

CITY OF PORTLAND, MAINE

TERMINAL TARIFF FMC NO. 5 As Amended

-NAMING-

RATES, CHARGES, RULES AND REGULATIONS

-AT-

THE PORT OF PORTLAND, MAINE

-FOR-

PILOTAGE, DOCKAGE, WHARFAGE, DEMURRAGE

AND OTHER SERVICES DESCRIBED HEREIN

EFFECTIVE March 15, 2009

CITY OF PORTLAND, MAINE

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TERMINAL RULES AND CHARGES AT PORTLAND, MAINE
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For explanation of symbols and abbreviations, see rule no. 29

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PAPER FACSIMILE OF ELECTRONICALLY FILED TARIFF

This tariff has been filed with the Federal Maritime Commission in an electronic database format as required by the Commission's AUTOMATED TARIFF FILING AND INFORMATION SYSTEM, also known as ATFI. These printed pages are extracts of the filed ATFI data assembled by Pacific Coast Tariff Bureau's proprietary software, TariffBASE, into traditional tariff "pages."

In the publishing of these pages our software has been designed with the flexibility to present some data in more user friendly form. That is, the text on the printed page is not always identical to the text you would read when you access the ATFI system directly. For example, in ATFI, cargo originating from "SAN FRANCISCO (port), CA USA." In this printed page format it simply reads "San Francisco, CA." Another example would be commodity item numbers. ATFI requires commodity item numbers to be 10 characters long and hyphenated as follows: 0000-00-0000. On the printed tariff pages the time numbers may be shorter by suppressing trailing (filler) zeros, or split differently than the ATFI hyphenation screen. Sometimes ATFI fields are combined on the printed page. One example is the rate basis- "PC40." In ATFI this would be displayed in two separate fields: RATE BASIS- PC, CONTAINER SIZE- 40.

None of the changes in data presentation on these printed pages represents incorrect data. They are simply changed for better tariff readability.

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RULE NO. 1. SCOPE

Not applicable.

RULE NO. 2. APPLICATION OF RATES AND CHARGES

Not applicable.

RULE NO.3. RATE APPLICABILITY RULE

Not applicable.

RULE NO.4. HEAVY LIFT

Not applicable.

RULE NO. 5 .EXTRA LENGTH

Not applicable.

RULE NO.6. MINIMUM BILL OF LADING CHARGES

Not applicable.

RULE NO. 7. PAYMENT OF FREIGHT CHARGES

Not applicable.

RULE NO. 8. BILL (S) OF LADING

Not applicable.

RULE NO. 9. FREIGHT FORWARDER COMPENSATION

Not applicable.

RULE NO. 10. SURCHARGES AND ARBITRARIES

Not applicable.

RULE NO. 11. MINIMUM QUANTITY RATES

Not applicable.

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RULE NO. 12. AD VALOREM RATES

Not applicable.

RULE NO. 13. TRANSSHIPPMENT

Not applicable.

RULE NO. 14. CO-LOADING IN FOREIGN COMMERCE

Not applicable.

RULE NO. 15 OPEN RATES IN FOREIGN COMMERCE

Not applicable.

RULE NO. 16. HAZARDOUS CARGO

Not applicable.

RULE NO. 17. GREEN SALTED HIDES IN FOREIGN COMMERCE

Not applicable.

RULE NO. 18. RETURNED CARGO IN FOREIGN COMMERCE

Not applicable.

RULE NO. 19. SHIPPERS REQUESTS IN FOREIGN COMMERCE

Not applicable.

RULE NO. 20. OVERCHARGE CLAIMS

Not applicable.

RULE NO. 21. USE OF CARRIER EQUIPMENT

Not applicable.

RULE NO. 22. AUTOMOBILE RATES IN DOMESTIC OFFSHORE COMMERCE

Not applicable.

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RULE NO.23. CARRIER TERMINAL RULES AND CHARGES

Not applicable.

RULE NO. 24. NVOCC'S IN FOREIGN COMMERCE

Not applicable.

RULE NO. 25 CERTIFICATION OF SHIPPER STATUS IN FOREIGN COMMERCE

Not applicable.

RULE NO. 26. TIME/VOLUME RATES IN FOREIGN COMMERCE

Not applicable.

RULE NO. 27. LOYALTY CONTRACTS IN FOREIGN COMMERCE

Not applicable.

RULE NO. 28. DEFINITIONS

Not applicable.

RULE NO. 29. SYMBOLS

Not applicable.

RULE NO. 30. ACCESS TO TARIFF INFORMATION

Not applicable.

RULE NO. 31. SEASONAL DISCONTINUANCE

Not applicable.

RULE NO. 32. RESERVED

Not applicable.

RULE NO. 33. PROJECT RATES

Not applicable.

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RULE NO. 34. TERMINAL TARIFFS

Please refer to the following Sub Rules 34.1 to 34.7 for the City of Portland, Maine's rates, rules and charges.

1. LIABILITY

No provision contained in this tariff shall limit or relieve the City of Portland, Maine from liability for its own negligence nor require any user to indemnify or hold harmless the City of Portland, Maine from liability for its own negligence.

2. DEFINITIONS

CARGO:

The term "cargo", except where specified otherwise by lease or written agreement, shall mean with respect to containerized cargo, the contents of the containers and the container itself, whether loaded or empty

CHECKING:

Checking means the service of counting and checking the cargo against appropriate documents for the account of the cargo or the vessel, or other person requesting same.

CONTAINER:

The term "container" shall be held to mean all standard, permanent type containers 20' and over used for the movement of cargo as a unit. All other containers will be considered as general cargo and subject to terms and conditions afforded to general cargo.

DEMURRAGE (Wharf):

Wharf demurrage means a charge assessed against cargo remaining in or on terminal facilities after the expiration of free time unless prior arrangements have been made for storage.

DIRECTOR:

Director means the Maritime Manager or Director of the City of Portland Port.

DOCKAGE:

Dockage means the charge assessed against a vessel for berthing at a wharf, pier, bulkhead structure, or bank or for mooring to a vessel berthed.

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2. DEFINITIONS

FREE TIME:

Free time means the specified period during which cargo may occupy space assigned to it on terminal property free of wharf demurrage or terminal storage charges immediately prior to the unloading or subsequent to the discharge of such cargo on or off the vessel.

HANDLING:

Handling means the service of physically moving cargo between point of rest and any place on the terminal facility, other than the end of ship's tackle.

LOADING AND UNLOADING:

Loading and unloading means the service of loading or unloading cargo between any place on the terminal and railroad cars, trucks, lighters or barges or any other means of conveyance to or from the terminal facility.

POINT OF REST:

Point of rest means that area on the terminal facility which is assigned for the receipt of inbound cargo from the ship and from which inbound cargo may be delivered to the consignee, and that area which is assigned for the receipt of outbound cargo from shippers for vessel loading. All cargo must be placed at the designated point of rest. The Terminal Operator reserves the right, upon failure of the proper party to move freight to the designated point of rest, after notice, to move the freight to another location, at the risk and expense of the owner of the freight or the carrier or person who has the custody.

RORO:

The term "RoRo" or roll on – roll off, shall be held to mean wheeled cargo, other than automobiles and containers/trailers, which can be driven onto or off of a specially constructed vessel.

TERMINAL:

The term "terminal" shall be held to mean those portions of the deepwater marine terminals owned and/or maintained by the City of Portland for public use, including the Portland Ocean Terminal, Maine State Pier, International Marine Terminal, and Ocean Gateway Terminal.

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2. DEFINITIONS

TERMINAL OPERATOR:

Where the term, TERMINAL OPERATOR is used in this tariff it shall be held to mean the, City of Portland, Maine or it's leasee. The Terminals are not common carriers nor public utilities and the Director is the sole interpreter of this tariff.

TERMINAL STORAGE:

Terminal storage means the service of providing warehouse or other terminal facilities for the storage of inbound or outbound cargo after the expiration of free time, including wharf storage, shipside storage, closed or covered storage, open or ground storage, bonded storage and refrigerated storage, after storage arrangements have been made.

TON:

The word "ton" as used in this tariff, shall be held to mean 2,000 pounds unless otherwise specified.

USAGE:

Usage means the use of terminal facility by any rail carrier, lighter operator, trucker, shipper or consignee, its agents, servants, and/or employees, when it performs its own car, lighter or truck loading or unloading or the use of said facilities for any other gainful purpose for which a charge is not otherwise specified.

VESSEL:

When the term "vessel" is used in this tariff, it shall be held to mean floating craft of every description.

WHARFAGE:

Wharfage means a charge assessed against the cargo or vessel on all cargo passing or conveyed over, onto, or under wharves or between vessels (to or from barge, lighter, or water), when berthed at wharf or when moored in slip adjacent to wharf. Wharfage is solely the charge for use of wharf and does not include any other service.

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3. GENERAL RULES AND REGULATIONS

a. APPLICATION FOR BERTH ASSIGNMENT

All vessels desiring a berth at a terminal shall, as far in advance of the date of docking as possible, make application therefore in writing to the DIRECTOR, specifying the estimated date and time of arrival and/or sailing, also the nature and quantity of cargo on board the vessel. The vessel will be required to supply the Terminal Operator with a true and legible copy of the manifest of cargo, (including the dangerous cargo manifest) loading list, or other transportation documents as may be required, at the earliest possible opportunity and in any event, no later than at the time operations commence. Upon request, the vessel will make available a revenue manifest. The vessel shall be held liable for claims, losses, costs or expenses by reason of property damage, personal injury or death which may occur, directly or indirectly as the result of defective report of hazardous commodities, weight, volume, character of cargo and/or any other omission or error in the documentation furnished by the vessel in compliance with this provision, without regard as to whether such omission(s) be intentional or accidental.

b. NOTICE OF RELEASE OF BERTH

When for reasons over which the applicant has no control, It becomes necessary to cancel or postpone berthing assignments, due notice (24 hours) shall be given sufficiently in advance to prevent any loss of Dockage charges; otherwise the Terminal Operator reserves the right to assess against the vessel, owner or operator a dockage charge of one days dockage based on \$1.75 per foot of LOA and to use the berth for other purposes.

c. USE OF TERMINAL FACILITIES

The use of the facilities under the jurisdiction of the City of Portland shall constitute consent to the terms and conditions of this Tariff, and evidences an agreement on the part of all vessels, their owners or agent, and other users of such facilities to pay all charges specified in this Tariff and to be governed by all rules and regulations herein contained.

d. MOVEMENT OF VESSELS

Vessels are to move or vacate the Terminal facilities at the direction of the Director of Ports and Transportation (hereinafter "DIRECTOR"). Whenever necessary for the proper operation of the Terminal, the DIRECTOR may order the vessel to move at the vessel's expense. Any vessel which is not moved promptly upon notice to do so may be shifted, and any expense involved, to include labor costs, idle cost for labor and equipment, damage to the vessel or other vessels or to the dock during such removal shall be charged to the vessel. Vessels berthing at

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the Terminal shall at all times have on board sufficient personnel to move said vessel for the protection of the ship and the port. Lastly, this section may be enforced in accordance with ME. Rev. Stat. Ann title. 38 s 5 (1988), the "Harbor Master Statute," as it may be amended from time to time, and by any other remedy available at law or in equity.

e. SAFETY

All parties using the Terminals are required to observe and conform with any and all municipal, state, and federal laws, ordinances and regulations, including, but not limited to OSHA, USGC, EPA and shall remain responsible for any violations of said regulations

f. APPLICATIONS OF RATES

The rates, charges, rules and regulations in this tariff for services and facilities, shall be applicable on and after the effective date of this tariff, or the effective date of supplements, or reissues. Rates will apply to the facilities at the Portland, Maine Terminals as shown on the Property Plan.

g. DANGEROUS AND HAZARDOUS CARGOES

Vessels laden with explosives or other hazardous or highly inflammable cargo will not be allowed within the berthing limits of any pier, dock or bulkhead, or other terminal structure. Only after vessels have applied for and received all local, state and federal permits shall they dock at a terminal. Explosives shall not be stored on the terminal. In the event of a classification dispute, the decision of the DIRECTOR will be final.

h. OTHER PROHIBITED CARGOES

The Department of Ports and Transportation shall determine what other cargoes shall be deemed prohibited at terminals based upon classification or type. In the event of a classification dispute, the decision of the DIRECTOR will be final.

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i. EXCLUDED CARGOES

The City of Portland excludes the following types of cargoes, in addition to those listed above, from its marine terminals: break-bulk cargoes, unitized or neo-bulk cargoes, and bulk cargoes. Exclusions do not apply to cargo loaded or discharged on behalf of the City of Portland or terminal leaseholds. In the event of a classification dispute, the decision of the DIRECTOR will be final.

j. INSPECTION OF CARGO

The Terminal Operator may enter upon and inspect any vessel in berth at its terminal to ascertain the kind and quantity of merchandise or cargo thereon and no person or persons may hinder, molest or refuse entrance upon such vessel for the purpose specified.

k. MANIFESTS OF CARGO

The master of any vessel docked at the Terminal shall before departure of said vessel furnish a copy of the manifest of the inbound cargo discharged at the Terminals. Manifests or summaries of all outbound cargo received at the Terminals for loading shall be furnished to the DIRECTOR by the vessel's owners or agents prior to sailing. The right is reserved to audit all manifests and use such audits as a basis for charges.

l. LEGAL HOLIDAY

The term "Legal Holiday" means and includes the following:

- | | |
|----------------------------|--------------------|
| New Years Day | Labor Day |
| Martin Luther King Jr. Day | Columbus Day |
| Presidents' Day | Veterans Day |
| Patriots Day | Thanksgiving Day |
| Good Friday | Christmas Eve Day |
| Memorial Day | Christmas Day |
| Fourth of July | New Year's Eve Day |

Presidential and Congressional elections and any other National or State holidays created by Executive Authority

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m. PAYMENT OF CHARGES

(1) All charges published in this tariff shall be due and payable upon presentation of an invoice, except as hereinafter specified.

(2) All minimum charges accrue to the account of the Terminal Operator. Any party or business entity doing business under this tariff may apply for credit. Credit, which is extended at the discretion of the Terminal Operator requires payment within 30 days of the date of the invoice. Failure to pay credit accounts when due shall result in cancellation of credit privileges and the reestablishment of cash terms.

(3) Accounts referred to an attorney or an agency for collection shall be subject to a 15 percent surcharge and additional court costs of incurred. In addition to any other rights recognized by law, the right is reserved by the Terminal Operator to withhold delivery of any goods, on which terminal charges published in this tariff are due and payable, until such time as these charges are paid in full.

(4) The Terminal Operator shall have a maritime lien upon the vessel, its cargo and freights for all unpaid charges due the Terminal Operator.

(5) The Terminal Operator reserves the right to deny anyone the use of any terminal until all past due accounts are paid.

(6) Agents or representatives will be held fully responsible for all charges attributable to their actions on behalf of their principals in arranging services, facilities, equipment or other chargeable items, in accord with the rates therefore published in this tariff.

n. DISCHARGING OF RUBBISH

Discarding rubbish or any debris into slips or channels or on the Terminals is strictly prohibited. Violators who do not remove debris or rubbish upon demand by the DIRECTOR shall be charged with the expense of removal.

o. DISCHARGING SEWAGE, GREY WATER, DIRTY BALLAST, OTHER.

Pumping untreated sewage into the waters of Maine is strictly prohibited by Federal and State law. The discharge of grey water, dirty ballast, or other fluids deemed prohibited by the DIRECTOR while berthed at municipal facilities is prohibited. Discharges by vessels utilizing treatment equipment approved under U.S. Federal Standards is permitted under the authority of the Director. In the event of a classification dispute, the decision of the DIRECTOR will be final.

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3. GENERAL RULES AND REGULATIONS

p. FUELING WATERCRAFT

No gasoline distillates or other liquid petroleum products, other than lubricating oils may be stored, handled, dispensed, kept or used at the Terminals, except at such places and under such conditions as may be specifically designated by the DIRECTOR.

Nothing herein shall prevent dispensing of such products at retail from barges to watercraft directly, provided such barges are moored at such places as the DIRECTOR may indicate.

q. HARBOR SECURITY

When in the sole judgment of the DIRECTOR security officers are required, they shall be furnished at the expense of the vessel.

r. REMOVAL OF ABANDONED/OBJECTIONALBLE CARGO

The Terminal Operator reserves the right to move abandoned cargo and dispose of such cargo 60 days after notice as well as remove freight or other material which in its judgment is likely to damage other property, to another location, at the risk and expense of the owner.

s. RESPONSIBILITY FOR CLEANING TERMINAL

All vessels, their owners and agents, and all other users of the Terminals shall be held responsible for cleaning of the property which they have been allowed to use. If such users do not properly clean the facilities or property they have been using, the DIRECTOR shall order the property cleaned and bill the users responsible at cost plus twenty-five percent.

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t. TERMINAL NOT A PUBLIC THOROUGHFARE

The Terminals are not a public thoroughfare and all persons entering thereon do so at their own risk.

No person shall enter upon the Terminals except:

(1) Such persons and their bona fide employees as may be authorized by law and permitted by the DIRECTOR to engage in the activities for which the Terminal has been provided;

(2) Duly authorized representatives or employees of the City of Portland or its contractors;

(3) Representatives or employees of local, state, and federal government or political subdivisions thereof duly authorized by law to enter thereon;

(4) Other persons granted permission to enter thereon by the DIRECTOR.

The Director reserves the right to refuse admittance to the Terminal and to require the removal from the premises of any person for any reason whatsoever.

u. POLICY OF NON-COMPETITION

It is the explicit policy of the City of Portland that City owned cargo facilities will not be used for any purpose which will unfairly compete or interfere with a private taxpaying facility.

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4. LIABILITY OF THE TERMINAL

Subject to the provisions of Rule 34.1, the City of Portland, its officers, agents and employees, or any subsidiaries thereof, shall not be liable of the loss or damage to any watercraft or to any merchandise or cargo at the Terminal resulting from any cause whatsoever unless it is established that such cause was due to its failure to exercise reasonable care.

5. LIABILITY OF VESSELS AND PERSONS USING THE TERMINAL

In the event any damage is done to the wharf or any structures or equipment at the Terminals, the person to whom the berthing is assigned or by whom it is being used and the master, owner, operator or agent of any watercraft, vehicle or instrumentality involved in such damage shall make a full report to the DIRECTOR, including date and hour damage occurred, names, addresses and descriptions of witnesses and other persons, watercraft or instrumentalities involved in the damage, and all other available facts and information.

All persons to whom any facilities have been assigned shall be responsible and liable to the City of Portland for any damage occurring to such property during their occupancy and/or use, except damage caused by the negligence of the City of Portland, its officers, agents and employees. Subject to the provisions of Rule 34.1.

6. STEVEDORING, LABOR ARRANGEMENTS AND AGENCY

a. STEVEDORING

All stevedoring (loading, handling, or discharging of vessels, as well as linehandling for the purposes of mooring or letting go of vessels) will be arranged by the vessel or its agent, subject to the rules and regulations of the Department of Ports and Transportation. All work must be performed in a manner satisfactory to the DIRECTOR – from a safety standpoint, but the City of Portland assumes no responsibility for the performance of such work. The stevedoring contractor must have been approved by the Department of Ports and Transportation after paying the required License fee below and having given satisfactory evidence of financial responsibility including insurance to cover potential liabilities for damage to cargo, property of the City of Portland, property of others and personal injury and death claims. Such coverage will not extend to actions resulting from the Port's own negligence.

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b. LABOR ARRANGEMENTS

The vessel or vessel's agent shall be responsible for selecting and arranging for whatever labor it may desire at its expense, subject only to the requirement that the DIRECTOR must be advised in advance as to said labor arrangements and the certificate of insurance for all laborers must be presented for the CITY'S approval in advance of the berthing of the vessel.

c. INSPECTION OF RECORDS

The records of the vessels agent, stevedore, and/or labor contractor shall be open to inspection by the DIRECTOR at reasonably convenient times for the purpose of determining compliance with the provisions of this tariff.

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7. DOCKAGE, WHARFAGE, DEMURRAGE, PASSENGER, EQUIPMENT AND MISCELLANEOUS CHARGES (C)

a. DOCKAGE CHARGE

(1) PASSENGER SHIPS

The dockage rate at the Terminals shall be \$ 2.00 per foot in overall vessel length per calendar day or fraction thereof.

(2) COMMERCIAL VESSELS

Self propelled or non-self propelled vessels not using a terminal to discharge or load cargo shall be assessed Dockage at the rates appearing in the table below. Permission for such Dockage shall be at the discretion of the DIRECTOR. Rates are expressed in Dollars per twenty-four hour period or fraction thereof.

A. Vessels under 300 feet overall length	\$ 200.00
B. Vessels over 300 feet overall length	\$ 2.00 per foot
C. Excursion vessels, government vessels, and private craft.	Rates on Request

(3) NON-SELF PROPELLED FUEL BUNKERS AND TANKERS

A charge of \$2.00 per foot in overall length with a minimum charge of \$275.00 per twenty-four hour period or fraction thereof shall be assessed against seagoing and/or intraport fuel barges berthing or making fast to the city terminal for the purpose of transferring petroleum products between the barge and shore, between the barge and another vessel or due to weather conditions.

(4) MILITARY AND PUBLIC VESSELS

A charge of \$275.00 per vessel per day. No charge for crew or dependants. Vessels may be required to provide crew to augment terminal security.

(5) INACTIVE STATUS – LAY BERTHING (LONG TERM)

Vessels in an inactive status and berthed at a terminal for the purposes of lay up shall be assessed a fixed rate of \$1.00 per foot per day per 30 day period, minimum 30 days.

Water, electrical and sewage services are available at an additional cost.

All vessels in lay up status are subject to a security assessment.

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b. WHARFAGE CHARGES

The wharfage charge shall be:

For cargo:

1. Liner Service Containers	Each Container	\$17.00
2. Empty Containers	Each Container	\$ 9.00
3. Automobiles(Loaded or Discharged as Cargo)	Each Vehicle	\$ 4.00
4. Security Charge - loaded container	Each Container	\$ 1.50

8. INWARD OR OUTBOUND CARGO RELAYED OVERLAND VIA THE TERMINALS NAMED HEREIN, WHEN NEITHER MOVEMENT TO OR FROM PORTLAND IS BY WATER WILL BE ASSESSED THE FOLLOWING CHARGES:

a. Automobiles and trucks on wheels, self-propelled, uncrated,		
	Per Vehicle	\$ 5.00
b. Containerized Cargo (full containers) any size:	Each Container	\$ 17.00
c. Non-containerized or break-bulk cargo	Per Ton	\$ 3.00/metric ton

For International Ferries:

1. Recreational Vehicles/Motor Homes on arrival and departure		
	Each Vehicle	\$ 20.00
2. Passenger Vehicle with Camper/Utility Trailer for arrival and departure		
	Each Unit	\$ 10.00
3. Tour Busses/Motor Coaches on arrival and departure		
	Per Day	\$200.00
4. Automobiles on arrival and departure		
	Per Vehicle	\$ 5.00

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c. DEMURRAGE CHARGE FOR INBOUND CARGOES (CONTAINER STORAGE RATES)

Day 1- 5	-0-
Day 6-10	\$0.50 per ton/per day
Day 11-15	\$0.75 per ton/per day
Day 16-20	\$1.00 per ton/per day
Day 21 and beyond	\$1.50 per ton/per day

SPECIAL PROJECT CARGO STORAGE RATES

\$0.01 per sqft/day
Free time is negotiable

d. DEMURRAGE CHARGE FOR OUTBOUND CARGOES

Day 1-30	-0-
Day 31 and beyond	\$0.50 per ton/per day

SPECIAL PROJECT CARGO STORAGE RATES

\$0.01 per sqft/day
Free time is negotiable

The City of Portland shall treat all personal property located at the International Marine Terminal awaiting further transportation (no matter how long such property , regardless of how long such property may be stored at the premises, as exempt from personal property taxation pursuant to 36 MRSA section 644 1.G

e. PASSENGER CHARGES

For vessels using the Terminals on a port of call basis, a charge of \$5.00 per manifested passenger shall be charged, in addition to dockage charges of \$ 2.00 per foot of vessel length per calendar day or fraction thereof.

- (1) Port of Call Operations
\$5.00 per manifested passenger will be charged upon arrival.
- (2) International Ferries
\$2.50 per manifested passenger will be charged upon arrival.
\$2.50 per manifested passenger will be charged upon departure.
- (3) Home Port Operations
\$3.50 per manifested passenger will be charged upon arrival.
\$3.50 per manifested passenger will be charged upon departure.
- (4) Excursion Vessels
\$1.00 will be charged per manifested passenger upon departure.

CITY OF PORTLAND, MAINE

TERMINAL TARIFF FMC NO. 5 As amended

TERMINAL RULES AND CHARGES AT PORTLAND, MAINE

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

(5) Coastal and Inter-Harbor Domestic Ferries

\$0.75 per manifested passenger for domestic intra-port ferry service will be charged upon arrival.

\$0.75 per manifested passenger for domestic Inter-port ferry service will be charged upon departure.

(6) Intra-Harbor Ferries

Reserved

f. CRANE RENTAL

The Liebherr 320 Mobile Harbor Crane, which will be supplied without operators and signalmen, must be worked by City of Portland approved crane operators and operated within its rated capacity. The crane operators shall be under the sole supervision of the party renting or making use of the crane. The supervisor must be qualified to direct the operation of the crane and acting under a valid Stevedoring License with the City of Portland or under the authority of the Director. The hourly charge for use of the crane will be as follows:

\$350.00 per hour or fraction thereof, two hour minimum

g. GANGWAY RENTAL

\$400.00 per day or fraction thereof exclusive of operator. Operation of the gangway shall be performed only by persons approved by the Director. The Director reserves the right to terminate the rights of any party renting the gangway in the event of abuse of the equipment or its use or operation outside its rated capacity.

h. FENDER RENTAL

\$100.00 per fender per day or fraction thereof exclusive of labor to install/uninstall. Installation of vendors shall only be done by persons approved by the Director. The Director reserves the right to terminate the rights of any party renting the fenders in the event of abuse of the equipment or its use or operation outside its rated capacity.

i. FRESH WATER

\$3.50 per metric ton as determined by a Portland Water District metering device installed at the Terminal, including labor. All hoses shall be provided by the vessel.

j. STEVEDORING SERVICE PROVIDER LICENSING FEE

An annual fee of \$400.00 is charged for a contract stevedoring service provider. A separate license from the Department is required and will be issued to provider prior to any service.

CITY OF PORTLAND, MAINE

TERMINAL TARIFF FMC NO. 5 As amended

TERMINAL RULES AND CHARGES AT PORTLAND, MAINE

RULES AND REGULATIONS

RULE NO. 34. TERMINAL TARIFFS

k. GENERAL CHARGES AND PAYMENTS

All charges published in this Tariff shall be due and payable upon presentation of an invoice.

l. INSURANCE

The rates contained in this Tariff do not include insurance of any kind.

m. SECURITY

The following fees will be charged and will apply to all ships utilizing the facilities. The Facility Security Officer will determine the level of coverage required.

MARSEC LEVEL 1 - YELLOW - Regular Operations:

Passenger ships carrying under 500 passengers	\$ 20.00 per guard/per hour *
Passenger ships carrying 500 to 1,500 passengers	\$1,500.00 12 hours maximum
Passenger ships carrying over 1,500 passengers	\$2,000.00 12 hours maximum
Commercial, military and research vessels	\$ 20.00 per guard/per hour *
Police Officer (minimum 4 hours)	\$ 60.00 per officer/per hour

* **Seventy two (72) hour notice required, \$25.00 per hour without notice**

MARSEC LEVEL 2 - ORANGE - Heightened Security:

In addition to the above passenger security fees the following mandatory fees will be charged:

Additional Security Guards	\$ 25.00 per guard/per hour
Police Officers (minimum 4 hours)	\$ 60.00 per officer/per hour

MARSEC LEVEL 3 - RED - Eminent Threat:

In addition to the above passenger security fees the following mandatory fees will be charged:

Additional Security Guards	\$ 25.00 per guard/per hour
Police Officers (minimum 4 hours)	\$ 60.00 per officer/per hour

Cargo ships discharging containers will be assessed a security fee of \$1.50 per loaded container.

n. TENDER USE

A fee of \$1,500.00 per cruise ship day will be charged for use of the tender landing berth, unlimited number of tender operations per anchored vessel. Security fees as outlined above will also be charged.

For explanation of symbols and abbreviations, see Rule No. 29