



MISCELLANEOUS CHARGES

Supplement 3

Effective January 1, 2019

Railroads Operating Over TCRY Track With or Without Track Agreements

Item 100 - Rules of Operation

Occupancy of tracks controlled by TCRY will be governed by the current Timetable and Special Instructions issued by TCRY.

All crews operating trains and/or on-track vehicles and machines on TCRY controlled trackage must have a current copy of the Timetable and Special Instructions in their possession and be familiar with all current General Orders and Notices issued by TCRY.

TCRY has the exclusive right to control the days, as well as the times of the day, that foreign line railroads may have access to its tracks.

Item 200 - Foreign Line Operating on TCRY

All railroads operating over TCRY tracks must negotiate a standard trackage rights agreement with TCRY.

The agreement will address liability and access, as well as fees and charges to be assessed by TCRY used by the carrier seeking trackage rights.

Charges will be assessed on all cars and locomotives whether handled by TCRY or directly by a carrier with trackage rights or, by a carrier claiming to have trackage rights.

All foreign line carriers moving freight cars and / or locomotives over TCRY trackage directly in accordance with the TCRY standard trackage rights agreement will be assessed a minimum charge of Three Hundred Fifty Dollars (\$350.00) per car or locomotive.

All foreign line carriers moving freight cars and / or locomotives over TCRY trackage directly without having a current and signed TCRY standard trackage rights agreement will be assessed a minimum charge of Six Hundred Dollars (\$600.00) per car or locomotive.

Failure to pay these charges in accordance with TCRY payment terms will, at the sole option of TCRY, result in the delinquent foreign railroad being prohibited from operating over TCRY trackage until charges are paid.

Item 300 - General Application

- A. TCRY shall mean TRI-CITY RAILROAD COMPANY, LLC
- B. For the purpose of this Supplement 3, TCRY trackage shall mean the following:
 - 1. All trackage located at 3334 Logston Blvd in Richland, WA, referred to as the NPD Loop Track.
 - 2. All trackage located at 2800 Polar Way in Richland, WA.

C. Contact for TCRY is: TCRY attention Tariff Department, PO Box 6000, Kennewick, WA 99336, telephone 509-371-8313 or 360-239-9067.

D. TCRY Rules, Tariffs and Accessorial Charges apply when cars are on the TCRY.

E. A rail carrier who fails to submit a train consist to TCRY via service@tcry.com prior to entry of any train onto the TCRY trackage shall be required to remit One Hundred Dollars (\$250) per car to TCRY.

F. A rail carrier who fails to submit a train consist to TCRY via service@tcry.com prior to exit of any train from the TCRY trackage shall be required to remit One Hundred Dollars (\$100) per car to TCRY.

G. A rail carrier who, in the sole opinion of TCRY, causes an emergency call out by TCRY personnel shall be required to remit One Thousand Dollars (\$1,000) per occurrence to TCRY.

H. All costs incurred by TCRY for collection of past due amounts owed TCRY in accordance with this Supplement 3, will be owed in addition to all amounts subject to collection. This includes, attorney fees, court costs, etc.

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