



FREIGHT TARIFF PVRR 8000

Cancels and supersedes PVRR 3001-D, PVRR 6004, PVRR 8001-G, and PVRR 9005

**RULES, REGULATIONS, AND CHARGES
GOVERNING
SWITCHING, ACCESSORIAL, AND DEMURRAGE CHARGES
AT LOCATIONS ON THE
PIONEER VALLEY RAILROAD**

This tariff applies on interstate traffic and intrastate traffic in Massachusetts, except where expressly provided to the contrary in connection with particular items.

ISSUED: January 18, 2011

EFFECTIVE: March 1, 2011

ISSUED BY:
Pioneer Valley Railroad
P. O. Box 995
Westfield, MA 01086

The provisions published herein, if effective, will not have an impact on the quality of the human environment or energy consumption.

METHOD OF ADDING, CHANGING OR DELETING ITEMS IN THIS TARIFF

Changes to this tariff will be made by issuing supplements. These supplements will show the action taken on each item, namely:

- A** Increase
- C** Change resulting in neither an increase nor a decrease
- R** Decrease

There will be only one supplement to this tariff in effect at any time. Any item contained in a prior supplement will be brought forward to subsequent supplements.

TABLE OF CONTENTS

GENERAL RULES AND REGULATIONS

5	DESCRIPTION OF GOVERNING CLASSIFICATION AND EXCEPTIONS.....	4
10	STATION LISTS AND CONDITIONS.....	4
15	EXPLOSIVES, DANGEROUS ARTICLES.....	4
20	REFERENCE TO TARIFFS, ITEMS, NOTES AND RULES.....	4
30	CONSECUTIVE NUMBERS.....	4
35	CAPACITIES AND DIMENSIONS OF CARS.....	5
40	NATIONAL SERVICE ORDER TARIFF.....	5
50	MILEAGE CHARGES ON PRIVATELY OWNED CARS.....	5
60	METHOD OF CANCELLING ITEMS.....	5
70	HOURS OF SERVICE AND PERFORMANCE.....	5
80	HOLIDAYS.....	5

SECTION 1 – SWITCHING AND ACCESSORIAL CHARGES

200	EXPLANATION OF SWITCHING CHARGES.....	6
205	DEFINITION OF TERMS.....	6
210	CHARGES FOR INTRA-PLANT, INTRA-TERMINAL & INTER-TERMINAL SWITCHING.....	6
215	TRAIN CREW DELAYS.....	7
220	CHARGES FOR SPECIAL SWITCHING.....	7
230	OVERLOADED CARS.....	7
240	IDLER OR TRAILER CARS.....	8
250	“SHIPMENT TO ORDER”, “ORDER NOTIFY” OR “STRAIGHT BILL OF LADING” REQUIRING SURRENDER OF BILL OF LADING OR WRITTEN ORDER.....	8
260	CARS FURNISHED BUT NOT USED.....	8
270	INTERCHANGE DELIVERY ERRORS.....	8
280	CHARGES FOR CARS OF FOUR (4) OR MORE AXLES.....	8
290	CHARGES FOR USE OF SPECIAL EQUIPMENT.....	9
300	SWITCHING OF LOCOMOTIVES ON OWN WHEELS, BUT NOT UNDER OWN POWER.....	9
310	CHARGE FOR HEAVY DUTY FLAT CARS.....	9
320	TURNING OF CARS TO PERMIT UNLOADING.....	10
330	DIVERSION OR RECONSIGNMENT.....	10

SECTION 2 – GENERAL CAR DEMURRAGE RULES AND CHARGES

700	DEFINITION OF TERMS.....	11
710	GENERAL APPLICATION.....	12
720	FREE TIME.....	12
730	DEMURRAGE CHARGES.....	12
740	EXCEPTIONS TO DEMURRAGE CHARGES.....	12
750	NOTIFICATION TO CONSIGNOR OR CONSIGNEE.....	13
760	NOTIFICATION TO PVRR.....	13
770	EMPTY CARS ORDERED OR APPROPRIATED FOR LOADING BUT NOT USED.....	14
780	HEAVY DUTY OR SPECIAL TYPE FLAT CARS.....	14
800	HAZARDOUS COMMODITIES.....	14
810	STORAGE OR HANDLING OF HAZARDOUS COMMODITY CARS.....	14

TARIFF PVRR 8001

820 TOXIC/POISONOUS INHALATION HAZARD (TIH/PIH) CARS 15
EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS..... 15

GENERAL RULES AND REGULATIONS

ITEM 5 DESCRIPTION OF GOVERNING CLASSIFICATION AND EXCEPTIONS

The terms "Governing Classifications" and "Uniform Freight Classification", when used herein, mean: Uniform Freight Classification STB UFC 6000-series.

EXCEPTION: Rules 13, 24, and 29 of UFC-6000 series do not apply.

ITEM 10 STATION LISTS AND CONDITIONS

This tariff is governed by the Official Railroad Station List, OPSL 6000 series, to the extent shown below:

PREPAY REQUIREMENTS AND STATION CONDITIONS:

For addition and abandonment of stations, and except as otherwise shown herein, for prepay requirements, changes in names of stations, restrictions as to acceptance or delivery of freight and changes in station facilities.

When a station is abandoned as of a date specified in the above named tariff, the rates from and to such station as published in this tariff are inapplicable on and after that date.

GEOGRAPHICAL LIST OF STATIONS

For geographical locations of stations referred to in this tariff by station numbers.

STATION LIST

For the identification of stations when stations are shown or referred to by numbers in this tariff.

ITEM 15 EXPLOSIVES, DANGEROUS ARTICLES

For rules and regulations governing the transportation of explosives and other dangerous articles of freight, also for specifications for shipping containers and restrictions governing the acceptance and transportation of explosives and other dangerous articles, see Bureau of Explosives Tariff BOE 6000-series.

ITEM 20 REFERENCE TO TARIFFS, ITEMS, NOTES, RULES, ETC.

- a) Where reference is made in this tariff to tariffs, items, notes, rules, etc., such references are continuous and include supplements to and successive issues of such tariffs and reissues of such items, notes, rules, etc.
 - b) Where reference is made in this tariff to another tariff by STB number, such reference applies also to such tariff to the extent it may be applicable on intrastate traffic.
-

ITEM 30 CONSECUTIVE NUMBERS

Where consecutive numbers are represented in this tariff by the first and last numbers connected by the word "to" or a hyphen, they will be understood to include both of the numbers shown. If the first number only bears a reference mark, such reference mark also applies to the last number shown and to all numbers between the first and last numbers.

TARIFF PVRR 8001

ITEM 35 CAPACITIES AND DIMENSIONS OF CARS

For marked capacities, lengths, dimensions and cubical capacities of cars, see The Official Railway Equipment Register, RER 6413 series.

Maximum Plate F Box Car height above top of rail is 17' 0".
Maximum Gross weight on rail on PVRR without clearance is 286,000.

ITEM 40 NATIONAL SERVICE ORDER TARIFF

This tariff is subject to the provisions of various Surface Transportation Board Service Orders and General Permits as shown in National Service Order Tariff STB NSO 6100-series.

ITEM 50 MILEAGE CHARGES ON PRIVATELY OWNED CARS

PVRR will not pay mileage charges on privately owned car when moving to, from or via stations on the PVRR.

ITEM 60 METHOD OF CANCELLING ITEMS

As this tariff is supplemented, numbered items with letter suffixes cancel correspondingly numbered items in the original tariff or in a prior supplement. Letter suffixes will be used in alphabetical sequence starting with A.

EXAMPLE - Item 5-A cancels Item 5 and Item 10-B cancels Item 10-A in a prior supplement, which in turn, cancelled Item 10.

ITEM 70 HOURS OF SERVICE AND PERFORMANCE

- a) Hours of service and performance are subject to change based upon PVRR's scheduled operation and switching. The following accessorial charges will be applied to services rendered outside of the prescribed scheduled operating and switching times or on designated holidays when service is not provided.
 - b) Services required to be performed on days or at hours other than those set forth in the above item will not be deemed to fall within the term "normal operation periods", or "workdays". Such days or hours will be deemed to fall within the term "Special Switching" and rates in accordance with Item 220 will apply.
-

ITEM 80 HOLIDAYS

PVRR holidays are defined, for purposes of this tariff, as: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

<p>SECTION 1 SWITCHING RULES AND OTHER GOVERNING PROVISIONS</p>

ITEM 200 EXPLANATION OF SWITCHING CHARGES

TARIFF PVRR 8001

Except as otherwise specifically provided herein, switching charges published in this tariff cover the movement of a loaded car in one direction and the empty car in the opposite direction. If cars are loaded in both directions, charge will be assessed for movement in each direction.

ITEM 205 DEFINITION OF TERMS

Industrial Tracks A track serving a particular industry, whether located upon property owned by PVRR or upon property owned or leased by the industry.

Intermediate Switching – A bridge movement between interchange tracks of one carrier to interchange tracks of another carrier.

Intra-Plant Switch - A switching movement from one location to another location wholly within the confines of the same (single) plant or industry located on the PVRR.

Intra-Terminal Switch - A switching movement (other than intra-plant) from one location to another on the PVRR.

Local Switch – Where car is consigned to an off-line customer and comes from interchange into a storage track or a leased track on PVRR; car is later reconsigned to an on-line customer and switched to PVRR.

Team Track - A track or tracks assigned by for use by the general public.

Special Switch – Anything other than an Intra-Terminal, Local, or Intra Plant switch; includes special switch request by customer that does not fall into one of the defined switch categories above.

Train Crew Delays – When a customer directly causes a delay to train crew operations, during normal switching services, such delays are subject to charges to the customer causing the delays. Both extra switching and crew delays will be billed by the hour. No fraction of an hour will be used; the first portion of any hour is billed as a whole hour, regardless of actual time.

ITEM 210 CHARGES FOR INTRA-PLANT, INTRA-TERMINAL, AND INTER-TERMINAL SWITCHING

Except as otherwise provided herein, PVRR will assess the following charges in dollars per car for switching service as defined in Item 205:

INTRA-PLANT:	\$170.00
INTRA-TERMINAL:	\$235.00
LOCAL SWITCH:	\$235.00

ITEM 215 TRAIN CREW DELAYS

Except as otherwise provided herein, PVRR will assess the following charges in dollars per hour for Train Crew Delays as defined in Item 205:

TRAIN CREW DELAY:	\$150.00 per hour
-------------------	-------------------

ITEM 220 CHARGES FOR SPECIAL SWITCHING

Special switching movements are (1) requests by industry for switching service to be performed by the railroad at a time other than that scheduled by the railroad or (2) those movements required because of excessive dimensions, excessive weight, high center of

TARIFF PVRR 8001

gravity, or other conditions not permitting normal train operation.

When such movements can be conveniently arranged by the railroad with an existing crew, a charge for each hour, or fraction thereof, subject to the hourly rate and minimum charge listed in **Column A** below, will be assessed.

When movements can be arranged by the railroad that require the use of an extra crew, a charge for each hour, or fraction thereof, subject to the hourly rate and minimum charge listed in **Column B** will be assessed.

SPECIAL SWITCHING

	COLUMN A	COLUMN B
Hourly Rate	\$150.00	\$175.00
Minimum Hours	3	4
Minimum Charge	\$450.00	\$700.00

The above charges are subject to the following provisions:

- a) Special Switch charges are in addition to the regular freight or switching charges.
- b) Hours are computed from the time crew is dispatched until switch is completed and crew has returned to the point of dispatch.
- c) Requests for Special Switching must be placed by consignor, consignee, or agent of consignor or consignee, in writing or by telephone confirmed by fax or letter. Request shall give all necessary information including car initial and number, location date and time of movement desired, party to be billed, routing, and any other information and instructions pertinent to such movement.
- d) Requests for Special Switching shall be made far enough in advance of the date and time required to allow railroad sufficient time to assemble equipment, personnel, and other incidental requirements.
- e) Railroad reserves the right to fill out such special trains with additional cars.

ITEM 230 OVERLOADED CARS

PVRR will not accept cars that are loaded in excess of load limit markings, but in no case greater than 286,000 pounds gross weight, except by special permit. When a car is found to be loaded in excess of its stenciled load limit while en route but before placement, it will be placed at or near the location where the overload is discovered and consignor will be requested to arrange for disposition; or, at carrier's convenience, it may be returned to the shipper for removal of the excess weight. For the extra service performed, the switching charge and weigh charge will be assessed. The regular switching charge will be in addition. Shipper will be liable for all damages to overloaded cars.

ITEM 240 IDLER OR TRAILER CARS

Idler or trailer cars accompanying loaded cars will be treated as loaded cars.

ITEM 250 "SHIPMENT TO ORDER", "ORDER NOTIFY" OR "STRAIGHT BILL OF LADING" REQUIRING SURRENDER OF BILL OF LADING OR WRITTEN ORDER

- a) When the original Bill of Lading or written order covering a shipment described above is not available, the property may be delivered in advance of the surrender of the Bill of Lading or written order, as the case may require, under the provisions of Rule 7 of the UFC.

TARIFF PVRR 8001

- b) If a Bill of Lading is tendered after 7:00 am of the day following loading, a charge of \$100 per car will apply.
 - c) Order Bills of Lading – When Order Bills of Lading or written orders are received prior to arrival of car on PVRR, there will be no charge. Order Bills of Lading or written orders received after arrival of cars on PVRR will be assessed a charge of \$100.00 per car.
 - d) Cars held awaiting instructions under terms of this item will be subject to demurrage provisions of this tariff. Demurrage charges will accrue against the party issuing instructions. No free days will apply.
 - e) Order Bills of Lading will not be issued covering intra-terminal or inter-terminal movements.
-

ITEM 260 CARS FURNISHED BUT NOT USED

Except as otherwise provided in tariffs lawfully on file, when an empty car is placed or constructively placed for loading, but is not used in subsequent transportation service and is released empty, a charge of \$250 per car in addition to applicable demurrage charges will be made against the party ordering but not using the equipment.

EXCEPTION - This charge will not apply when cars are refused or rejected account of not being in proper condition for loading.

ITEM 270 INTERCHANGE DELIVERY ERRORS

Cars received by PVRR in error from delivering carrier will be returned to delivering carrier at a charge of \$250 per car, loaded or empty. Charge will be assessed against delivering carrier.

ITEM 280 CHARGES FOR CARS OF FOUR (4) OR MORE AXLES

- a) Charges for intra-plant or intra-terminal switching at points on these lines will be confined to cars having no more than four (4) axles.
 - b) When cars with more than four (4) axles are found in intra-plant, intra-terminal, or inter-terminal service, the charges for such service will be 200% of that shown herein for the same service application on cars with four (4) axles.
-

ITEM 290 CHARGE FOR USE OF SPECIAL EQUIPMENT

PVRR will not furnish cars that are other than ordinary equipment for use in intra-plant, intra-terminal, or inter-terminal switching service. In the event other than ordinary equipment is used, an additional charge of \$200.00 will be assessed. On joint-line movements, this charge will be assessed only once (see Exception).

ORDINARY EQUIPMENT MEANS:

- a) XM boxcars not exceeding 60 feet in length, inside measurement.
- b) FM flatcars, not over 60 feet in length and having capacity not over 286,000 pounds.
- c) Gondola cars having marked capacity not greater than 200,000 pounds, but not including gondola cars of any length equipped with covers, hoods, containers or cradle floors.
- d) Open-top hopper cars not exceeding 75 feet in length, inside measurement, and having marked capacity not exceeding 286,000 pounds.
- e) Shipper owned or leased cars.

EXCEPTION - Provisions of this item do not apply on a movement immediately prior or subsequent to a revenue line-haul movement when notation so stating is made by shipper on shipping document.

TARIFF PVRR 8001

—

ITEM 300 SWITCHING OF LOCOMOTIVES ON OWN WHEELS, BUT NOT UNDER OWN POWER

Privately owned, leased or foreign line locomotives will be moved over the PVRR subject to a charge of \$750. PVRR will not absorb any switching charges applicable to shipments of locomotives.

All Privately owned, leased or foreign line locomotives are subject to a joint inspection at interchange by both PVRR mechanical personnel and connecting carrier mechanical personnel. Any locomotives that fail inspection will be rejected at interchange

PVRR's maximum liability for loss and damage is \$100.00 per locomotive.

—

ITEM 310 CHARGE FOR HEAVY DUTY FLAT CARS

When heavy-duty flat cars as defined in Tariff RPS 6740-series are used on shipments both originating and terminating on the PVRR, the following charges will be assessed:

USE CHARGE:

\$1,000.00 per car switching movement (not subject to any other switching charges published in this tariff).

SPECIAL DETENTION CHARGES

Forty-eight (48) hours after the first 00:01 hours following tender, the following detention charges will be assessed for each additional twenty-four (24) hour period or fraction thereof:

CHARGES IN DOLLARS PER CAR

1st 24 hours	- \$500.00
2nd 24 hours	- \$600.00
3rd 24 hours	- \$700.00
4th 24 hours	- \$800.00
5th 24 hours	- \$900.00
6th 24 hours and each subsequent 24 hours	- \$1000.00

NON-USE CHARGE

When car is ordered, placed, and released back to PVRR without being used in transportation service, a charge of \$1000.00 per car will be assessed and will be in addition to any detention charges that may accrue.

—

ITEM 320 TURNING OF CARS TO PERMIT UNLOADING

PVRR does not have the ability to turn cars. In instances where a customer issues instructions to return a car to the road haul carrier so that it can be turned, PVRR will assess a charge of \$250 for the outbound movement. Any and all charges of the other railroad will be in addition to applicable charges assessed by PVRR.

—

ITEM 330 DIVERSION OR RECONSIGNMENT

Diversion or Reconsignment means any one or more of the following when a car is located on or under control of the PVRR:

- a) Change in the name of consignee
- b) Change in the name of consignor

TARIFF PVRR 8001

- c) Change in the destination
- d) Change in route
- e) Any other instruction given by consignee, consignor, or owner affecting delivery and requiring an addition to or a change in billing, and additional movement of the car, or both.

Except as otherwise provided herein, the term “destination” as used in these rules means the billed destination. Diversion or Reconsignment orders will not be accepted by PVRR for cars that are not under its control.

CHARGES:

When an order is placed with PVRR by consignee, consignor, or owner that modifies any of the terms:

- a) The charge for Diversion or Reconsignment will be \$250 per car.
- b) Facilitation of Diversion or Reconsignment is not guaranteed. If the request is not accomplished, no charge will be assessed for the request.
- c) Intra-terminal switch charges will apply if car has been placed prior to re-consignment.

Cars stopped, diverted or reconsigned under terms of this item are subject to demurrage provisions of this tariff.

SECTION 2
GENERAL CAR DEMURRAGE RULES AND CHARGES

ITEM 700 DEFINITION OF TERMS

For the purpose of applying rules in Section 2 of this tariff, the following are defined and shall govern.

Actual Placement – When a car is placed in an accessible position for loading or unloading, or at a point designated by the consignor or consignee.

Consignee – The party to whom a shipment is consigned and/or the party entitled to receive the shipment.

Consignor – The party in whose name cars are ordered and/or the party who furnishes PVRR forwarding directions.

Constructive Placement – When a car consigned or ordered to a private track cannot be actually placed because of a condition attributable to the consignor or consignee, such a car will be held at an available hold point and notice shall be sent or given to the consignor or consignee that the car is held (naming the hold point if not held at destination) and that this railroad is unable to effect placement; however, if a car is placed on the private track serving the consignor or consignee, the car shall be considered constructively placed without notice.

Diversions - An order from consignee to deliver car to other than original destination

Empty Release Information – Notification by consignor or consignee via EDI, fax or email to authorized personnel of PVRR that car is unloaded and available to PVRR. Information given must include identity of consignee, party furnishing data, car initial and number. Date and time stamp from notification receipt will be used in demurrage calculations.

Forwarding Instructions– Shipping instructions given to PVRR at the point of loading containing all of the necessary information to transport the shipment to the final destination.

Hold Tracks – Railroad tracks designated as temporary storage tracks for empty or loaded cars awaiting placement at industry.

Lease Track – Any trackage assigned to a user through written agreement. Lease track will be treated the same as private track under this Section.

Other Than Team Track – Any railroad track or portion of a track assigned for individual use or for joint use, including privately-owned or leased tracks.

Private Car – A private car is a car bearing other than railroad reporting marks, except as otherwise provided in item 720.

Private Track – A track outside of PVRR's right-of-way, yard, and terminals, and of which PVRR does not own either rails, ties, roadbed, or right-of-way. The track may be used jointly by two or more parties when written notice has been furnished to PVRR by the owner of the track prior to such joint use; or, a track or portion thereof owned or operated by PVRR that is leased for the purpose of the storage of rail cars of Lessee through a written agreement. The joint use of a lease track by each of two or more parties must have written consent from PVRR prior to such joint use.

Railroad-Controlled Car – A railroad-controlled car is a car provided to PVRR directly, by car companies or others, for indiscriminate use by PVRR in servicing any of its customers.

Reconsignment – An order from the consignor to bill a car to other than the original consignee.

Team Track – Any accessible track open to the general public for loading and unloading.

Tender - When PVRR gives notification that a car is available for unloading or loading by

TARIFF PVRR 8001

either actual or constructive placement to consignor or consignee.

ITEM 710 GENERAL APPLICATION

The rules and charges published herein apply at points on the PVRR on international, interstate, and intrastate traffic. The charges apply on railroad owned or leased cars and on private (non-railroad) owned or leased cars.

ITEM 720 FREE TIME

A) Free time for each car will be:

- a. Loading: 2 Days (48 hours)
- b. Unloading: 2 Days (48 hours)

B) Time will commence on the first 07:00 following actual or constructive placement.

C) When a car is on free time at the start of a weekend or holiday, the free time will extend through the weekend or holiday and resume on the first working day following the weekend or holiday.

ITEM 730 DEMURRAGE CHARGES

The following charges will apply subsequent to Free Time allowed (Subject to Notes 1, 2 and 3)

\$50.00 per car per day.

NOTE 1 - All days following free time will be subject to these charges.

NOTE 2 - Reference herein to charges per day will also apply to fractions of a day.

NOTE 3 - Demurrage charges will be billed to consignee on inbound loaded cars and consignor on empty cars placed for loading unless other arrangements are made in writing prior to delivery.

ITEM 740 EXCEPTION TO DEMURRAGE CHARGES

All Railroad and Privately owned cars held for or by consignors or consignees are subject to demurrage rules and charges contained in this section, EXCEPT the following:

- a) Loaded or empty private cars held on private or leased storage tracks.
- b) Cars for loading or unloading of PVRR company material while held on PVRR tracks or private sidings connecting therewith.
- c) Cars of refused or unclaimed freight to be sold by PVRR for the time held beyond legal requirements.
- d) Empty Cars moving on own wheels under transportation charges as freight.
- e) Cars of railroad ownership, leased for storage of commodities, while held on lessee's tracks.
- f) Cars specially equipped for handling welded railroad rail held for loading such rail.
- g) Empty cars ordered and rejected as unsuitable for loading.
- h) Cars covered by storage or hold charges.
- i) Cars assigned to shippers returned empty to point of assignment, to the extent storage rules apply.

Further, the following situations due to no fault of the PVRR or industry will not be subject to charges. Claims for relief from demurrage rules and charges due to these causes should be made in writing within 30 days by industry or PVRR.

- a) Strike at plant or industry served by PVRR which prevents loading or unloading. However, cars held because of strikes will be subject to detention charges of \$25.00 per

TARIFF PVRR 8001

car per day for all days including Saturdays, Sundays, and holidays. No free days will be allowed.

- b) Acts of God (flood, hurricane, earthquake), including weather interference which prevents loading or unloading.

ITEM 750 NOTIFICATION TO CONSIGNOR OR CONSIGNEE

- A. The following notifications will be furnished as indicated:
 - 1. Cars for Other than Team Track:
 - a. Notice of constructive placement if cars are held on PVRR tracks due to reasons attributable to the consignor or consignee.
 - b. Delivery of car upon tracks of consignee (Actual Placement) will constitute notice.
 - 2. Cars for Team Track: Notice will be given to the party entitled to receive notification when car is actually placed
 - 3. Cars Stopped in Transit: Notice will be given to consignor, consignee, or owner responsible for the car being stopped upon arrival of the car at the point of stoppage.
- B. Notification may be given in writing or electronically, and will contain the following:
 - 1. Car initials and number.
 - 2. Commodity
 - 3. Hold point if other than billed destination

ITEM 760 NOTIFICATION TO PVRR

- A. Authorized personnel of PVRR must be notified of Empty Release or provided Forwarding Instructions via EDI, fax or email. All notifications must include the car initial and number, date, time, company name, and person providing the notification.
- B. When electronic or mechanical devices are used to furnish notification to railroad, the date and time that instructions are received will govern.
- C. If, after receipt of Empty Release or Forwarding Instructions, the PVRR determines that a car is not ready to move, PVRR will assess a charge of \$150.00 and demurrage charges will continue to be assessed until actual release.
- D. Cars held on orders of consignor or consignee, while awaiting disposition from the consignor or consignee or as a result of conditions attributable to consignor or consignee, will continue to accrue demurrage.

ITEM 770 EMPTY CARS ORDERED OR APPROPRIATED FOR LOADING BUT NOT USED

When empty cars are placed on orders or appropriated but not used in transportation service, demurrage will be charged for all detention time as provided in Item 730.

ITEM 780 HEAVY DUTY OR SPECIAL TYPE FLATCARS

If a shipment requires the use of a heavy duty or special type flat car with AAR mechanical designations "FD", "FW" or "FML", use and detention charges for such cars as provided in Tariff RIC 6740-series (TEA series) will apply in lieu of rates and charges contained herein.

ITEM 800 HAZARDOUS COMMODITIES

The shipper of any hazardous commodity shipped via PVRR shall indemnify PVRR and hold PVRR harmless for any and all loss, liability or cost whatsoever that PVRR may incur or be held responsible for, to the extent that such liability is due to, or arises from: a) defects in or

TARIFF PVRR 8001

failure of shipper’s cars and equipment, b) a failure of shipper or shipper’s agent to conduct proper or appropriate pre-shipment inspection of the cars as described in 49 CFR Sec. 173.31 (d) or c) misidentification of commodity shipped.

The foregoing indemnification shall not apply to any loss or liability caused by or due to PVRR’s failure to conduct pre-departure inspections as described in 49 CFR Sec. 174.9 or failure to follow AAR interchange rules, or any other liability resulting from PVRR’s negligence.

The above provisions apply to shipments of Classes A, B or C explosives, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, while held on PVRR premises.

Pursuant to 49 CFR § 174.16, Consignees are required to accept delivery of carload traffic of hazardous materials within 48 hours after notice of arrival has been sent or given to the Consignee. Consignees that anticipate that they will not routinely be able to accept delivery in a timely fashion should make alternative arrangements for storage of cars. Subscribing Carriers do not hold themselves out to provide storage of cars containing hazardous materials.

ITEM 810 STORAGE OR HANDLING OF HAZARDOUS COMMODITY CARS

After the expiration of any free time allowed, and in addition to applicable demurrage charges, the following charges will apply per day of twenty-four (24) hours, or fraction thereof, until removal from PVRR’s premises:

- A. Class A, B and C -Explosives:
 - A. \$500.00 per car per day will apply on cars held on PVRR premises
- B. Hazardous Materials, Substances, Wastes, Other Than Explosives
 - A. \$500.00 per car per day will apply on cars held on PVRR premises

The above provisions apply to shipments of Classes A, B or C explosives, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, and hazardous materials, substances or wastes requiring the use of a 4-digit identification number on shipping papers, placards or panels, as named in Section 172.101 Hazardous Materials Table of Tariff BOE 6000-Series, while held on PVRR premises.

- C. Empty Railcars Formerly Containing Hazardous Materials or Explosives
 - A. \$500.00 per car per day will apply to the Customer (defined for the purpose of this subsection as the consignee of the empty railcar) for each empty railcar released to PVRR without sufficient forwarding or billing instruction, if the railcar’s prior movement contained any of the items referenced in A) or B) above.

ITEM 820 TOXIC/POISONOUS INHALATION HAZARD (TIH/PIH) CARS

Storage or holding of cars containing toxic or poisonous inhalation hazards (TIH or PIH) on PVRR tracks is NOT permitted. Such cars must be delivered to consignee’s private tracks by the next regularly scheduled train. If consignee’s private track is full or access to this track is not granted to PVRR, then a penalty charge applies.

Charge for TIH/PIH car delay..... \$1,000 per car per day

TARIFF PVRR 8001

**EXPLANATION OF ABBREVIATIONS
AND REFERENCE MARKS**

AAR	Association of American Railroads
CSXT	CSX Transportation
MA	Massachusetts
NS	Norfolk Southern Railroad
OPSL	Official List of Open and Prepay Stations, Station List Publishing Company, Agent
PAS	PanAm Southern Railroad
PVRR	Pioneer Valley Railroad
RER	The Official Railway Equipment Register, R.E.R. Publishing Company, Agent
RPS	Railroad Publication Services, Agent
STB	Surface Transportation Board
STCC	Standard Transportation Commodity Code
UFC	Uniform Freight Classification, Uniform Freight Classification Committee, Agent
A	Increase
C	Changes resulting in neither an increase nor a decrease
R	Decrease

- End of Tariff -