



# MISCELLANEOUS CHARGES

## Supplement 5

Dated June 8, 2020 Effective June 28, 2020

### GENERAL APPLICATION

- A. TCRY shall mean TRI-CITY RAILROAD COMPANY, LLC
- B. TCRY trackage shall mean approximately sixteen (16) miles of trackage extending from the RICHLAND CONNECTION in Kennewick, Washington to the Port of Benton's MANUFACTURING MALL in Richland, Washington and generally bordered by Horn Rapids Road on the North, formerly known as the 1100 Area.
- C. All railcars are subject to Supplement 5 and the MISCELLANEOUS CHARGES Tariff effective July 11, 2015
- D. Contact for TCRY is: TCRY attention Tariff Department, PO Box 6000, Kennewick, WA 99336, telephone 509-371-8313 or 360-239-9067.
- E. TCRY Rules, Tariffs and Accessorial Charges apply when railcars are on TCRY trackage.
- F. The responsible party is the entity, person, or business subject to Supplement 5 of the Miscellaneous Charges Tariff.

Miscellaneous Charges Supplement 1 number 9 item 5. **Railroad Maintenance Charge** is deleted in its entirety and replaced with:

#### **5. Track Use Fee**

A Track Use Fee of One-Hundred-Twenty-Five Dollars (\$125) will be applied to each and every loaded railcar that is destined to or departing from a Local Rail User.

The Track Use Fee is collected by and accrues solely to TCRY.

The applicable Local Rail User is subject to the Track Use Fee.

A Local Rail User is any entity, person, or business that ships and/or receives railcar loads that traverse TCRY trackage.

A Local Rail User is defined by example in the Port of Benton Rail Plan section 2.8 and the Port of Benton and City of Richland Rail Master Plan section 2.6 (copies of the plans are provided on TCRY's website).

The Track Use Fee is applied in accordance with the 1998 Indenture between the Port of Benton and the Department of Energy section XVIII (a copy of the Indenture is provided on TCRY's website).

The Track Use Fee has been reviewed and approved by the Port of Benton to ensure its compliance with the Port of Benton's agreements with the United States.

The Track Use Fee is used to support TCRY's ongoing efforts in the management, operation, and maintenance of the railroad.

END