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Original Title Page

TERMINAL TARIFF NO. 5



NAMING

RATES, CHARGES, RULES AND REGULATIONS

APPLYING

AT

PORT OF STOCKTON

STOCKTON, CALIFORNIA

ISSUED: OCTOBER 1, 1983

PORT OF STOCKTON

EFFECTIVE: NOVEMBER 1, 1983

TERMINAL TARIFF NO. 5
CHECK SHEET

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3	1st Revised	36	Original
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6	1st Revised	39	Original
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10	Original	43	132th Revised
11	Original	44	176th Revised
12	Original	45	132th Revised
13	2nd Revised	46	1st Revised
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16	30th Revised	50	Original
17	2nd Revised	51	4th Revised
18	1st Revised	52	Original
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21	Original	55-A	124th Revised
22	Original	56	12th Revised
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27	365th Revised	60-A	4th Revised
28	3029th Revised	61	Original
29	Original	62	Original
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EXPLANATION OF ABBREVIATIONS AND SYMBOLS

A.M.	Ante Meridian	N.O.S.	Not otherwise specified
Bbls.	Barrels	Pkg.	Package
B.M.	Board Measure	P.M.	Post Meridian
Cu. Ft.	Cubic Feet	S.U.	Set up
e.g.	For Example	Viz.	Namely
Etc.	Et cetera	W/M	Weight or measurement
Ex	From	&	And
Ft.	Feet	%	Per centum
Gals.	Gallons	¢	Cent or cents
i.e.	That is	(*)	Addition
In.	Inches	(A)	Change
K.D.	Knocked down	(B)	Change, neither increase nor reduction
D.F.	Knocked down flat	(C)	Deletion or cancellation
Lbs.	Pounds	(D)	Increase
M.F.B.M.	1,000 Feet Board Measure	(E)	Reduction
No.	Number	(F)	No change in rate

Item	CLASSIFICATION OF TRADES																		
5	For the purpose of applying certain rates and provisions of this tariff, vessels and the cargo which they handle are classified according to trades in which the vessels are engaged and the cargo transported (See Note 1). Such classifications are as follows: <table border="1"> <thead> <tr> <th>CLASSIFICATION</th> <th>SERVICE BETWEEN STOCKTON AND</th> </tr> </thead> <tbody> <tr> <td>Alaskan</td> <td>Ports in Alaska.</td> </tr> <tr> <td>Coastwise</td> <td>Ports located on the Pacific Coast in California (other than San Francisco Bay), Oregon, Washington and British Columbia.</td> </tr> <tr> <td>Hawaiian</td> <td>Ports in Hawaiian Islands.</td> </tr> <tr> <td>Inland Waterway</td> <td>Port on San Francisco Bay and inland waterways tributary thereto, but not via Pacific Ocean.</td> </tr> <tr> <td>Intercoastal</td> <td>Ports in the Continental United States on the Gulf of Mexico or the Atlantic Coast including ports in Puerto Rico.</td> </tr> <tr> <td>Transpacific</td> <td>Points west of 170th Meridian of West Longitude and east of 40th Meridian of East Longitude.</td> </tr> <tr> <td>Foreign</td> <td>Points other than described above.</td> </tr> <tr> <td>Offshore</td> <td>Other than Coastwise or Inland Waterway.</td> </tr> </tbody> </table>	CLASSIFICATION	SERVICE BETWEEN STOCKTON AND	Alaskan	Ports in Alaska.	Coastwise	Ports located on the Pacific Coast in California (other than San Francisco Bay), Oregon, Washington and British Columbia.	Hawaiian	Ports in Hawaiian Islands.	Inland Waterway	Port on San Francisco Bay and inland waterways tributary thereto, but not via Pacific Ocean.	Intercoastal	Ports in the Continental United States on the Gulf of Mexico or the Atlantic Coast including ports in Puerto Rico.	Transpacific	Points west of 170th Meridian of West Longitude and east of 40th Meridian of East Longitude.	Foreign	Points other than described above.	Offshore	Other than Coastwise or Inland Waterway.
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Foreign	Points other than described above.																		
Offshore	Other than Coastwise or Inland Waterway.																		

NOTE 1 - Except as otherwise provided when transshipment is substituted by the vessel operator in lieu of direct call of vessel at Stockton, the movement shall be classified according to the trade applying to such vessel. The charge or charges on cargo so handled shall be the same as that applicable to cargo handled on direct call vessels. (See Item 165)

DEFINITIONS OF TECHNICAL TERMS

Item	Term	Definition																		
10	Bulk Cargo	Commodities, which by nature of their unsegregated mass, or are usually handled by shovels, scoops, buckets, forks, In Bulk magnets or mechanical conveyors, and which are loaded or unloaded and carried without wrappers or containers and received and delivered by carriers without transportation mark or count. (Will not apply when subject to piece count.)																		
15	Cargo	Except as otherwise specifically provided in individual items in this tariff, cargo, as defined in this tariff, includes merchandise, freight, material, mail, live animals, fuel, vessel's stores and supplies and any and all property not specifically described.																		
20	Direct	A continuous operation between barge, car or truck and vessel when performed by vessel's stevedores.																		
25	Holidays	<p>The following holidays shall be observed:</p> <table border="0"> <tr> <td>New Year's Day</td> <td>Labor Day</td> </tr> <tr> <td>Martin Luther King's Birthday</td> <td>Admission Day</td> </tr> <tr> <td>Lincoln's Birthday</td> <td>Columbus Day</td> </tr> <tr> <td>Washington's Birthday</td> <td>Veterans' Day</td> </tr> <tr> <td>Cesar Chavez' Birthday</td> <td>Thanksgiving Day</td> </tr> <tr> <td>Memorial Day</td> <td>Christmas Eve Day</td> </tr> <tr> <td>Independence Day</td> <td>Christmas Day</td> </tr> <tr> <td>Bloody Thursday</td> <td>New Years Eve Day</td> </tr> <tr> <td>Harry Bridges' Birthday</td> <td></td> </tr> </table> <p>In addition to the above, any days proclaimed by the Governor of the State of California, or the President of the United States, shall be observed as holidays.</p>	New Year's Day	Labor Day	Martin Luther King's Birthday	Admission Day	Lincoln's Birthday	Columbus Day	Washington's Birthday	Veterans' Day	Cesar Chavez' Birthday	Thanksgiving Day	Memorial Day	Christmas Eve Day	Independence Day	Christmas Day	Bloody Thursday	New Years Eve Day	Harry Bridges' Birthday	
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Bloody Thursday	New Years Eve Day																			
Harry Bridges' Birthday																				
30	Inbound Cargo	That which has been discharged from a vessel.																		
35	Ocean Terminal	The term "Ocean Terminal" as used herein refers to the wharves designed to accommodate ocean-going vessels and other facilities subject to this tariff adjacent thereto operated by the Port of Stockton.																		
40	Outbound Cargo	That which is being or has been assembled and is awaiting loading to a vessel.																		

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DEFINITIONS OF TECHNICAL TERMS

Item	Term	Definition
45	Palletized Stowed Units	Cargo loaded on pallets, platforms or skids forming a single unit, that has been prepared by the shipper at other than on terminal premises, and which can be handled with mechanical equipment; received from shipper, loaded to and stowed in vessel and discharged from vessel's stowage and delivered to consignee in unbroken units. (Does not apply to cargo palletized on vessels while berthed at terminal facilities.) When received from shipper at the terminal, cargo must be designated on all shipping papers as "Palletized Stowed Units", and when delivered to consignee at the terminal, cargo must be designated on inward vessel manifest and ocean bill of lading as "Palletized Stowed Units". The weight of the pallets, platforms or skids will be excluded when computing the weight on which charges are assessed.
<p>EXCEPTION:</p> <p>Will also apply on export cargo palletized ex rail car or ex truck by the Port of Stockton when the cargo is stowed in the vessel on these pallets.</p>		
50	Ton	<p>(a) The term "ton" means 2,000 pounds, gross weight, unless otherwise provided.</p> <p>(b) The term "measurement ton" means forty (40) cubic feet. Measurement tons may be based on ship's manifest or computed by using the full outside dimensions on all sides of the package.</p>
55	Unitized Cargo	Cargo secured to pallets, platforms or skids, when the individual component shipping containers are banded or otherwise securely held together to form a single unit that has been prepared by the shipper, in order to facilitate handling, and which can be handled with mechanical equipment. The weight of the pallets, platforms or skids will be excluded when computing the weight on which cargoes are assessed.
60	Vans (Cargo Vans)	Cargo vans as used in this tariff are fully enclosed containers or vans which are to be used for the purpose of containing packaged, loose or bulk articles for transportation by water and may be collapsible, rigid or mobile and have not less than 70 cu. ft. of space set up.

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DEFINITIONS OF TECHNICAL TERMS

Item	Term	Definition																						
65	Whalebacks	Whalebacks are carrier's specially constructed steel pallets suitable for mechanical forklift handling.																						
70	Wharf or Wharves	The term "Wharf" or "Wharves" as used herein refers to any of the wharves, whether open or shedded, located along the Stockton Channel or Turning Basin, designed to accommodate ocean-going vessels, belonging to or operated by the Port of Stockton.																						
71	Correlation of Federal Maritime Commission Definitions (For Information Only)	<p>Section 533.6(d) of Part 533, Subchapter B, Chapter IV of Title 46 CFR (General Order 15) contains definitions of certain terminal services. Pursuant to the provisions of Section 533.6(a) of said Part, the definitions in said Section 533.6(d) and the correlated definitions contained in this tariff are as follows:</p> <table border="1"> <thead> <tr> <th><u>Federal Maritime Commission</u></th> <th><u>Port of Stockton</u></th> </tr> </thead> <tbody> <tr> <td>Section 533.6(d)(1)(Dockage)</td> <td>Item 280</td> </tr> <tr> <td>Section 533.6(d)(2)(Wharfage)</td> <td>Item 330</td> </tr> <tr> <td>Section 533.6(d)(3)(Free Time)</td> <td>Item 375(c)</td> </tr> <tr> <td>Section 533.6(d)(4)(Wharf Demurrage)</td> <td>Item 375(a)</td> </tr> <tr> <td>Section 533.6(d)(5)(Terminal Storage)</td> <td>Item 375(b)</td> </tr> <tr> <td>Section 533.6(d)(6)(Handling)</td> <td>Item 600</td> </tr> <tr> <td>Section 533.6(d)(7)(Loading & Unloading)</td> <td>Item 450</td> </tr> <tr> <td>Section 533.6(d)(8)(Usage)</td> <td>Item 115</td> </tr> <tr> <td>Section 533.6(d)(9)(Checking)</td> <td>Item 200</td> </tr> <tr> <td>Section 533.6(d)(10)(Heavy Lift)</td> <td>Items 460-465</td> </tr> </tbody> </table>	<u>Federal Maritime Commission</u>	<u>Port of Stockton</u>	Section 533.6(d)(1)(Dockage)	Item 280	Section 533.6(d)(2)(Wharfage)	Item 330	Section 533.6(d)(3)(Free Time)	Item 375(c)	Section 533.6(d)(4)(Wharf Demurrage)	Item 375(a)	Section 533.6(d)(5)(Terminal Storage)	Item 375(b)	Section 533.6(d)(6)(Handling)	Item 600	Section 533.6(d)(7)(Loading & Unloading)	Item 450	Section 533.6(d)(8)(Usage)	Item 115	Section 533.6(d)(9)(Checking)	Item 200	Section 533.6(d)(10)(Heavy Lift)	Items 460-465
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Section 533.6(d)(10)(Heavy Lift)	Items 460-465																							

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DEFINITIONS OF TECHNICAL TERMS

Item	Term	Definition
72	Metric Conversion Tables And Metric Equivalentents	When freight charges are computed by the vessel using the metric system and are shown on the manifest on the basis of either weight (metric tons of 2,204.623 pounds) or measurement (cubic meters of 35.315 cubic feet), the metric tons shall be converted to short tons of 2,000 pounds and the cubic meters shall be converted to measurement tons of 40 cubic feet using the conversion factors shown below:

Metric Conversion Table:

<u>To Find</u>	<u>Given</u>	<u>Multiply</u>
Metric Tons	Short Tons	Short tons by 0.9072
Short Tons	Metric Tons	Metric Tons by 1.1023
Metric Tons	Long Tons	Long Tons by 1.0160
Long Tons	Metric Tons	Metric Tons by 0.9842
Kilos	Pounds	Pounds by 0.4536
Pounds	Kilos	Kilos by 2.2046
Cubic Meters	Measurement Tons (40 cu. ft.)	Measurement Tons by 1.1330
Measurement Tons (40 cu. ft.)	Cubic Meters	Cubic Meters by 0.8830
Cubic Meters	MFBMs (Ft. B.M. in thousands)	MFBMs by 2.3597
MFBMs (Ft. B.M. in thousands)	Cubic Meters	Cubic Meters by 0.4238

Metric Equivalentents:

1,000 Kilos = 2,204.623 Pounds
 1 Kilo = 2.2046 Pounds
 1 Pound = 0.4536 Kilos
 1 CWT (US - 100 Pounds) = 45.359 Kilos or 0.04536 Metric Tons
 1 CWT (British - 112 Pounds) = 50.802 Kilos or 0.0508 Metric Tons
 1 Bushel Grain (US) = 60 Pounds = 27.216 Kilos
 33.333 Bushels Grain = 1 Short Ton
 37.333 Bushels Grain = 1 Long Ton
 36.743 Bushels Grain = 1 Metric Ton
 1 Cubic Meter = 35.315 Cubic Feet
 1 Cubic Foot = 0.0283 Cubic Meters
 1,000 Ft. B.M. = 83.333 Cubic Feet
 1 Cubic Meter = 423.792 Ft. B.M.
 1 Barrel (US - 42 Gallons) = 158.987 Liters

TERMINAL TARIFF NO. 5

GENERAL RULES AND REGULATIONS

Item	Term	Application
75	Application of Rates Rules And Regulations	<p>(A) Application of Tariff. The rates, rules and regulations contained in this tariff apply in connection with vessels docking at the wharves of the Port of Stockton and (2) cargo handled over wharves and open areas of the Port of Stockton, outside of areas leased to other persons for their own operations.</p> <p>Section IV of this tariff will not apply on bulk commodities handled mechanically through specialized facilities.</p> <p>(B) Rates are Specific. In the absence of a specific commodity rate, the commodity not specified herein shall be rated as "Cargo, N.O.S." and not by analogy.</p> <p>(C) Except as otherwise provided, the applicable rates, charges, rules and regulations under this tariff shall be those in effect at the time the change accrues.</p> <p>(D) The applicable rates, charges, rules and regulations for wharfage and service and facilities charges shall be as follows:</p> <p style="padding-left: 40px;">On Inbound Cargo: The rates, charges, rules and regulations in effect on the date that vessel commences discharging cargo.</p> <p style="padding-left: 40px;">On Outbound Cargo: The rates, charges, rules and regulations in effect on the date that vessel commences loading cargo.</p>
80	Maximum Liability	<p>In the event of any loss or damage not included in the exemption provisions of Item 85 the terminal's liability for loss or damage to cargo shall not exceed the actual value which shall be deemed to be not more than \$500.00 per package, or in the case of cargo not shipped in packages, per customary freight unit, or pro rata in the case of partial loss or damage.</p>

GENERAL RULES AND REGULATIONS

Item	Term	Application
85	Responsibility For Loss Or Damage	<p>(1) The Port of Stockton shall not be responsible for any injury to freight being loaded or unloaded at the facilities covered by this tariff, for loss of any such freight, or for delay to same.</p> <p>(2) The Port of Stockton shall not be responsible for any injury to freight on or in its facilities, by fire, leakage, evaporation, natural shrinkage, wastage, decay, animals, rats, mice, other rodents, moths, weevils, other insects, weather conditions, sweat moisture, the elements, or discharge of water from sprinkler fire protection system; for delay or damage resulting from breakdown of plant, machinery, other equipment, collapse of building or structure, insurrection, war, or shortage of labor, for delay, loss or damage arising from riots, strikes, labor or other disturbances of any persons or of any character beyond the control of the Port of Stockton.</p> <p>(3) All cargo, merchandise, or goods delivered to the Port of Stockton will be received subject to delay and/or substitution of carrier and subject to the terms and conditions of the water carrier's bill of lading, and/or tariffs in effect on the date of receipt for such water carrier.</p> <p>(4) Cargo, merchandise, or goods will be received on pallet boards only at the option of the Port of Stockton and when so received, the Port of Stockton will make no representation as to condition of the cargo or goods and will not assume any responsibility for shortage or damage concealed therein.</p> <p>(5) The provisions of this item will apply, the form and terms of any receiving and/or delivery documents notwithstanding.</p> <p>(6) The non-liability provisions in this tariff do not apply in the event that injury, loss, damages, or delays result from negligence by the Port. The Port does not impose on others the obligation to indemnify or hold harmless the Port from liability for its own negligence.</p>

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GENERAL RULES AND REGULATIONS

Item	Term	Application
90	Responsibility For Charges	<p data-bbox="646 348 1166 373">TERMS AND CONDITIONS OF PAYMENT:</p> <p data-bbox="646 411 1498 527">Use of Port facilities or service is conditioned upon satisfactory assurance of the Port that applicable charges will be paid when due. All charges are due and payable as they accrue or on completion of service or use.</p> <p data-bbox="646 562 1409 588">The Port may require payment of charges in advance, as follows:</p> <ol data-bbox="646 623 1498 863" style="list-style-type: none"><li data-bbox="646 623 1498 682">1. By the vessel, its owners or agents before vessel is assigned a berth and commences its loading or unloading operations.<li data-bbox="646 716 1498 774">2. By the cargo owner, shipper or consignee before cargo leaves the custody of the terminal.<li data-bbox="646 808 1498 863">3. For all charges on perishable cargo or cargo of doubtful value and household goods. <p data-bbox="646 896 1498 1041">Payment terms are cash unless the Port customer, prior to the use of Port facilities or services, has established credit worthiness or has posted adequate security acceptable to the Port and has thereby been relieved of cash payment requirements by the Port, as set forth in the Port of Stockton's Berth Application.</p> <p data-bbox="646 1075 1498 1163">The provisions of this item shall govern the terms of payment and liability of agents for users of Port facilities, notwithstanding any other provision to the contrary in this tariff.</p>

(1-68) FMC Docket 83-48

TERMINAL TARIFF NO. 5

GENERAL RULES AND REGULATIONS

Item	Term	Application
91	Finance Charges on Delinquent Accounts	<ol style="list-style-type: none"> 1. Invoices issued by the Port are due and payable upon presentation. 2. A Finance Charge of 1-1/2% per month will be charged on all unpaid balances outstanding over thirty (30) days from invoice date.
95	Hazardous	<p>No gunpowder or other explosives shall be discharged on or loaded upon any of the facilities covered by this tariff or structures or vessels, except by permission of the Port Superintendent, and must be handled in accordance with his direction, and must be immediately removed.</p> <p>Acids, coal oils and empty gasoline or distillate drums must be removed from the facilities at once. The keeping or use of gasoline, distillate, or other liquid petroleum products on the facilities under the control of the Port of Stockton, except at such localities as may be specifically designated therefore, is strictly prohibited.</p> <p>At such localities as may be designated for the keeping or use of gasoline, distillate, or other liquid petroleum products, these commodities shall be handled only between sunrise and sunset. Vessels shall be allowed to take these commodities on board only between 8 A.M. and 5 P.M., and when vessel is otherwise ready to depart.</p> <p>Delivery shall be made direct from motor trucks or rail cars to the vessel and the motor trucks or rail cars shall not be allowed to wait on the facilities.</p> <p>The Port of Stockton shall not be required to accept for transportation or hold on its facilities any commodity that may effect the rate of insurance or contaminate other goods, or otherwise endanger the property.</p> <p>Exception: Each stevedore company shall be allowed to have one drum of gasoline of not more than fifty (50) gallons mounted on wheels in their gear shed as emergency supply of gasoline.</p>
100	Estimated Weights - Petroleum Products	<p>When not shipped in case or barrel, etc., and when actual weight or measurement is not shown on the package or on shipping documents, petroleum and petroleum products shall be shipped to estimated weight of 6.6 pounds per gallon, except that crude, fuel or gas oil shall be subject to estimated weight of 7.4 pounds per gallon.</p>

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GENERAL RULES AND REGULATIONS

Item	Term	Application						
105	Board Foot Measure On Lumber Products	<p>When vessel's manifests do not show the board foot measurement on lumber products listed below the following schedule will be used to determine board foot measurement.</p> <table><tr><td>Lath (Standard Bundles)</td><td>50 bds. per 1,000 ft. B.M.</td></tr><tr><td>Shingles (Standard Bundles)</td><td>50 bds. per 1,000 ft. B.M.</td></tr><tr><td>Shakes (Standard Bundles)</td><td>100 bds. per 1,000 ft. B.M.</td></tr></table>	Lath (Standard Bundles)	50 bds. per 1,000 ft. B.M.	Shingles (Standard Bundles)	50 bds. per 1,000 ft. B.M.	Shakes (Standard Bundles)	100 bds. per 1,000 ft. B.M.
Lath (Standard Bundles)	50 bds. per 1,000 ft. B.M.							
Shingles (Standard Bundles)	50 bds. per 1,000 ft. B.M.							
Shakes (Standard Bundles)	100 bds. per 1,000 ft. B.M.							
106	Conversion Factor For Logs	<p>Wherever in this tariff rates on Logs are published on Brereton Scale the conversion factor to be used for rates on Scribner Scale will be 2.3 Scribner to 1.0 Brereton.</p> <p>Example: Brereton Scale \$1.00 Scribner Scale \$2.30</p>						
110	Receiving Special Commodities	<p>Commodities in Bulk, Grain, Logs, Fish Meal, Hides, Meat Scraps, Blood Meal, or Flammable Commodities, shall not be placed on facilities of the Port of Stockton without prior arrangements and approval of the Port Director or his authorized representative.</p> <p>Commodities in bulk shall only be accepted by prior arrangement with the Port of Stockton and any Storage and Handling charges thereon shall be negotiated.</p>						
115	Performing Accessorial Services	<p>No person other than the Port of Stockton shall be permitted to perform any of the following services on any of the facilities to which this tariff applies:</p> <table><tr><td>Rail Car Loading</td><td>Strapping</td><td>Fumigating</td></tr><tr><td>Rail Car Unloading</td><td>Stenciling</td><td>Weighing</td></tr></table> <p>and any other service which is accessorial to the wharfinger business. All such services which are performed in any such facility shall be performed by the Port of Stockton at the rates hereinafter specified.</p>	Rail Car Loading	Strapping	Fumigating	Rail Car Unloading	Stenciling	Weighing
Rail Car Loading	Strapping	Fumigating						
Rail Car Unloading	Stenciling	Weighing						

(Cont'd next page)

GENERAL RULES AND REGULATIONS

Item	Term	Application
115	Performing Accessorial Services (Cont'd)	<p>Exception 1: Stevedore companies shall be allowed to unload railroad cars when contents of such cars are being stevedored direct from railroad car to ship in the inland waterway or coastwise trade as defined in Item 5.</p> <p>Exception 2: Stevedore companies shall be allowed to load or unload railroad cars direct from or to ships when such railroad cars are open top equipment, namely flat cars and gondolas.</p>
120	Sampling	When requested to do so, the Port of Stockton will perform the service of sampling merchandise placed on any of the facilities subject to this tariff at agreed charge.
125	Removal of Rubbish	If rubbish is not removed from the facilities by the person placing it there, charges as provided in Item 600 shall be assessed against such person for its removal.
130	U.S. Government Cargo	<p>Cargoes for the account of the United States of America or its individual agencies will be subject to contract rules and regulations quoted by the Port of Stockton.</p> <p>U. S. Government cargo is defined as cargo where title has passed to the U. S. Government, and the U. S. Government bears direct responsibility for the payment of marine terminal rates and charges.</p>
131	U.S. Government Sponsored Cargo	U.S. Government Sponsored Cargo is defined as cargo moving under U.S. Government contracts, where the shipper bears direct responsibility for the payment of all charges until title passes to the U.S. Government. Cargo moving under this definition is considered commercial cargo, and subject to published tariff rates and charges for commercial cargo.
135	Demurrage on Cars	Unless the Port of Stockton is directly responsible for delay in loading or unloading cars, it will not assume any responsibility for demurrage charges which may accrue against such cars.
140	Minimum Charge	Unless otherwise specified in individual items, the minimum charge that shall be billed is \$130.99.

(1-10)

GENERAL RULES AND REGULATIONS

Item	Term	Application
145	Berthing Arrangements	<p>(1) The owner, agent, master or other person in control of a vessel desiring to use a wharf of the Port of Stockton shall at least 24 hours prior to arrival make application therefor and inform the Port of Stockton of the estimated time of arrival, nature of the cargo, and name of pilot.</p> <p>(2) All vessels berthing at the facilities at the Port of Stockton shall be subject to the provisions of this tariff and all regulations of the Port of Stockton as may be issued by the Director of the Port of his designated representative.</p> <p>(3) The Port of Stockton may require vessels to shift from one berth to another berth or may require vessels to shift within a berth or may require the vessel to vacate any berth with all expenses attendant thereto to be for the account of the vessel, owner, agent or charters.</p> <p>(4) UNAUTHORIZED DOCKING -- Any vessel that docks at the facilities under the jurisdiction of the Port of Stockton without having made application, or any vessel that docks at a berth that was not assigned to such vessel, shall pay dockage at a rate three (3) times the dockage charges that would otherwise apply under Item 315 of this tariff.</p> <p>Any vessel that remains docked at a berth after having been directed to shift or vacate such berth by Port Director or his duly authorized representative or any vessel that refuses to shift within a berth shall pay dockage at a rate ten (10) times the dockage charges that would otherwise apply under Item 315 of this tariff, and the Port of Stockton reserves the right to remove such vessel in accordance with Paragraph (3) of this item.</p> <p>(5) UNAUTHORIZED PILOTS -- Any vessel that arrives at the Port of Stockton without a pilot properly commissioned by the Port and docks at the facilities under the jurisdiction of the Port of Stockton will be charged ten (10) times the Dockage charges that would otherwise apply under Item 315 of this tariff.</p>

TERMINAL TARIFF NO. 5

DEFINITIONS OF TECHNICAL TERMS
Definition

Item Term

TERMINAL TARIFF NO. 5

GENERAL RULES AND REGULATIONS

Item	Term	Application
150	Straight Time	<p>Unless otherwise provided in individual items, all rates named in this tariff apply during straight time hours.</p> <p><u>Motor Vehicles and Vessels.</u> The straight time hours governing the receiving and delivery of cargo to or from trucks or vessels shall be as follows:</p> <p>Daily except Saturdays, Sundays and holidays:</p> <p>8:00 A.M. to 5:00 P.M.</p>

155	Overtime	<p><u>VESSELS</u></p> <p><u>Check Clerks</u></p> <p>When check clerks are provided during overtime hours, the difference in rates of pay for straight time and overtime based on hourly rates plus 30 percent shall be assessed. This charge is in addition to rates named for services on a straight timebasis. (Subject to minimum hours below).</p> <p>When check clerks are ordered to perform checking to or from vessel, and do not work the minimum hours required under labor contracts, the difference between the minimum and actual time worked will be billed against the vessel at hourly rates of pay, plus 90 percent.</p> <p><u>Labor Other Than Check Clerks</u></p> <p>Workmen other than check clerks shall be provided during overtime hours at the difference in rates of pay for straight time and overtime based on hourly rates plus 30 percent. This charge is in addition to rates named on straight time. (Will not apply to service being performed at rates in item 600).</p>
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TERMINAL TARIFF NO. 5

GENERAL RULES AND REGULATIONS

Item	Term	Application
155	Overtime (Cont'd)	<p data-bbox="651 348 760 371"><u>TRUCKS</u></p> <p data-bbox="708 411 1495 497">When clerks are required to check cargo from or to trucks during overtime or penalty hours, the charge for such services shall be subject to prior arrangements. Rates to be negotiated.</p>

OTHER THAN VESSELS OR TRUCKS

Check Clerks

When check clerks are provided during overtime hours, the difference in rates of pay for straight time and overtime, based on hourly rates plus 30 percent shall be assessed. When check clerks do not work the minimum hours required under labor contracts, the difference between the minimum and actual time worked will be billed at hourly rates of pay plus 90 percent. (Will not apply to services being performed at rates in Item 600).

Labor Other Than Check Clerks

Workmen other than check clerks shall be provided during overtime hours at the difference in rates of pay for straight time and overtime based on hourly rates plus 30 percent. This charge is in addition to rates named on a straight time basis. (Will not apply to services being performed at rates in Item 600).

160	Stand-By Time and Minimum Hours - Clerks	<p data-bbox="651 1165 824 1188"><u>Stand-By Time</u></p> <p data-bbox="651 1228 1495 1314">When check clerks are ordered for vessel and required to stand-by, full established hourly rates of pay, plus 90 percent, will be billed against the vessel.</p> <p data-bbox="651 1354 836 1377"><u>Minimum Hours</u></p> <p data-bbox="651 1417 1495 1524">When check clerks are ordered to perform checking to or from vessel, and do not work the minimum hours required under labor contracts, the difference between the minimum and actual time worked will be billed against the vessel at hourly rates of pay, plus 90 percent.</p>
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TERMINAL TARIFF NO. 5

GENERAL RULES AND REGULATIONS

Item	Term	Applications
165	Transshipment Cargo	When an ocean carrier, in the performance of its contract obligation under an ocean bill of lading, elects to transship cargo at its expense, to or from the Port of Stockton in lieu of a direct call of the vessel at Stockton, such ocean carrier shall be liable for Service and Facilities Charges and Wharfage Charges on the cargo in accordance with rates published in Sections I and III respectively. (See Item 5). Cargo will be received at Port of Stockton wharves (See Item 70), except when for terminal operating convenience, cargo may be received at other facilities operated by the Port of Stockton.
175	Shippers' Requests And Complaints	<p>(a) Requests and complaints from shippers on matters relating to the rates, rules and regulations contained in this tariff must be made to the Port of Stockton.</p> <p>(b) The Port of Stockton is a member of the California Association of Port Authorities, 1510 14th Street, Sacramento, California 95814. A shipper may refer to the Association any request or complaint, not satisfied by the Port of Stockton, by submitting all available data in writing to the Association.</p>
180	Access To Shipping Documents	Steamship agents, owners and masters shall be required to permit access to shipping documents for the purpose of ascertaining the necessary data to permit correct estimate of charges.
185	Special Watchman Service	<p>(a) When, due to rules and regulations of Federal, State or local authorities, the terminal is requested or required to provide Special Watchman Service in connection with cargo moving through its facilities, the terminal shall assess the cost of such watchman service to the cargo owner.</p> <p>(b) The Port reserves the right of prior approval for any outside agency retained to provide watchman services on behalf of any shipper, carrier or consignee.</p>

GENERAL RULES AND REGULATIONS

Item	Term	Applications
190	Discharge of Oily Waste	<p>In compliance with MARPOL 73-78, and upon request, the Port of Stockton will make available mobile reception facilities for the storage of bilge water contaminated with oil, grease, or other lubricant drippings from a ship's engine.</p> <p>The vessel so discharging shall be deemed the generator of said waste, and shall assume full liability for its ultimate disposal.</p> <p>Vessels shall arrange directly with the Port for discharge and shall have a complete chemical analysis conducted and obtain a generator number issued by the Environmental Protection Agency prior to discharge and shall arrange for proper disposal of the oily waste after discharge.</p> <p>The Port shall not be liable for any act, omission or negligence by the vessel/generator of the waste or the waste handler.</p>
195	Ship Emergency Response	<p>In the event of a ship emergency, including but not limited to fire, oil spillage, loss of power, grounding, or any other cause requiring assistance from the Port, all attendant costs thereto shall be billed to and collected from the vessel or vessel agent, as appropriate.</p>

TERMINAL TARIFF NO. 5

SECTION I

SERVICE AND FACILITIES CHARGES

RATES, RULES AND REGULATIONS

TERMINAL TARIFF NO. 5

Section I SERVICE AND FACILITIES CHARGES - RULES AND REGULATIONS

Item	Term	Application
200	Service And Facilities Charge - Definition Of	<p data-bbox="646 348 1498 531">Service and Facilities Charge is the charge assessed against vessels, their owners, agents or operators (See Note 2) which load or discharge cargo at the terminals for the use of terminal working areas in the receipt and delivery of cargo to and from vessels and for services in connection with the receipt, delivery, checking, care, custody and control of cargo required in the transfer of cargo (See Note 1):</p> <p data-bbox="646 562 1479 590">(a) From vessels to consignees, their agents or connecting carrier, or</p> <p data-bbox="646 621 1430 648">(b) From shippers, their agents or connecting carriers, to vessels.</p> <p data-bbox="646 680 1498 770">The foregoing does not include any services or facilities the charge for which is included in wharfage, dockage, wharf demurrage, wharf storage, or other individual charges.</p> <p data-bbox="646 802 1498 863">No person other than the Port of Stockton shall be permitted to perform the services covered by this definition.</p> <p data-bbox="646 894 1498 955">NOTE 1: Service and Facilities Charges shall be open to negotiation as to rates and payment.</p> <p data-bbox="646 987 1498 1257">NOTE 2: Service and facilities charge does not include any cargo handling, loading or unloading operations, or any labor other than that which is essential to performing the service. Clerks and labor required to check and sort cargo which vessel operator has not sorted according to steamship bill of lading at the time of discharge from the vessel, will be charged to the vessel at the man-hour rates named in Item 600 for the time consumed plus charges for the use of equipment.</p> <p data-bbox="646 1289 1498 1522">NOTE 3: Where the contract of affreightment establishes the responsibility as between the parties thereto for the payment of the service and facilities charge named in this tariff, such charge shall be borne by whomever shall be determined to be responsible under the contract of affreightment, but the full amount of such charge shall be billed to and paid by the vessel, its owners, agents or operators, to the terminal. Allocation</p>

(Cont'd next page)

TERMINAL TARIFF NO. 5

SECTION I

SERVICE AND FACILITIES CHARGES - RULES AND REGULATIONS

Item	Term	Application
200	Service and Facilities Charge - Definition Of (Cont'd)	or adjustment of this charge between vessel and cargo shall be made solely by the parties to the contract of affreightment, in accordance with the terms of such contract. The term "Contract of Affreightment" as used herein shall mean tariff, charter party, ocean rate or any other arrangements under which the vessel transports cargo.

TERMINAL TARIFF NO. 5

SECTION II

DOCKAGE

RATES, RULES AND REGULATIONS

TERMINAL TARIFF NO. 5

SECTION II

DOCKAGE – RULES AND REGULATIONS

Item	Term	Application
280	Definition Of Dockage	Dockage is the charge assessed against a vessel for berthing at a wharf, pier, or bulkhead structure, or bank, or for mooring to a vessel so berthed.
285	Basis For Computing Dockage Charges	<p>(1) Dockage shall be based on the overall length of the vessel as shown in Lloyd's Register. If length is not shown in Lloyd's Register, the ship's Certificate of Registry showing length of vessel will be accepted.</p> <p>(2) Vessels for which the overall length is not available in either Lloyd's Register or the Certificate of Registry named in paragraph (1) of this Item, shall be measured at the direction of the Port Director. When necessary to measure a vessel, the linear distance in feet shall be determined from the most forward point on the bow of the vessel to the aftermost part of the stern of the vessel, measured as parallel to the base line of the vessel.</p> <p>(3) In computing dockage charges based on overall length of vessel, the following will govern in the disposition of fractions:</p> <p style="padding-left: 40px;">Less than one-half (.5) meters, discard. One-half (.5) meters or more, increase to the next whole figure.</p> <p>(4) Dockage rates are per 24 hour day, or fraction thereof.</p> <p>(5) When a vessel changes its position from an outside berth to an inside berth, or vice-versa, or otherwise changes its status so that it would be liable to pay dockage at a different dockage rate, the dockage due under the changed status shall be assessed from the time such change takes effect; provided, however, that where the change in status occurs within a 24 hour period, the total charge for said 24 hour period shall be the higher dockage of either status.</p> <p>(6) Vessels on regular daily schedules leaving from and returning to the wharf shall not be assessed more than one full day's dockage in any 24 hour period.</p>

SECTION II

DOCKAGE – RULES AND REGULATIONS

Item	Term Dockage Period	Application
290		(a) Dockage shall commence upon a vessel when made fast to a wharf, pier, seawall structure or bank, or mooring to a vessel so berthed, and shall continue until such vessel is completely freed from and has vacated the berth. (b) No deductions shall be made for Sundays, Holidays, or on account of weather conditions. (c) To encourage more daytime transits of the Stockton Ship Channel, vessels arriving prior to 2200 hours which commence cargo operations the following day, shall be granted free dockage for either the period of time between their arrival and the start of cargo operations, or 0800 hours, whichever occurs first.
300	Application Of Dockage Rates And Charges	(a) Except as otherwise provided, dockage charges shall be assessed against all vessels in all trades at the full dockage rates provided in Item No. 315. (b) One-half of the full dockage shall be assessed against all vessels, except inland waterway vessels, when berthed off shore of a vessel that is paying full dockage. (c) Application of Increased Dockage Rates. Where the vessel berths prior to 12:00 o'clock midnight preceding the effective date of an increase in rates, dockage for the first 24 hours shall be computed at the rate in effect prior to the increase. The rate to be applied thereafter shall be the increased full or half dockage rate. In the case of a vessel relinquishing its berth after 12:00 o'clock midnight of the date on which the increased rates became effective, the full dockage or half dockage rate to be applied shall be the rate which was applicable at the start of such 24 hour or 12 hour period. (d) Ocean carriers calling at port wharves on a monthly basis under a marine terminal services agreement shall receive a 20% discount off the full dockage rates in Item 315. (e) Ocean carriers calling at port wharves on a weekly basis under a marine terminal services agreement shall receive a 50% discount off the full dockage rates in Item 315.
310	Vessels Moving From One Wharf To Another Or Returning To The Same	When a vessel is charged or has paid dockage at a public wharf for any 24 hour day, such vessel may use any other wharf during that day without further similar charge, no matter how often such vessel may leave and return, provided such other wharf is on Stockton Channel or Turning Basin or is east of the Turning Basin.

SECTION II

DOCKAGE RATES

Item	Term	Application		Length of Vessel- Overall In Meters		Rate Per 24 Hour Day		Length of Vessel- Overall In Meters		Rate Per 24 Hour Day	
		*Over	Not Over	Over	Not Over	Over	Not Over	Over	Not Over	Over	Not Over
315	Dockage Rates On Vessels Engaged In Coastwise And Offshore Trades	0	30	\$175	183.00	0.00		135	150		
				\$2,897.00	\$3027.00						
		30	45	259	\$271.00	0.00		150	165		
				3,659.00	\$3824.00						
		45	60	362	\$378.00	0.00		165	180		
				4,490.00	\$4692.00						
		60	75	493.00	\$515.00	0.00		180	195		
				5,401.00	\$5644.00						
		75	90	736.00	\$769.00	0.00		195	210		
				\$6699	6,411.00	0.00					
		90	105	1152.00	\$1204.00	0.00		210	225		
				\$7839	7,501.00	0.00					
		105	120	1,658.00	\$1733.00	0.00		225	240		
				\$9057.00	8,667.00	0.00					
120	135	2,233.00	\$2333.00	0.00		240	255				
		\$10380.00	9,933.00	0.00							
						255	270				
		\$11768.00	11,261.00	0.00							

* In the event that there is a conflict on "over", then the higher rate shall apply.

320 Dockage Rates - Inland Waterway Trade
 Vessels, tugs and barges engaged in the Inland Waterway Trade will be charged dockage according to how vessel is occupied as follows:

SECTION II

DOCKAGE RATES

Item	Term	Application	RATES IN CENTS PER LINEAL FOOT PER DAY OF 24 HOURS OR FRACTION THEREOF (except as noted)
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VESSELS OR BARGES

Handling passengers	2014 92
Handling cargo, NOS.....	96 92
Idle at cargo berth	2014 92
Idle at non-cargo berths	48 46
Loading supplies at cargo berths	92 96
Container on Barge, Utilizing the M580 Marine Highway Corridor between the Port of Stockton and the Port of Oakland...	22 22

SMALL CRAFT, UNDER 200 FEET IN LENGTH

_____ Vessels in Commercial Service, viz.: _____ Fishing Boats, Tour Boats, Supply _____ V Vessels, Construction Platforms	
_____ Handling cargo and/or supplies	92 96
_____ Handling Passengers	192 201
_____ Lay berth, idle at non-cargo berths	46 48
_____ Performing repairs or other work	9296 14
Vessels not in Commercial Service (Pleasure Craft)	
Performing repairs or other work	62 65
Handling supplies.....	46 48
Lay berth, idle at non-cargo berths	38 40

(Cont'd next page)

320 (Cont)	Dockage Rates - Inland Waterway Trade _____	Vessels, tugs and barges engaged in the Inland Waterway Trade will be charged dockage according to how vessel is occupied as follows: RATES IN CENTS PER LINEAL FOOT PER DAY OF 24 HOURS OR FRACTION THEREOF (except as noted)
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TUGS	Lay berth, idle	526 \$5.50 per foot per calendar Month, or fraction thereof
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325	Free Dockage	Dockage charges will not be assessed against combat vessels of the United States Government.
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SECTION II

DOCKAGE RATES

Item

Term

Application

TERMINAL TARIFF NO. 5

SECTION III

WHARFAGE

RATES, RULES AND REGULATIONS

TERMINAL TARIFF NO. 5
WHARFAGE - RULES AND REGULATIONS

SECTION III

Item	Term	Application
330	Definition Of Wharfage	Wharfage is the charge assessed against cargo or merchandise, vessel's stores, fuel and supplies for passage on, over, under or through any wharf, pier or seawall structure, inward or outward, or loaded or discharged while vessel is moored in any slip, basin, channel or canal.
335	Application Of Wharfage Rates	<p>(a) Except as otherwise provided in this tariff, wharfage shall be assessed in accordance with the schedule of rates set forth in Item No 365, subject to the provisions of this Section, and will be in addition to other charges named in this tariff.</p> <p>(b) Except as otherwise provided in individual items, the rates named are in cents per metric ton of 2,204.6 pounds (1,000 Kilos) or one cubic meter, according to vessel's manifest, on whichever basis the water freight is assessed.</p> <p>(c) On merchandise moving in Foreign and Offshore Trade, which is not covered by a regular commercial steamship line's manifest, and is not moving under regularly established commercial rates published in commercial tariffs, but is moving to or from ports that are served by vessels operating in regular trade routes, wharfage shall be assessed on the same basis of weight or measurement as the freight charges on such merchandise would have been computed on vessels operating in such regular trade routes under commercial tariffs and would have been shown on such regular commercial steamship lines' manifest, except as otherwise provided in individual items.</p> <p>(d) On merchandise which is moving on other than a weight or measure basis (e.g., per package, etc.) the wharfage charges shall be assessed as follows:</p> <p>(1) On merchandise moving in Inland Waterway, Coastwise and Intercoastal Trades, per 1,000 Kilos, except as otherwise provided in individual items.</p> <p>(2) On merchandise moving in Foreign and Offshore Trade, per 1,000 Kilos or one cubic meter, whichever will yield the greater revenue, except as otherwise provided in individual items and except that on fresh fruits or fresh vegetables manifested on a per package basis, wharfage shall be assessed per 1,000 Kilos.</p>

(Cont'd next page)

TERMINAL TARIFF NO. 5

SECTION III

WHARFAGE - RULES AND REGULATIONS

Item	Term	Application
335	Application Of Wharfage Rates (Cont'd)	<p>(3) On merchandise moving in vans or containers in Hawaiian Trade manifested on a per van or per container basis, wharfage shall be assessed on the gross weight of the contents per 1,000 Kilos.</p> <p>(4) When the ocean rate is based on a combination of weight and measurement, wharfage charges shall be computed on a measurement basis.</p>
340	Payment And Collection Of Wharfage	<p>Wharfage is due from the owners of the cargo or merchandise, vessel's stores, fuel and supplies on which wharfage is assessed. The collection of wharfage must be guaranteed by the vessel, her owners or agents, and the use of a wharf or wharves by the vessel, her owners or agents, shall be deemed an acceptance and acknowledgment of this guarantee. Wharfage shall be due and payable upon presentation.</p> <p>Wharfage rates do not include insurance, assorting, weighing, marking, sampling, inspecting, coopering, recording marked weights or numbers, or loading or unloading to or from railroad cars or motor vehicles, stevedoring, dunnaging, handling, customs charges, revenue stamps or fees of any nature imposed by the State or Federal Government against the shipment or vessels transporting the same.</p> <p>EXCEPTION: When it is requested that the wharfage charges be assessed and collected directly from the cargo owner or a Federal agency, and where satisfactory guarantee of payment is given to the Port of Stockton, the wharfage charges will be assessed and collected from the cargo owner or Federal Agency making the request in lieu of collection from the vessel as provided above.</p>
345	Articles On Which No Wharfage Will Be Charged	<p>Wharfage will not be charged on:</p> <p>(a) Stevedore gear brought on facilities for purpose of moving cargo or merchandise.</p> <p>(b) Baggage when accompanying travelers, not including automobiles.</p> <p>(c) On cargo which a vessel discharges and reloads, prior to departure, in order to load or discharge other cargo (overstowed cargo).</p>

SECTION III

WHARFAGE - RULES AND REGULATIONS

Item	Term	Application
350	Wharfage Applicable On Reshipped Cargo	Item Canceled.
355	Wharfage On Transshipped Cargo	Item Canceled.
360	Wharfage On Cargo Received Ex Inland Waterway Carrier	Item Canceled.

SECTION III

WHARFAGE – RATES

Item	Commodity	Rates In Cents
365 (Cont)	(Rates in cents per metric ton of 1,000 Kilos or one cubic meter, according to vessel's manifest, except as otherwise provided) (See Item Nos. 330 to 360 inclusive)	
	Liquids, N.O.S., in bulk, from or to vessel direct through pipeline, per 1,000 Kilos.....	334 <u>34</u> <u>9</u>
	Lumber and Lumber Products, viz.: (See Note 1 and 2)	
	Hardwood Lumber, Logs, or Timbers, per M.F.B.M.	
	Piles and Poles, per lineal foot	227 <u>42</u>
	Softwood Lumber, or Timbers, including Lath, Shingles, Shakes or Ties per M.F.B.M.	376 290 <u>30</u>
	Logs, softwood, per M.F.B.M. (Gross Scribner Scale)	3
	Ship Lining or Dunnage, per M.F.B.M.	
	<u>Note 1:</u> Lumber, piles, poles, or timbers discharged or loaded direct to or from the water of any slip, basin or channel, will be assessed the same wharfage applicable as if loaded or discharged over a wharf.	191 <u>82</u> <u>004</u>
	<u>Note 2:</u> When freighted by vessel on other than Board Measure basis, the Cargo N.O.S. rates for Wharfage will apply.	142 <u>71</u> <u>491</u> 191 <u>82</u> <u>004</u>
	Maxibags, cargo in bulk or in loose bags N.O.S. packaged in 1 metric ton or greater jumbo Maxi or sling bag units	
	Machinery, farm and construction equipment, N.O.S.	
	Metals, loose, in bundles or packages, viz.: Angles, bars, beams, blanks, bolts, channels, coils, ingots, nails, nuts, piling, sheet, stamping, structurals, tin plate, unfinished shapes, and wire including barbed wire, per 1,000 kilograms (Subject to Exceptions 1 & 2)	549 <u>54</u> <u>2</u>
	<u>EXCEPTION NO. 1:</u> When originating from or destined to OCP Territory as Defined below:	123 <u>21</u> <u>287</u>
	<u>Definition of OCP Territory:</u> OCP Territory is defined as origins or destinations in the United States located in North Dakota, South Dakota, Nebraska, Colorado, New Mexico and states east thereof and points in Canada east Of the Saskatchewan/Manitoba boundary line.	643 <u>67</u> <u>2</u>
	<u>EXCEPTION No. 2:</u> For annual volume exceeding 150,000 metric tons Per Contract Agreement	546 <u>53</u> <u>9</u>
	Metals, loose, or in bundles, viz: Pipe, Billets, Wire Rod, Rail, Rebar, Plate, per 1000 kilograms:	

(Cont'd next page)

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48
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SECTION II

DOCKAGE RATES

Item	Term	Application
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SECTION III

WHARFAGE – RATES

Item	Commodity	Rates In Cents
365 (Cont)	(Rates in cents per metric ton of 1,000 Kilos or one cubic meter, according to vessel's manifest, except as otherwise provided) (See item Nos. 330 to 360 inclusive)	
	Molasses, in bulk, from or to vessel or barge, direct through pipeline, per 1,000 Kilos	322336
	Passengers, embarking or disembarking, per passenger	443546 <u>35</u>
	Project Cargo, per 1000 Kilos	491420 <u>00</u>
	SlagPowder, in bulk	212222
	Sulfur, in bulk	582608
	Vehicles, motor, self-propelling, viz.: (See Exception) Automobiles, pleasure, passenger, commercial, or freight including chassis, freight trailers or freight semitrailers, not boxed or crated, S.U. on own wheels, per vehicle	367435 <u>46</u>
	<u>Exception:</u> Does not include agricultural, earth moving or road making Equipment. When boxed or crated, Machinery rates will apply.	

(6-83)

TERMINAL TARIFF NO. 5

SECTION III

WHARF DEMURRAGE AND STORAGE

RULES, RATES AND REGULATIONS

TERMINAL TARIFF NO. 5

SECTION IV WHARF DEMURRAGE AND STORAGE - RULES AND REGULATIONS

Item	Subject	Application
375	Definition Of Technical Terms	<p>(a) WHARF DEMURRAGE: Is the charge assessed against cargo not declared and accepted for Storage remaining on the facilities covered by this tariff beyond the free time period allowed.</p> <p>(b) WHARF STORAGE: The charge assessed after the expiration of free time for storage on cargo which has been declared and accepted for Daily or Monthly Storage.</p> <p>(c) FREE TIME: Is the specified number of days or part thereof during which cargo may occupy terminal facilities before being subject to Wharf Demurrage or Storage charges.</p>

380	Free Time Periods	<ol style="list-style-type: none"> The free time allowed for assembling outbound cargo shall commence at the first midnight following the unloading of cargo from barges, cars, vessels, or vehicles. The free time allowed for removing inbound cargo shall commence at the first midnight following the date vessel completes discharging of cargo. Free time terminates at midnight of the final day of the free time period or upon removal of the cargo from wharves whichever occurs first. The days during the loading or discharging operations of the vessel shall not be counted as wharf demurrage days on cargo actually loaded to or discharged from such vessels.
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Unless otherwise provided, the free time periods allowed, exclusive of Saturdays, Sundays and holidays, shall be as follows:

<u>TRADE</u>	<u>INBOUND</u>	<u>OUTBOUND</u>
Inland Waterway	5 days	5 days
Coastwise	5 days	5 days
Intercoastal	5 days	10 days
Foreign and Offshore N.O.S.	7 days	10 days

Cargo transshipped between vessels involving a long and short free time period shall be allowed the longer free time period but in no case shall such freight be allowed the aggregate of the inbound and the outbound free time periods.

(Cont'd next page)

SECTION IV WHARF DEMURRAGE AND STORAGE - RULES AND REGULATIONS

Item	Subject	Application
380	Free Time Periods (Cont'd)	<p>Exception No. 1:</p> <p>Outbound merchandise may remain on the wharves, premises or facilities of the Port of Stockton at the owner's risk at no charge for a period of time not to exceed ten (10) working days beyond the allowable free time if the vessel for which the cargo was originally intended is unable to call as scheduled. At the conclusion of this period wharf storage rates are automatically applied.</p> <p>5. <u>Assembly Time</u>: Upon Shipper's/Consignee's request and subject to terminal space availability, the Port Director may grant time of up to 20 days exclusive of Saturdays, Sundays and Holidays beyond the regular free time allowance provided for in this Tariff for assembling cargo lots aggregating 200 revenue tons or more which constitutes an export/import shipment for loading or unloading from a specifically named vessel.</p>
(7-1)	<hr/>	
381	Storage Under Strike Conditions	<p>Cargo which cannot be removed from the port due to a general water front strike of five calendar days or more, or work stoppage of water front labor engaged in handling cargo which curtails port operations for five calendar days or more, will be subject to the following:</p> <p>(a) <u>Cargo on Free Time</u>: Strikebound cargo will be continued on free time until the maximum free time allowed under this tariff has expired. Exception No. 1 of Item 380 will not be applicable in the computation of free time under the provisions of this item. Upon expiration of free time, storage charges will be assessed under the provisions of paragraph (b) of this item. Receiving and Delivery charges will not apply on strikebound cargo entering storage from free time.</p> <p>(b) <u>Cargo on Demurrage or Storage</u>: Cargo on Demurrage, Daily Storage, or Monthly Storage will be subject to either Daily or Monthly Storage under the storage rates in this Section, whichever results in the lowest charge during any calendar month in which the strike is in effect.</p> <p>(c) <u>Charges Applicable After Strike Ends</u>: Strikebound cargo remaining on hand the first day of the first calendar month following the end of the strike will be subject to Daily Storage, unless prior arrangements have been made with the Port for Monthly Storage.</p>

TERMINAL TARIFF NO. 5

SECTION IV WHARF DEMURRAGE AND STORAGE - RULES AND REGULATIONS

Item	Subject	Application
385	Application Of Rates (Subject to Note 1)	<p data-bbox="646 348 1498 468"><u>WHARF DEMURRAGE:</u> At the expiration of free time, the wharf demurrage rates shown in individual items of this tariff will apply on cargo remaining on terminal premises, unless and until arrangements for storage have been made with the Port of Stockton.</p> <p data-bbox="646 499 1498 619"><u>WHARF STORAGE:</u> Acceptance of freight for storage is at the option of the Port of Stockton. When conditions permit the acceptance of freight for storage, freight may remain where already placed, or may be moved and stored elsewhere on terminal facilities.</p> <p data-bbox="646 651 862 676">(a) Daily Storage:</p> <p data-bbox="646 707 1498 800">(1) Daily storage applies for a 24 hour period, or fraction thereof, commencing with midnight of one day to midnight of the following day and includes Saturdays, Sundays and holidays.</p> <p data-bbox="646 831 1498 951">(2) Cargo that has been accepted for daily storage can later, at the option of the Port of Stockton, be accepted for monthly storage effective with the date of acceptance for monthly storage. Cargo accepted for monthly storage cannot be reverted to daily storage.</p> <p data-bbox="646 982 894 1008">(b) Monthly Storage:</p> <p data-bbox="646 1039 1498 1283">(1) Except as otherwise provided in paragraph (2) hereof, monthly storage periods shall extend from a date in one calendar month to but not including the same date of the next and all succeeding calendar months, but if there be no corresponding date in the next succeeding calendar month it shall be extended to and include the last day of that month. When the last day of the final storage month falls on Sunday or a Legal Holiday the storage month shall be deemed to expire on the next succeeding business day.</p> <p data-bbox="646 1314 1498 1434">(2) Upon agreement between the terminal and the owner of the cargo or his agent monthly storage charges will not be computed under the provisions of paragraph (1) hereof but will, instead; be computed on the first of month balance system as follows:</p>

(Cont'd next page)

SECTION IV WHARF DEMURRAGE AND STORAGE - RULES AND REGULATIONS

Item	Subject	Application
385	Application Of Rates (Subject to Note 1) (Cont'd)	<p>(a) When the storage period commences on or before the fifteenth day of the month, a full month's storage shall be assessed for that month. A full month's storage shall be charged on the cargo on hand on the first day of the following month and for each succeeding month thereafter.</p> <p>(b) When the storage period commences after the fifteenth day of the month, storage charges for one-half month shall be assessed for that month. A full month's storage shall be charged on the cargo on hand on the first day of the following month and for each succeeding month thereafter.</p>

NOTE 1: Rates provided in this section will not apply on cargo described as "In Bulk or Bulk" (as described in Item No. 10) handled mechanically through specialized facilities.

390	Minimum Charge	<p>(a) <u>WHARF DEMURRAGE</u>: The minimum charge shall be \$127.30<u>33.03</u>.</p> <p>(b) <u>DAILY WHARF STORAGE</u>: When cargo is stored on a daily storage basis for a period of less than five (5) days, a minimum of five (5) days storage will be assessed, at the rates shown in individual items, subject to a minimum charge of \$33.03<u>27.30</u> per month or fraction thereof for each invoice issued.</p> <p>(c) <u>MONTHLY WHARF STORAGE</u>: The minimum storage charge shall be \$33.03<u>27.30</u> per month or fraction thereof.</p>
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400	Merchandise Remaining On Facilities Beyond Free Time	<p>The Port of Stockton may at its discretion allow freight remaining on hand after the expiration of free time and freight shut out at clearance of vessel to remain where situated to be piled or repiled to make space, to be transferred to other location or terminal facilities, or to be removed to public or private warehouses, with all expense and risk of loss and damage for the account of the owner, shipper, consignee, carrier, or terminal operator, as responsibility may appear.</p> <p>The provisions in this sub-rule are subject to sub-rule ADA, Item 85, Paragraph 6.</p>
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(1-10)

TERMINAL TARIFF NO. 5

SECTION IV WHARF DEMURRAGE AND STORAGE - RULES AND REGULATIONS

Item	Subject	Application
405	Transfer Of Ownership	Wharf demurrage charges, wharf storage charges and receiving and delivery charges, are for the account of the cargo and any transfer of ownership after the cargo is received on the terminal will not entitle cargo to additional free time by reason of such transfer of ownership.
410	Terminal's Liability	<p data-bbox="651 531 1498 863">(a) For the purpose of fixing the maximum limit of the terminal's liability for loss of or damage to cargo, the value of the cargo shall be conclusively presumed to be not in excess of 25 cents per pound (including all Government duties and excise taxes), unless a greater value shall be declared as hereinafter provided. At the time the cargo is placed in Wharf Demurrage or Storage the storer, subject to the provisions of Part (b) hereof, may declare in writing a value greater than 25 cents per pound, and in the event such declaration is made the value of the cargo shall be conclusively presumed to be not in excess of the value so declared. In no case shall the terminal's liability exceed the actual value of the cargo.</p> <p data-bbox="708 894 1498 1073">The limit of liability as provided in this rule shall apply separately and proportionately to each part of the stored cargo and the liability, if any, for any partial loss of, or damage to, any part thereof shall be limited to such portion of the actual loss or damage as shall be proportionate to the limitation of liability as herein provided with respect to such part.</p> <p data-bbox="651 1104 1498 1283">(b) In the event that storer elects to declare the value of cargo to be in excess of 25 cents per pound as provided in Part (a) hereof, the wharf demurrage or storage rate or minimum charge applicable thereto will be subject to an additional charge per day, period or month as shown in connection with applicable rate equal to 1/4 of one percent of the excess value so declared.</p> <p data-bbox="708 1314 1498 1404">Where the value of cargo changes after storer's original declaration, it will be incumbent upon storer to declare a new value in writing in order to obtain a revision of charges under this rule.</p>

SECTION IV

WHARF DEMURRAGE AND STORAGE – RATES

Item	Subject	Application
415	Wharf Demurrage Rates	(In cents per 1,000 Kilos or cubic meter or other unit on the same basis as wharfage is assessed, except as otherwise shown.) (Including Saturdays, Sundays and Holidays)

COMMODITY	FOR THE FIRST 5 DAYS OR FRACTION THEREOF	FOR EACH ADDITIONAL DAY OR FRACTION THEREOF
Merchandise, N.O.S.....	225 <u>235</u>	445 <u>465</u>
Lath, per 60 bundles or fraction thereof	247 <u>227</u>	434 <u>454</u>
Lumber, per M.F.B.M., or fraction thereof	247 <u>227</u>	434 <u>454</u>
Vehicles, motor (as described in Item No. 370), on wheels or treads	602 <u>629</u>	4206 <u>1260</u>
Merchandise, in containers, as defined in Item 60, when Wharfage is assessed per container.		
Under 7 meters	4170 <u>4358</u>	8680 <u>306</u>
Between 7 and 9 meters	5050 <u>5277</u>	10558 <u>10403</u>
Over 9 meters	8306 <u>8680</u>	46454 <u>17194</u>

EXCEPTION: Cargo Containers utilizing the Container on Barge Service M580 Marine Highway Corridor between the Port of Stockton and the Port of Oakland will be exempt of wharf demurrage and storage

SECTION IV

WHARF DEMURRAGE AND STORAGE – RATES

Item	Subject	Application
420	Wharf Demurage & Storage	(In Cents per 1,000 Kilos, except as otherwise shown) Storage Rates Column A - Daily Storage Rates, per day or fraction thereof, Saturdays, Sundays and Holidays inclusive. Column B - Monthly Storage Rates, per month or fraction thereof.

COMMODITY	COLUMN A	COLUMN B
Cargo, in bond (See Item 440)	(No Monthly Rates)	
Cargo, N.O.S. (See Note A)	2829	322336
NOTE A: In cents per 1,000 Kilos or cubic meter or other unit, on the same basis as Wharfage is assessed.		
Cargo, N.O.S. - When held in uncovered areas (See Note 1)	1920	280293
NOTE 1: When outside uncovered storage is requested by shipper or consignee of cargo. Will not apply where commodity rates are specifically named for either covered or uncovered storage.		
Canned Goods, N.O.S., in packages (except dried, dehydrated, or frozen)	1920	235246
Cotton, in bales	2223	343358
Fertilizers, N.O.S.	1920	232242
Fruit, dried, in bags or cases	1920	232242
Household Goods (See Personal Effects).....	-	-

(7-78)

SECTION IV

WHARF DEMURRAGE AND STORAGE – RATES

Item	Subject	Application
		(In Cents per 1,000 Kilos, except as otherwise shown)
425	Wharf Storage Rates	Column A - Daily Storage Rates , per day or fraction thereof Saturdays, Sundays and Holidays inclusive. Column B - Monthly Storage Rates per month or fraction thereof.

COMMODITY	COLUMN A	COLUMN B
Iron or steel articles, N.O.S., when held in covered areas.....	<u>2829</u>	<u>244220</u>
Lumber, in covered areas, per M.F.B.M.	<u>5456</u>	-
Lumber and Forest Products, in open areas (See Item 435).....	-	-
Nails, iron or steel, in cartons or kegs	<u>2829</u>	<u>244220</u>
Newsprint, in rolls	<u>164168</u>	<u>184192</u>
Personal Effects or Household Goods	<u>6669</u>	<u>405110</u>
Asbestos and/or cement, when held in uncovered areas.....	<u>2829</u>	<u>260272</u>
Pipe, N.O.S., Iron or Steel	<u>3233</u>	<u>362378</u>
Plywood, or Veneer, N.O.S., in packages	<u>4345</u>	<u>511534</u>
Plywood or Veneer, Imported, in packages (not subject to delivery by package numbers).....	-	<u>354370</u>

SECTION IV

WHARF DEMURRAGE AND STORAGE – RATES

Item	Subject	Application
440	Wharf Storage - Cargo In Bond	ITEM CANCELLED

TERMINAL TARIFF NO. 5

SECTION V

RAIL CAR

LOADING AND UNLOADING

RULES, RATES AND REGULATIONS

TERMINAL TARIFF NO. 5

SECTION V RAIL CAR LOADING AND UNLOADING - RULES AND REGULATIONS

Item	Subject	Application
450	Application Of Rates	<p>(a) BOX CARS AND FLAT CARS: The rates shown in this section are for loading and unloading box cars and flat cars only, except as otherwise provided.</p> <p>(b) GONDOLA CARS: When the service of loading to gondola cars from dock or for unloading from gondola cars to dock is performed by the terminal, the charge for the labor employed shall be assessed on a man-hour basis at the rates shown in Item No. 600 observing rates applicable to box and flat cars as minimum.</p> <p>(c) OPEN CARS - DIRECT LOADING AND UNLOADING:</p> <p>(d) CLOSED CARS - DIRECT LOADING AND UNLOADING: When the service of loading or unloading closed cars is performed by ship's stevedoring company, the Port of Stockton will collect the applicable rates shown in this section and will pay the stevedoring company 50% thereof (see Exceptions).</p> <p>EXCEPTION 1: The Port of Stockton will not participate in such revenue when commodities are handled in bulk.</p> <p>EXCEPTION 2: Not applicable to cargo unloaded from cars for direct delivery to British Columbia, Coastwise or Inland waterway vessels, in cases where the lawful freight rates of such vessels are published to include the car unloading service.</p> <p>(e) MIXED SHIPMENTS OF FIVE OR MORE MARKS OR COMMODITIES (Will not apply on containerized cargo) Except as otherwise provided in individual items:</p> <p>(1) When two but not more than four differently rated commodities are loaded to or unloaded from one car, the individual rate named herein will be assessed on each commodity. If no specific commodity rate is named on a particular commodity, the rates applicable to Merchandise, N.O.S., will apply.</p>

(Cont'd next page)

TERMINAL TARIFF NO. 5

SECTION V RAIL CAR LOADING AND UNLOADING - RULES AND REGULATIONS

Item	Subject	Application
450	Application Of Rates (Cont'd)	<p>(2) When five or more commodities are loaded to or unloaded from cars, the rates provided in Item 505 of this tariff shall apply to the entire weight contained in the car. (Subject to Note 1 below).</p> <p>(3) When five or more marks are loaded to or unloaded from cars, the rates provided in Item 505 of this tariff shall apply to the entire weight contained in the car. (Subject to Note 1 below.)</p> <p>NOTE 1: In no case shall the amount to be billed under the provisions of Item 505 be less than the amount of the charge computed at the applicable rates provided in individual items of Section V of this tariff.</p>
455	Dunnage Or Loader Equipment	<p>(a) Actual cost will be charged for all dunnage, stakes, bolsters, wire, other material or bracing used in loading cars, also for paper used when it is necessary to line cars; (See (b))</p> <p>(b) The man-hour rates appearing in Item No. 600 shall be charged for the labor employed;</p> <ol style="list-style-type: none"> 1. In placing dunnage, bracing, lining or other material in cars; 2. These charges are in addition to charges named in individual items covering loading and unloading services.
460	Outside Heavy Lift Equipment	<p>When outside heavy lift equipment is employed by the terminal to lift heavy pieces or packages to or from cars, the person or persons for whom the operation is performed shall be billed the actual amount paid by the terminal for the use of such equipment. The charge for the labor employed shall be assessed on a man-hour basis at the rates shown in Item No. 600. Minimum Charge: The amount to be billed under this rule shall be in no case less than the amount of the charge computed at the applicable rates shown in the individual items of this section.</p>

TERMINAL TARIFF NO. 5

SECTION V RAIL CAR LOADING AND UNLOADING - RULES AND REGULATIONS

Item	Subject	Application
465	Heavy Lifts	When it is necessary for the Port of Stockton to use equipment exceeding 5,000 lbs. capacity for the loading or unloading of rail cars, charges will be based on man-hour rates shown in Item No. 600, plus equipment used. Charges assessed shall not be lower than the charges which would accrue upon the same articles under rates named in this section.

471	Basis For Rate On <u>Unitized</u> Cargo	<p>Except as otherwise provided in individual items of this tariff:</p> <p>(a) Rates provided in Section V of this tariff apply to the loading or unloading of cargo to or from railroad freight cars.</p> <p>(b) Subject to the provisions of Notes 1, 2 and 3 hereof, when rail cars containing unitized cargo are received for <u>unloading</u>, or when shipments are received completely unitized for <u>loading</u> to rail cars, at docks, piers or wharves, in indirect transfer between car and vessel, and when the condition of lading is such as will permit complete unloading from, or loading to, rail cars by means of terminal fork lift equipment, the applicable rate will be made as follows: Apply 75 per-cent of the applicable rate provided in Section V of this tariff.</p>
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NOTE 1: The provisions of this item will not apply when specific rates are provided in individual items of this tariff for palletized or unitized cargo.

NOTE 2: If upon arrival of cars for unloading, or if lading to be loaded to cars is found to be in such condition as to require labor in addition to fork lift and operator to unload or load rail cars, charges provided in Item 600 shall apply to each extra man required, in addition to the rate or charge provided by application of Paragraph (b) hereof.

NOTE 3: In computing or applying charges under the provisions of this item, fractions will be disposed of as follows: Fractions of less than one-half (.5) will be dropped; Fractions of one-half (.5) or greater will be increased to the next higher whole cent.

TERMINAL TARIFF NO. 5

SECTION V

RATES FOR LOADING AND UNLOADING RAIL CARS

Item	Commodity	RATES APPLY FROM DOCK OR TO DOCK	Rates	
			Loading	Unloading
475	Cargo, N.O.S.	Subject to quotation upon request.		

(2-68)

TERMINAL TARIFF NO. 5

SECTION VI

MISCELLANEOUS CHARGES

SECTION VI

MISCELLANEOUS CHARGES

Item	Subject	Application
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TERMINAL TARIFF NO. 5

DEFINITIONS OF TECHNICAL TERMS

Item 600 Term Charges For Services For Which Specific Rates Are Not Otherwise Provided

Definition Man-Hour Rate Schedule. When the Port of Stockton performs services for which rates are not provided elsewhere in this tariff or when reference is made to this item, the charge shall be per hour at the applicable man-hour rates provided in the following schedule, plus cost of materials used, plus any equipment rentals.

EXCEPTION

1. When labor is provided by the Port of Stockton during a "third shift" operation under terms of its wage agreement with labor, the hourly rate shall be computed on the basis of 1.6 times the straight time rate. In the event of overtime, the "third shift" rate shall be 1.8 times the straight time rate.

Hourly Rate Schedule.

	Straight Time (See Note 1)	O.T.	Weekends
	S.T RATE IS	WEEKDAY O.T. RATE IS	WEEKEND O.T. RATE IS
Facility Maintenance Man	\$133.34 133.34	\$ 199.90 199.90	199.90 199.90
.....	\$199.90 199.90		
Mechanic Maintenance Man.....	135.30 135.30	202.76 202.76	202.76 202.76
.....	202.76 202.76		
Working Maintenance Man.....	145.40 145.40	218.18 218.18	218.18 218.18
.....	218.18 218.18		
Longshoreman.....	172.31 172.31	188.22 188.22	188.22 188.22
.....	208.09 208.09		
Basic Clerk.....	176.30 176.30	188.42 188.42	188.42 188.42
.....	208.55 208.55		
Lift Driver/Cooper/Truck Driver..	177.28 177.28	188.76 188.76	188.76 188.76
.....	214.50 214.50		
Bulldozer Operator.....	178.43 178.43	190.06 190.06	190.06 190.06
.....	216.13 216.13		
Heavy Lift Operator.....	179.28 179.28	194.36 194.36	194.36 194.36
.....	218.84 218.84		
Crane Operator.....	184.08 184.08	191.21 191.21	191.21 191.21
.....	223.56 223.56		
Longshore Gearman.....	213.06 213.06	236.93 236.93	236.93 236.93
.....	247.57 247.57		
Supervisor Clerk	218.67 218.67	230.81 230.81	230.81 230.81
.....	292.00 292.00		
Super Cargo	268.00 268.00	304.77 304.77	304.77 304.77
.....	319.72 319.72		
Walking Boss.....	275.59 275.59	304.77 304.77	304.77 304.77
.....	311.23 311.23		
Port Police Officer	137.88 137.88	206.84 206.84	206.84 206.84
.....	206.84 206.84		

ISSUED: AUGUST 7, 2007

PORT OF STOCKTON

EFFECTIVE: AUGUST 15, 2007

NOTE 1: STRAIGHT TIME shall apply during the hours of 8:00 A.M. and 5:00 P.M., Monday through Friday, except Holidays (See Item 25).

TERMINAL TARIFF NO. 5

DEFINITIONS OF TECHNICAL TERMS
Definition

Item

Term

(1-3)

SECTION VI

MISCELLANEOUS CHARGES

Item	Subject	Application
605	Taking, Releasing And Shifting Lines (Subject to Notes 1 & 2)	<p>The Port of Stockton reserves to itself the right to perform the service of taking, releasing and shifting of vessels' lines on its terminal facilities.</p> <p>Linemen will be ordered by the Port. The Port must receive a minimum of two hours advance notice prior to ordering linemen. If less than two hours advance notice is received by the Port to call linemen the Port will attempt to order men but the charge will be one and one- half times the regular tariff rate.</p>

LINE SERVICE CHARGES

	Taking Lines	Releasing Lines (See Note 1)
All hours, including Saturdays, Sundays and Holidays	\$ 4,426.00 <u>4507</u>	\$ 3261,202.00

- NOTE 1: Releasing lines for Vessels over 185 Meters in length and Tankers will be assessed at the same charge as for Taking Lines.
- NOTE 2: Ships with cable lines may require additional linemen, time to be charged at \$~~218222~~.00 per Man Hour on Straight Time, \$~~2572~~.00 per Man-Hour on Overtime.
- NOTE 3: Ships that call on Dock 12/13 shall be required to hire 2 extra men for taking and receiving mooring lines; and said charge will be assessed at man hour rates.

Line Haul: # of men X 4 hours X rate (above) = Line Haul

(8-7)

SECTION VI

MISCELLANEOUS CHARGES

Item	Subject	Application
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640610	Connecting And Disconnecting Hoses, Booster Pumps and Accessories (Subject To Notes 1, and 2)	The Port of Stockton reserves to itself the right to perform the service of Connecting and/or Disconnecting Pipeline Hoses, Booster Pumps and Accessories on its terminal facilities. Charges for the performance of these services shall be determined as follows: Compute the time from time men report for duty, as called at the request of carriers, until the hoses are connected or disconnected: Subject to a three hour minimum per gang. Booster Pumps and accessories subject to 1.5 hour minimum per gang.
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CONNECTING OR DISCONNECTING HOSES, BOOSTER PUMPS AND ACCESSORIES

Monday thru Friday Between the Hours of:

8:01 A.M. - 5:00 P.M.....	\$ 218222 .00 per man-hour
5:01 P.M. - 8:00 A.M.....	\$ 2572 .00 per man-hour

Saturdays, Sundays, & Holidays

All Hours	\$ 2572 .00 per man-hour
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NOTE 1: The rates published in this item are based on a six (6) man gang for either Connecting or Disconnecting pipeline hoses, Booster Pumps or Accessories. Charges for these men shall be on an hourly basis as shown above.

NOTE 2: Coast Guard Regulations: Coast Guard Regulations require two (2) additional men to standby at the beginning of pumping operation to insure that fluids are not leaking from hoses. These men shall be charged on the same hourly basis as shown above.

(8-34)

SECTION VI

MISCELLANEOUS CHARGES

Item	Subject	Application	Rates In Cents
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(Rates in cents per metric ton of 1,000 Kilos or one cubic meter, according to vessel's manifest, except as otherwise provided)

700	Transfer to Receiving		436
		

Is the charge assessed against cargo that is discharged and transferred to a designated off dock facility for storage, load out and/or delivery

710	Receiving Area Free Time Period		
	Free time for removing cargo from Receiving Area shall be 30 calendar days.		

720	Receiving Area Demurrage		589
		

Is the charge assessed against cargo remaining in the Receiving Area beyond the allowable free time period.

730	For items 700 - 720 The minimum charge that shall be billed is \$130.99 <u>136.88</u>		
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TERMINAL TARIFF NO. 5

SECTION VI

MISCELLANEOUS CHARGES

Item	Subject	Application
809	Inspection	Rates shall be quoted upon request.

DESCRIPTION OF SERVICE RENDERED

810	Supplying Stencils	When special stencils are required, actual cost of stencils will be assessed in addition to the Stenciling Charges.
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(8-88)

TERMINAL TARIFF NO. 5

SECTION VI

MISCELLANEOUS CHARGES

Item	Subject	Description of Service Rendered	Rate
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(Rates in Cents per Unit as Shown in Individual Items)

815	Cotton And Cotton Linters; In Bales	<p>Blocking out marks, N.O.S. Blocking out marks simultaneously with weighing, marking, car loading or car unloading (See Note 1) Delivery by specific bale number: When forwarded or delivered in lots other than originally received and requiring delivery by specific bale numbers. Marking: N.O.S., one mark of not more than four letters or numerals. One mark of not more than four letters or numerals, simultaneously with weighing, car loading, or car unloading (See Note 1). Each additional mark of not more than four letters or numerals. Sampling, N.O.S. Tagging: N.O.S., with tag supplied by shipper. With one tag supplied by shipper, simultaneously with weighing, marking, car loading or car unloading (See Note 1). Each additional tag (supplied by shipper). Weighing, N.O.S. Weighing, simultaneously with car loading or car unloading (See Note 1).</p>	<p>Rates canceled. Charges for the labor employed for services described herein all be assessed on a man-hour basis at the rates names in Item 600.</p>
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NOTE 1: Applies only when the combined services are performed by terminal personnel.

TERMINAL TARIFF NO. 5

SECTION VI

MISCELLANEOUS CHARGES

Item	Definitions	DEFINITIONS AND SERVICE
		(Rates in Cents per Unit as Shown in Individual Items)
830	Stenciling	Supplying the stencil board, cutting the stencil and applying it to the package by use of stencil ink or paint.
	Marking	Applying address, numbers, or mark, by stenciling or other hand operated marker.
	Labeling	Applying a paper label to the package, with label supplied by shipper.
	Tagging	Attaching tags to package or pieces, with tags supplied by shipper.

		DESCRIPTION OF SERVICE RENDERED	Rates In Cents Per Stencil, Mark, Label or Tag
835	Stenciling, Marking, Labeling Or Tagging	Bags or Sacks Bales, barrels, casks, drums or hogsheads Cases or cartons.....	For Rates to Apply See Item 600
	Blocking Out Original Marks	On bags or sacks..... On bales, barrels, casks, drums or hogsheads On cases or cartons	
	Blocking Out Original Marks, And Applying New Stencils, Marks, Labels or Tags	Performed Pursuant to Rates In Item 600.	

TERMINAL TARIFF NO. 5

SECTION VI

MISCELLANEOUS CHARGES

Item

Definitions

DEFINITIONS AND SERVICE

(Rates in Cents Per Unit as Shown in Individual Items)

Rates In Cents
 Per Package

840

Marking Export
 Cargo For
 Approved
 Relief
 Agencies

Marking rates on relief cargoes shipped by
 Voluntary Relief Agencies, registered and
 approved by the Advisory Committee on voluntary
 Aid of the International Corporation Administration
 (I.C.A.), shall be as follows:

Marking Paper Bags or Cartons containing Butter
 Oil, Cheese, Corn Meal, Flour or Milk, dried:
 Marking:
 Cartons (per carton)
 Bags (per bag)
 Applying Paper Markers (Gummed
 Stickers):
 To cartons (per carton)
 To bags (per bag)

For Rates to
 Apply See
 Item 600

855

Placing Cargo
 On Pallet
 Boards
 (Does not
 include truck
 loading or
 rail car
 loading)

When the Port of Stockton performs the service of
 placing cargo on pallet boards to be furnished by
 shipper for the purpose of removing cargo from
 the terminal via land or inland water carriers,
 charge for such service shall be:

Cargo or Merchandise, N.O.S. - Per 1,000 Kilos

Rate

 For Rates to
 Apply See
 Item 600

860

Removing Cargo
 From Pallet
 Boards
 (Does not
 include truck
 unloading or
 rail car
 unloading)

When the Port of Stockton performs the service of
 removing cargo from shipper's pallet boards so as
 to permit the pallet boards to be returned to
 shippers, the charge shall be:

Cargo or Merchandise, N.O.S. - Per 1,000 Kilos

For Rates to
 Apply See
 Item 600

865

Furnishing
 Electricity

Electricity will be furnished by the Port of Stockton subject to negotiation
 and to the prevailing market rates.

(8-78)

SECTION VI

MISCELLANEOUS CHARGES

Item	Definitions	DEFINITIONS OF SERVICE RENDERED	Rate
866	Cargo Returned To Shipper	Cargo returned to shipper is subject to quotation upon request.....	2115
<p>NOTE: Rate includes Wharfage and ten days free time, exclusive of Saturdays and Holidays, but does not include any labor for handling cargo.</p>			
<p>EXCEPTION: This Item does not apply on transshipment cargo when transshipment is substituted for direct call of vessel.</p>			
870	Furnishing Oil And Gasoline	Oil and gasoline will be furnished by the Port of Stockton subject to negotiation and to the prevailing market rates.	
875	Furnishing Water	Water will be furnished by the Port of Stockton subject to negotiation and to the prevailing market rates.	
<p>Does not apply to water supplied to vessels. (See Item 881)</p>			
880	Furnishing Gas	Gas will be furnished by the Port of Stockton subject to negotiation and to the prevailing market rates.	
881	Supplying Water To Vessels	Water supplied to vessels, per vessel call - \$43920.00	
<p>NOTE: The Port reserves the right to limit the availability of water.</p>			
<p>(8-131)</p>			
882	Hauling And Disposal Of Vessel Generated Garbage	In compliance with MARPOL 73-78, Annex V, the Port of Stockton, upon 24 hours notice, will make available garbage reception facilities for disposal of vessel's garbage as described in 33 Code of Federal Regulations Part 158. Application for this service shall be made to the Port Director or his designated representative.	
<p>The charge for this service shall be quoted upon request.</p>			
<p>(8-158)</p>			

SECTION VI

MISCELLANEOUS CHARGES

Item	Definitions
883	Oil Spill Response Fee

DEFINITIONS OF SERVICE RENDERED

In compliance with the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990, effective July 1, 1991 the Port of Stockton is required to assess an oil spill response fee of \$0.25 per barrel, as follows:

- (1) For each barrel of petroleum products received at its marine terminal by means of vessel from a point of origin outside the state of California.
- (2) For each barrel of crude oil that is transported from within the state of California by means of marine vessel or barge to a destination outside this state.

The fee will be assessed and collected from the beneficial owner of the cargo or other responsible party, as the case may be.

For purposes of this part a barrel is defined as either 42 gallons (US) or 158.987 liters (Metric).

884	Bagged Rice Surcharge	Item Cancelled.
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TERMINAL TARIFF NO. 5

SECTION VII

EQUIPMENT RENTALS

TERMINAL TARIFF NO. 5

SECTION VII

EQUIPMENT RENTALS

Item	Subject	Application
885	Rules And Regulations	<p>Port equipment shall be rented under the following conditions and charges:</p> <ol style="list-style-type: none"><li data-bbox="634 443 1487 678">1. Port equipment is presumed to be in good operating condition when turned over to user, but the Port of Stockton does not warrant the mechanical condition thereof. The Port of Stockton will not be responsible for delays caused user by breakdown of equipment, by shutoff of electric current, or other causes. The Port of Stockton reserves the right to stop operation of the equipment at any time to require repairs that appear, in the opinion of the Port Director, to be necessary.<li data-bbox="634 716 1487 1283">2. Port equipment turned over to user is under user's supervision, direction and control. User assumes sole responsibility and liability for injury to or death of any person whomever, or damage to or destruction of property, including employees and property of the Port of Stockton, incident to, arising out of, or caused by user's possession, use or operation of Port equipment. User shall at all times relieve, indemnify, protect and hold harmless the Port of Stockton and any and all of the members of its Board, officers, agents, representatives and employees from any and all judgments and expenses incurred in defending against legal actions, claims and liability for death of or injury to persons or damage to or destruction of property that may be in whole or in part incident to, arise out of, or be caused, directly or indirectly through negligence or otherwise, by the user's possession, use or operation of said Port equipment whether by user, its officers, agents, or employees, or by any person or persons acting with the knowledge and consent, express or implied of user. The use of Port equipment shall constitute acceptance and acknowledgment by the user of this liability and obligation.<li data-bbox="634 1320 1487 1373">3. Users shall not use or operate equipment so as to exceed the maximum rated capacity.<li data-bbox="634 1411 1487 1705">4. Except as may be provided by any agreement, normal repair and maintenance of equipment shall be performed by the Port of Stockton, however, the Port does not warrant the condition thereof. Such repair and maintenance shall not relieve a user of its obligation to inspect equipment to assure that it is fit and suitable for the use for which it is intended. User shall make an inspection prior to use and thereafter as often as is necessary to assure that the equipment is suitable for its intended use. User shall immediately notify the Port Director of any defect, whether actual or merely suspected.

(Cont'd next page)

SECTION VII

EQUIPMENT RENTALS

Item	Subject	Application
885	Rules and Regulations	<ol style="list-style-type: none"> <li data-bbox="634 348 1487 747">5. A user shall be responsible for any and all damage to or destruction of equipment, and for all repairs required to be made other than for normal repair and maintenance. "Normal repair and maintenance" is defined to mean all repair and maintenance deemed to be necessary by the Port Director, except such repair as may be required in the event of damage to or destruction of the equipment, in whole or in part, incidental to, arising out of, or caused by, directly or indirectly, user's possession, use or operation of said equipment, whether by user, its officers, agents, or employees, or by any person or persons acting with the knowledge and express or implied consent of user. The Port Director reserves the right to stop the operation of any equipment at any time if it does not appear to be in proper operating condition and to make necessary repairs. <li data-bbox="634 768 1487 957">6. Neither the Port, nor any of its officers or employees, shall be responsible for delays attributable to any cause, event or occurrence of whatever nature to vessels, land transportation equipment, or cargo, or for any expenses, costs, or damages incurred by user or any other person which arises out of the use of anticipated use of equipment. <li data-bbox="634 978 1390 1010">7. User subject to insurance provisions of the Port of Stockton. <li data-bbox="634 1041 1487 1188">8. Unless otherwise arranged, orders for rental of equipment shall be honored in the order in which they are received, provided that use of equipment in direct loading or discharge of vessels shall take precedence over intra terminal use, and intra terminal work shall take precedence over use extending beyond the terminal limits. <li data-bbox="634 1220 1487 1283">9. The provisions in this sub-rule are subject to sub-rule ADA, Item 85, Paragraph 6.

SECTION VII

EQUIPMENT RENTALS

Item	Subject	Application	Rate Per Hour	Four Hour Minimum Charge
890	Equipment Rental Charges (Subject To Item 885)	TYPE OF EQUIPMENT		
		<u>Lift Trucks:</u>		
		<u>Rated Capacity Not Exceeding</u>		
		7,000 Lbs. (3-1/2 Tons)	\$60.27 62.98	\$241.08 25
		15,000 Lbs. (7-1/2 Tons)	125.96 120.5	1.93
		20,000 Lbs. (10 Tons)	4	503.86 482.
		50,000 Lbs. (25 Tons)	142.39 136.2	16
		60,000 Lbs. (30 Tons)	6	569.57 545.
		90,000 Lbs. (45 Tons) Reachstacker	228.67 218.8	04
		Unmanned and Dry	2	914.67 875.
			290.28 277.7	28
			8	1161.12 1,1
			435.42 416.6	41.12
			7	1741.68 1,6
				66.68

TERMINAL TARIFF NO. 5

DEFINITIONS OF TECHNICAL TERMS

Definition

Item

Term

Miscellaneous Equipment:

D-7 Caterpillar	201.60492.9	810.59775.68
Mechanical Sweeper	2	68
Port Truck & Trailer (20 ton maximum) ..	142.39436.2	569.5645.0
Front End Loaders - 1-1/2 Yards & Less	6	4
Front End Loaders - 3-1/2 Yards & Less	142.39436.2	569.5645.0
Front End Loaders - 5 Yards & Less.....	6	4
Trackmobile	104.0699.58	416.24398.32
Multi-Purpose Bridge Crane.....	142.39436.2	32
Water Truck	6	569.5645.0
"Sunrise"	266.9955.49	4
Work Boat	186.2278.20	1,067.9624.96
Harbor Patrol Boat	1,150.1500.6	2
	2	744.8842.8
Liebherr Mobile Harbor Cranes	71.2068.13	0
Utilizing the Container on Barge Service,	264.2652.88	4,600.6040.2.48
Between the Port of Stockton and the	125.960.54	2.48
Port of Oakland	251.9444.09	284.8072.5
Unmanned and dry.....		2
		1,057.0444.52
Liebherr Mobile Harbor Cranes		503.84482.16
Not associated with the Container on		16
Barge Service	309.22295.9	1007.7696.4.36
Unmanned and dry.....	0	4.36
Mobilization of Liebherr Mobile Harbor		
Cranes charges subject to quote upon		
request, and will include a Welder and		
Electrician	1,050.8595.6	1,236.8183.60
	0	60
	1393.34	
	1393.34	
		4,203.4002.2.40
		2.40
		559.3633.3
		6
		559.3633.3
		6

Rates ~~do~~ not include operators. The Port of Stockton reserves the right to assign ~~operators-oper8s~~ to rented equipment. When operators are furnished, the charge for said operator shall be as provided in Item 600.

TERMINAL TARIFF NO. 5

DEFINITIONS OF TECHNICAL TERMS
Definition

Item Term

TERMINAL TARIFF NO. 5

SECTION VIII

PORT SECURITY

SECTION VIII

PORT SECURITY

Item	Subject	Application
900	Terminal Security Fee (Subject to Note)	<p>Pursuant to the establishment of the Office of Homeland Security in 2001 and the passage of the Maritime Transportation Security Act of 2002, effective March 1, 2005 the Port of Stockton will assess a fee of \$0.1977-1.892 per deadweight ton on vessels calling at port wharves in order to defray expenses associated with the following mandated security measures.</p> <ol style="list-style-type: none"> 1. Visitor and vehicle screening 2. Security patrols 3. Establishing restricted areas 4. Personnel identification 5. Access control 6. Installation of surveillance equipment

This fee is exclusive to vessels and does not cover additional services such as watchmen required during the loading or discharge of certain cargoes or as mandated by governmental or law enforcement authority.

Note: Ocean carriers calling at port wharves under a marine terminal services agreement shall receive a 50% discount off the full terminal security fee.