port Authority.

The cost of the fresh water will be charged by the Port Authority to the Terminal Operator at the rate of One Dollar and Fifty Cents (\$1.50) per Metric (2,204.6 Pounds) Ton.

NOTE: No connection shall be made to fire hydrants, fire hoses or hose lines for fresh water service.

*APPROVED: Port Authority Resolutions 94-16, Adopted March 11, 1994
ISSUED: March 14, 1994 EFFECTIVE: April 15, 1994

PORT OF CLEVELAND FIRST REVISED PAGE NO. 25
TARIFF NO. 1-B
FMC-T 1-B

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

HEAVY LIFT CHARGES ITEM 615*

<u>WEIGHT IN POUNDS</u>	<u>CHARGE - \$/METRIC TON</u>
40,001 to 60,000	\$ 10.65
60,001 to 70,000	12.15
70,001 to 80,000	13.35
80,001 to 100,000	14.65
100,001 to 120,000	15.65
120,001 to 140,000	18.00
140,001 to 160,000	20.00
160,001 to 200,000	24.45
200,001 to 250,000	25.50
250,001 to 300,000	26.75

The above charges per Metric (2,204.6 Pounds) Ton apply for each cargo movement.

*APPROVED: Port Authority Resolution 2000-48, adopted November 17, 2000

ISSUED: November 17, 2000

EFFECTIVE: May 1, 2001

PORT OF CLEVELAND
TARIFF NO. 1-B
FMC-T 1-B

FOURTH REVISED PAGE NO. 26
Correction No. 98

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

HEAVY LIFT CRANE REGULATIONS (Cont'd)

ITEM 620*

The Terminal Operator shall hire at its own cost and expense, qualified and competent crane operators holding a currently valid Heavy Lift Crane Operator's license issued by the Port Authority.

The Terminal Operator shall provide all necessary stevedoring services, stevedore gangs, hoisting gear (other than that permanently affixed to the crane) and any other labor or material necessary for the operation of said crane in a safe and careful manner.

A request in advance for any use of the crane shall be filed with the Port Authority during business hours of the day preceding its use. In the event the use occurs on a Saturday, Sunday or Holiday, the notice shall be not later than 5:00 P.M. the Friday preceding, on the forms supplied. Operation of the crane shall require the attendance of the Port Maintenance Foreman, the cost of which shall be borne by the Terminal Operator using the crane.

Telephone requests for the use of the crane will be honored by the Port Authority, if accompanied by full information, and if time does not permit formal application.

The Port Authority will immediately advise if the crane is out of service and/or not available due to prior scheduling. The scheduling, in case of conflict, rests solely with the Port Authority.

All lifts are to be reported as to vessel, weight, billing, main or auxiliary and total time the crane is and/or estimated to be in use.

*APPROVED: Port Authority Resolution 88-12, March 17, 1988

ISSUED: March 17, 1988

EFFECTIVE: April 17, 1988

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

HEAVY LIFT CRANE REGULATIONS (Cont'd)

ITEM 620*

All Tariff items are to be paid under Item 615.

The Terminal Operators are to file with the Port Authority those crane operators eligible for a valid Heavy Lift Crane Operator's license. The Port Authority shall have the exclusive authority to license, reject, examine and/or revoke any previously issued license for any cause, including infraction of the rules.

Each operator shall be responsible for the operation of the crane and shall follow the posted instructions issued by the Port Authority, and the instruction manual supplied by the American Hoist Derrick Company and posted in the Crane Operator's Cab. The crane operator shall obtain the key from the Port Authority prior to use and upon notification of confirmation. He shall return same with the appropriate copy of the request, with a notation as to performance of the facility after each usage.

The Port Authority may post such detailed instructions as to the operation of the crane in the Hoist House which shall be considered part of the published rules and regulations.

The Heavy Lift crane has the following maximum weight limitations:

<u>MAXIMUM WEIGHT ON MAIN BLOCK</u>		<u>MAXIMUM RADIUS</u>
300,000 Pounds	at	65 Feet
268,000 Pounds	at	70 Feet
244,000 Pounds	at	75 Feet
220,000 Pounds	at	80 Feet
200,000 Pounds	at	85 Feet

MAXIMUM WEIGHT ON AUXILIARY BLOCK

50,000 Pounds at All Radii

*APPROVED: Port Authority Resolution 88-12, March 17, 1988

ISSUED: March 17, 1988

EFFECTIVE: April 17, 1988

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

WATCHMEN (Cont'd)

ITEM 625*

The Port Authority shall furnish outer perimeter and main gate security only for the Port of Cleveland.

BUNKERING AND SHIP STORES

ITEM 630*

Truck/barge deliveries may be made at all docks upon prior application to the Terminal Operator who shall designate when and where deliveries may be made. No deliveries will be allowed which will be in conflict with any insurance, fire or Port security regulations.

*APPROVED: Port Authority Resolution 76-23, April 9, 1976

ISSUED: April 9, 1976

EFFECTIVE: May 1, 1976

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

SPACE RENTALS

ITEM 635*

To the extent space is available the Port Authority will make available the following at the charges set forth:

Office Space in Transit Sheds – Six Dollars (\$6.00) per Square Foot per year.

Office Space for Checkers – Subject to negotiation.

Gear Rooms in Transit Sheds – Subject to negotiation.

Open Areas on Piers – Subject to negotiation.

Open Areas in Backup Land – Subject to negotiation.

REFUSE REMOVAL

ITEM 640

MARPOL

Annex I

Under Annex I of the International Convention for the Prevention of Pollution from Ships (MARPOL), a vessel desiring to discharge oily wastes shall arrange the discharge with a company approved by the Captain of the Port, United States Coast Guard. All inquiries regarding approved companies should be directed to the Captain of the Port, United States Coast Guard. Discharge operations shall be reported to the Chief Engineer of the Port Authority and the Terminal Operator in charge prior to the actual discharge.

Annex V

Annex V of the International Convention for the Prevention of Pollution from Ships (MARPOL), 73/78 and the United States Coast Guard's Implementing Regulations (33 CFR, parts 151, 158) require that reception facilities be available for those vessels which have indicated, in advance, the need to dispose of ship generated garbage.

*APPROVED: Port Authority Resolution 94-16, March 11, 1994

ISSUED: March 14, 1994

EFFECTIVE: April 15, 1994

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SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

REFUSE REMOVAL (Cont'd)

ITEM 640

In order to accommodate the needs of shipping and commerce through the Port of Cleveland, the Port Authority has filed an Application for a Certificate of Adequacy with the Captain of the Port, United States Coast Guard, for garbage reception facilities. The Terminal Operator shall provide, upon request, the reception facilities which meet the requirements contained in the appropriate regulations. The Terminal Operator shall require a twenty-four (24) hour notice of vessel's intent to discharge garbage at any public terminal facility within the Port of Cleveland so as not to cause any undue delay to vessels.

Reception facilities for food, plant, meat and other potentially infectious waste shall be provided by the Terminal Operator, when requested by the vessel, in accordance with the above and with the requirements set forth in 7 CFR 330 and 9 CFR 94. These regulated food wastes must be handled at a facility approved by the Animal and Plant Health Inspection Service (APHIS). A listing of approved transporters and treatment facilities is available from the Chief Engineer of the Port Authority.

The Terminal Operator shall provide the necessary reception facilities, when requested to do so, for other than Animal and Plant Health Inspection Service (APHIS) regulated garbage from any commercial, full service solid waste firm. Inquiries regarding facilities available for disposal of materials covered by Annex V may be directed to the Chief Engineer of the Port Authority.

TRACK USAGE CHARGE

ITEM 645

This item has been cancelled. This charge is no longer applicable.

*APPROVED: Port Authority Resolution 90-9, April 6, 1990

ISSUED: April 6, 1990

EFFECTIVE: May 6, 1990

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

FACILITY SECURITY CHARGES

ITEM 645

A Facility Security Charge shall be assessed in an amount up to \$30/hour, for two guards, or up to \$15.00/hour, for one guard, as applicable under the Port Security Plan, as may be amended from time to time, for every hour that a vessel is alongside the berth, plus one hour prior to and one hour after departure.

SECTION SIX – MISCELLANEOUS CHARGES (Cont'd)

SCALE USAGE CHARGE

ITEM 650*

A weighing charge of Three Dollars (\$3.00) per truck will be assessed on all trucks requiring such service. This charge includes a light weigh and/or a heavy weigh of the truck.

The Terminal Operator shall hire, at its own cost and expense, qualified and competent scale operators.

Usage of the Port scale shall be reported by the Terminal Operator to the Port Authority on a monthly basis by the fifteenth (15th) of the following month.

*APPROVED: Port Authority Resolution 96-47, June 7, 1996

ISSUED: June 7, 1996

EFFECTIVE: July 8, 1