MUNICIPAL PORT TARIFF NO. 21

PORT OF MILWAUKEE

PUBLIC PORT TARIFF

AND

RULES AND REGULATIONS GOVERNING THE

APPLICATION OF RATES AND CHARGES

AS SET FORTH IN THE TARIFF

By the Authority of
Board of Harbor Commissioners
2323 S. Lincoln Memorial Drive, Milwaukee, WI 53207

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ITEM	DESCRIPTION	PAGE(S)
	Abbreviations and Symbols	4
Section I	Location and Description of Milwaukee Harbor Terminals and Equipment	5
Section II	Definitions, Rules and Regulations	9
1	Port of Milwaukee	9
2	Vessel	9
3	Wharf	9
4	Open Docks	9
5	Stevedore Contractors	9
6	Berth Assignments	9
7	Berth Priority Rules - City Heavy Lift Dock	11
8	Berth Priority Rules - Liquid Cargo Pier	11
9	Berthing & Usage Rules - Terminal 1 Dock	11
10	Berthing Rules - Manning of Vessels	12
11	Emergency Berth Assignments	12
12	Mooring, Winter	12
13	Discharge of Ballast & Debris in Port Prohibited	13
14	Rat Guards	13
15	Damage to City Property	13
16	Handling of Loose Materials	13
17	Inspection of Cargo	13
18	Explosives & Hazardous Cargoes	13
19	Offensive Cargo	14

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ITEM	DESCRIPTION	PAGE(S)
20	Manifests to be Furnished	14
21	Responsibility	14
22	Weights	16
23	Metric Ton	16
24	Freight Charges	16
25	Demurrage	16
26	Non-Deviation	17
27	Outer Harbor	17
28	Mobile Waste Reception Facility Service	17
29	Mobile Garbage Reception Facility Service	17
30	Limits of Liability	18
Section III	Services	
102	Dockage	19
103	Wharfage	20
104	Mooring, Winter	20
105	Electric Current	20
106	Water	20
107	Rental	20
108	Equipment Rental, Miscellaneous	21
109	Labor	21
110	Crane Equipment	21
111	Harbor Terminal Crane Capacity	23

Issued By:
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ITEM	DESCRIPTION	PAGE(S)
112	Working Hours and Conditions for Port Operations	24
113	Overtime Authorization	24
114	Calling Crane Operators & Signalmen	24
115	Storage of Freight Involved in Water Transportation	25
116	Storage of Freight Not Involving Water Transportation	26
117	Weighing	26
118	Special Services	26
Section IV	**Rates & Charges**	
200	Application of Rates	27
205	Payment of Charges, Delinquency Charge	27
210	Dockage	27
215	Wharfage	28
220	Mooring, Winter	29
225	Electricity	29
230	Water, Potable	29
235	Equipment Charge, Miscellaneous	30
240	Labor Charges	30
245-A	Crane Rental, Standard Rates	31
245-B	Crane Rental, Cargo Handling Rates	31
245-C	Crane Rental, Exceptions	32

ABBREVIATIONS

F.M.C.T.	-	Federal Maritime Commission Tariff
No.	-	Number
Wis.	-	Wisconsin
Sq. Ft.	-	Square Feet
$	-	Dollars
%	-	Percent
etc.	-	And so forth
K.W.H.	-	Kilowatt Hour
@	-	Cents
lbs.	-	Pounds
TEU	-	Twenty Foot Equivalent Units
M.T.	-	Metric Ton
(A)	-	Denotes Increase
(D)	-	Denotes Deletion
(C)	-	Denotes Only Changes in Wording, No Changes in Rates
(I)	-	Denotes New or Initial Matter
(G)	-	General Increase or Decrease
(E)	-	Expiration
(R)	-	Reduction
(N)	-	Reissued Matter

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Section I

Location and Description of Milwaukee Harbor Terminals

City Heavy Lift Dock

The City Heavy Lift Dock is an open dock located on the inner side of the area known as Jones Island and fronts on the Kinnickinnic River. It is located almost directly adjacent to and south of the harbor entrance. It consists of 1,644 feet of dock frontage, providing ample berthing space for several vessels simultaneously. Two shipside tracks, with crossover for switching, and one mid-yard track furnish an ideal layout for transfer from ship to cars or vice versa. Open storage is available. The installation of a reinforced concrete slab, 45 feet in width allows the Port of Milwaukee's heaviest cranes to operate at shipside at this facility. The berth is dredged to Seaway depth.

Terminal 1

This Open Dock is located on the north side of South Slip 1 in the Outer Harbor. It is a dock 1,300 feet long. This open storage area is equipped with a dockside track. The land area is 5.0 acres, with Seaway water depth alongside.

South Pier 1/Terminal 2

South Pier 1 is located in the Outer Harbor, immediately south of the pierheads to the harbor entrance. The pier is 970 feet in length and 300 feet in width. South side of pier is equipped with a modern cargo terminal of 50,000 sq. ft. capacity, designated as General Cargo Terminal No. 2. There is also ample storage area, a wide apron, a truck concourse, and two lines of rail trackage on this pier. The north side of this pier is an open storage general cargo facility, with shipside trackage available. The berth is dredged to Seaway depth.

South Pier 2/Terminals 3, 4, 4A, 3A,

The pier is 1,017 feet long, 520 feet wide, and will berth up to five ocean ships at once. Equipped with three cargo terminals, two each of 75,000 sq. ft., one of 28,800 sq. ft.; wide aprons; wide truck concourse; six lines of rail trackage. Built especially for deep draft Seaway shipping. All slips are dredged to Seaway depth.

Liquid Cargo Pier

The Liquid Cargo Pier is located in the Outer Harbor 1,400 feet south of South Pier 2. It is 1,082 feet in length and 50 feet in width, of open vent construction, and is used generally for handling liquid cargoes. Pipelines extend from the pier to the Jacobus Marine Terminal on the South Harbor Tract. All berths are dredged to Seaway depth.

Greenfield Bulk Cargo Terminal

This 13.8-acre triangular-shaped site has a recently improved dock capable of handling 1,000-foot lakers, dredged to Seaway draft, with access to the Interstate Highway system. This site is suitable for the open storage of all bulk commodities.

Municipal Mooring Basin

The Mooring Basin is located one mile south of the harbor entrance, and just off the Kinnickinnic River in the Kinnickinnic Basin, out of the lane of vessel traffic. It is amply protected on all sides and has an area of 36.5 acres. Water and electric power are available for vessels. It is one of the finest Great Lakes winter mooring facilities. Limited open dock and bulk cargo operations can be handled in the Basin. A single line railroad spur track is available along the entire east side of the Basin.

Municipal Pier (C)

The pier is 500 feet long and 450 feet wide with a breakwall and cruise ship berth, and is located on the Outer Harbor north of the main harbor entrance. It is available for vessel use by special arrangement with the Discovery World.

Railroad and Truck Connections

Railroad connections are provided with the Union Pacific Railroad and Canadian Pacific Railway. Switching is performed at the prevailing switching rate, per railroad tariffs. Excellent truck access to all facilities by means of the I-794 high-level bridge over the main harbor channel, which provides connection to the Interstate Highway system (I-94). Direct I-94 access is available using Becher Street.

Crane Equipment

Certified cranes are available for handling cargo at the harbor terminals. A 70-ton capacity gantry crane is available at the City Heavy Lift Dock. A 90-ton capacity hydraulic truck crane, a 200-ton, 300-ton and a 230-ton capacity mobile heavy lift crawler crane especially designed for containers, heavy lifts and steel handling are available for operation throughout the harbor terminals. A 220-ton capacity stiff-leg derrick is also available at the City Heavy Lift Dock.

Heated Warehouse Space

Bradford Buildings I and II each provide 15,000 sq. ft. of heated enclosed storage. These buildings are steel frame, clear span construction located on Lincoln Memorial Drive across from Terminal 2, and are fitted with natural gas power climate control systems.

Warehouse 5

This is a 50,000 sq. ft. clear span steel frame building served by two indoor rail spurs and four truck bays. It is ventilated, insulated and equiped with a 30-ton overhead crane.

Drafts

The Port endeavors to maintain a Seaway Maximum draft of datum of 26 feet freshwater at all operating berths. However, due to seasonal variations, weather, and other conditions, this draft cannot be guaranteed. Mariners are directed to check with the Port for the latest draft details prior to the vessel's arrival.

Grand Trunk Property (I)

This is a 30-acre land parcel formerly used as a rail yard by the Grand Trunk Railway. It is located on the Kinnickinnic River just west of the Union Pacific rail bridge. It is open for development and currently used as a barge berth and stone transfer operation. Limited water draft.

Area East of Lake Express (I)

Located on a portion of the Confined Disposal Facility, this 6-acre area is available for development. Occasionally it is used as a cruise ship berth and stone transfer operation.

Port of Milwaukee-Intermodal Yard:
Container Handling Facility

A facility especially designed to accommodate the transfer of containers between truck, rail, and vessel is located immediately adjacent to the City Heavy Lift Dock. It is a paved area of approximately ten acres with rail spurs, with security fencing and floodlighting provided.

Inner Harbor Bulk Cargo Docks

The City Bulk Cargo Docks are located along the east side of the Mooring Basin with 2,200 feet of dock available for limited bulk material handling and storage. A single line railroad spur track is available along the entire length of this dock.

Special "HI-WIDE" Port Access Roadway

The Port maintains a special "Hi-Wide" Port access roadway located at the southerly end of the Port, south of East Bay Street. This special access roadway connects South Bay St. with S. Carferry Drive, over rail trackage maintained by both the Union Pacific Railroad and Canadian Pacific Railway System. This roadway is controlled by locked gates and access through these gates for "hi-wide" movements are allowed only with advance notice to and prior approval from the Port Authority. It is mandatory that a Port Flag person be assigned to control the safe movement across this "hi-wide" access roadway.

On all requests for access through the special "hi-wide" gates during normal working hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., no charge will be made for furnishing a Port Flag person. During all other hours including Saturdays, Sundays and Holidays, a minimum charge of four (4) hours will be charged at the current Tariff rate for Overtime - Laborer/Signal, to the responsible party ordering this service.

See Section IV, Rates and Charges, Item 240 (B).

Application of Tariff

This tariff is published and filed as required by law and is, therefore, notice to the public, tenants, shippers, consignees and carriers, that the rates, rules and charges apply to all traffic without specific notice, quotations to or arrangement with shippers, consignees, carriers or others.

Use of wharves or facilities shall be deemed an acceptance of this tariff and the terms and conditions named herein.

The rates, charges, rules and regulations named in this tariff, or supplements thereto, shall be applicable on and after the effective date of this tariff or effective date of supplements.

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Section II
Definitions, Rules and Regulations

Item 1. Port of Milwaukee

Whenever the word "Port" occurs in this tariff, it shall mean the Port of Milwaukee as operated by the Board of Harbor Commissioners of the City of Milwaukee, Wisconsin, U.S.A.

Item 2. Vessel

Whenever the word "Vessel" occurs in this tariff, it shall mean floating craft or equipment of every size and description, whether manned or unmanned, self or non-self propelled, and whether for use on oceans, lakes, rivers, bays, sounds or any other waterway.

Item 3. Wharf

Whenever the word "Wharf" occurs in this tariff, it shall mean any of the wharves, docks or piers owned, leased and/or controlled by the Port.

Item 4. Open Docks

Whenever the reference "Open Docks" occurs in this tariff, it shall mean those open docks which have not been leased to tenants of the Port.

Item 5. Stevedore Contractors

Whenever the term "Stevedore Contractor" appears in this tariff, it shall mean a stevedore contractor who has entered into a written agreement with the Port to provide operating services at docks controlled by the Port, in a manner specifically provided for in such written agreement.

All stevedore contractors will provide documentation of liability and workman's compensation insurance coverage valid on any parcel of Port property where work is performed on or off a leasehold. Such contractors performing services of any kind off their lease hold property can do so only with the agreement and permission of the Municipal Port Director.

All stevedore facility operators and tenants of the Port will conform with all security requirements mandated by the Port, U.S. Coast Guard or other local, state or federal agencies.

Item 6. Berth Assignments

The Port has the authority to assign or reassign vessel berths in case of a berthing conflict between Tenant users of dock space. In such cases, assignment of vessels to all berths shall be made by the Port through its Port Operations Supervisor as directed by the Port Director and tenant assignments of berths to vessels may be over ruled. Neither the availability of berth space, nor the draft at any berth, is guaranteed by the Port to any vessel. The Port shall not be responsible for any direct or indirect costs incurred by any vessel, vessel operator, cargo interests or other party by reason of

the unavailability of any dock or berth space or the draft at any berth. The Port reserves the right to order idle vessels from a working berth, at the vessel owner's risk and expense, in order to make such berth available to other vessels prepared to work. Vessels berthed for repair shall be considered as idle vessels for the purposes of this paragraph.

Item 7. Berth Priority Rules - City Heavy Lift Dock

A) There shall be a minimum of two (2) working berths. Assignment of cranes will be under the direction of the Port Operations Supervisor.

B) Such berths shall be assigned in the order of vessel arrivals, provided the vessels involved are ready and available for work.

C) If a vessel working Crane No. 9 or Crane No. 15 is able to continue working operations with Crane No. 9, such vessel shall be required to shift to Crane 9 if there is a vessel that, in order to work, requires Crane No. 15. The vessel required to shift under this provision from Crane No. 9 or Crane No. 15 to Crane No. 9 shall not, during the shifting, be forced to leave the dock.

Item 8. Berth Priority Rules - Liquid Cargo Pier/Inner Harbor Bulk Docks

The Port has granted preferential berthing privileges to certain tenants at the Liquid Cargo Pier and certain Inner Harbor Bulk Docks. Vessels berthing for the account of these tenants have preferential berth privileges by special arrangement with the Port and shall have priority over other vessels seeking to occupy berths.

Item 9. Berthing and Usage Rules - Terminal 1 (C)

Terminal 1 is a multi-use facility covered by the definition of a "open dock" (see Item 4, Page 8).

As an open dock, the rates, terms and conditions of usage of the facility will be at the sole discretion of the Port Director or the Port Operations Supervisor, in his absence.

In general, the intended use of this facility is as an overflow dock for tenants currently leasing other facilities from the Port. As well, the Port Director may consider use by others on a "one-off" basis. Terminal 1 is a “transit” dock for temporary storage. Cargo is to be removed after 10 days following ship discharge.

Those desiring use of the facility for the delivery or receipt of cargo to vessel or other conveyance must apply to the Port Director, or in his absence the Port Operations Supervisor, thirty (30) days in advance of the date of the intended operation. At the time of application, the potential user must inform the Port of: (1) the tonnage and commodity intended; (2) method of conveyance; (3) details of the planned operation; (4) the desired length of time of dock use; and (5) such other operational information as may be requested. Following application, the potential user will be advised of the rates, terms and conditions and time allotment or use of said dock, along with any potential use conflict.

As a high volume multi-use facility, the Port reserves the right to place strict time-use limits on the user and to enforce same, including but not limited to, assessment of demurrage charges.

Item 10. Berthing Rules - Manning of Vessels

All vessels berthed at piers shall maintain sufficient qualified personnel on board at all times to move the vessel in case of an emergency, with the exception of vessels in winter mooring. Owners of vessels in winter mooring shall make contingency plans to handle the vessel in event of an emergency and such plans shall be filed, in writing, with the Port of Milwaukee, prior to the vessel berthing for winter mooring.

It shall be the responsibility of the Master and/or owner of the vessel to monitor local weather conditions and to take appropriate steps to ensure the safety of his vessel according to specific weather conditions.

Item 11. Emergency Berth Assignments

A vessel seeking a berth for emergency repairs or refuge from inclement weather or other reasons may request a berth to carry out such repairs or other corrective action or requirements at public Port facilities. However, such application is subject to the approval of the Municipal Port Director or Port Operations Supervisor. Dockage charges under this tariff (Items 102(B), 210) are applicable to vessels berthed under Item 11.

Item 12. Mooring, Winter

All vessels mooring in waters under the control of the Port shall moor and unmoor at their own risk and expense. The Port reserves the right to designate the berth and position of any vessel placed at mooring, which shall be interpreted as referring to mooring one vessel adjacent to another at the same berth. The Port reserves the right to refuse mooring to vessels of sizes exceeding the capacity of available mooring space. Rates as shown under Item 220.

Applications for mooring space will be filled in the order received. If the space reserved is subsequently not occupied, the party making the reservation will be held responsible for the payment of mooring charges for one month.

Vessels actively engaged in loading or discharge of cargo will have preference in berthing arrangements to winter mooring vessel operations.

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Item 13. Unauthorized Discharge of Ballast and Debris in Port Prohibited

Vessels may discharge garbage, rubbish, dunnage or debris onto the docks, in proper containers, only with the permission of the Municipal Port Director or the Port Operations Supervisor and under all applicable federal, state and local laws and regulations.

Discharge of any foreign matter, including fuel oil, into slips and channels is strictly prohibited and in violation of City Ordinance Section 118-15, which carries a fine up to $200.00 and imprisonment up to 90 days for non- compliance. In addition, vessel will be liable for any and all clean up costs incurred.

Discharge of any petroleum product into any waters within the Port of Milwaukee, requires by law, under heavy penalty, immediate notification to the local U.S. Coast Guard, Marine Safety Office.

Item 14. Rat Guards

All ocean vessels are required to have rat guards in place on all mooring lines while berthed at the harbor terminals. This requirement will be regularly policed by the Port forces and a penalty of $150.00 per day will be assessed for non-compliance.

Item 15. Damage to City Property

Any damage done to wharves, sheds, other structures or equipment of the Port by a vessel or other party must be immediately reported to the Port by the vessel master and by the relevant terminal operator, giving details of such damage, and the expense of repairs of such damage at cost plus 25% overhead charges shall be levied against the responsible party.

Item 16. Handling of Loose Materials

In the discharging or loading of vessels with sand, gravel, stone or similar loose materials, precautions such as the use of a canvas chute or other arrangement satisfactory to the Port must be used to prevent any part of such materials from falling into the water, creating dust in the air, or otherwise creating a nuisance.

Item 17. Inspection of Cargo

The Port is authorized to enter upon and inspect any vessel at public wharf to ascertain the kind and quantity of cargo thereon.

Item 18. Explosives and Hazardous Cargoes

Any explosive or hazardous material or product will be received on the wharf only upon application to the Port for permission for the same. The handling of such materials is subject to all rules and regulations of the Port, City Ordinances, and authorized agencies of the State or Federal Governments.

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Item 19. Offensive Cargo

Cargo which may cause damage to the docks or facilities will be handled only at the discretion of the Port and under the direction of the Port Operations Supervisor.

Item 20. Manifests to be Furnished

The stevedore contractor and/or terminal operator and/or receiver and/or shipper and or vessel and/or railroad discharging or loading cargo must furnish promptly to the Port on demand, copies of railroad bills of lading, inbound and outbound manifests, hatch lists, or load lists or other good and sufficient documentation, showing weights and measurements of the various items. The Port reserves without question, the right to audit all such manifests and to use such audits as a basis of charges.

In order to expedite the allocation of storage space, the cargo interest enumerated above must furnish to the Port dock receipts, loading tallies, or other documents showing the details of the cargo to be stored as much in advance of the receipt of cargo at the docks as may be possible.

Item 21. Responsibility

A. Vessels
The Port will make every effort to provide adequate berthing and tie-up facilities; however, the responsibility for the safety and security of vessels remains at all times with the Master and/or owners and operators. The Port is not responsible for conditions arising at a berth, including the draft at the berth, because of weather, acts of God, strikes, civil disturbances or any factors beyond its control.

B. Barges

The Port is not responsible for the safety and security of barges or other non-self-propelled vessels that are loading, discharging, or awaiting loading, unloading, or motive power. Arrangements must be made between the owner, operator, shipper, and/or consignee to provide for such security.

C. Cranes (I)

Crane equipment for the handling of cargo in the Port will be provided by the Port unless otherwise authorized or directed by the Director of the Port or the Harbor Operations Supervisor.

In making its cranes and crane crews available to assist stevedore contractors or other Port clientele in the stevedoring or handling of cargo or other materials, it is understood that such operations are under the direction and at the responsibility and risk of the stevedore contractor or other person ordering these services. Crane crews will execute all reasonable orders and perform the services reasonably required in connection with the furnishing of cranes and crane crews for the intended purposes.

However, the Port reserves the right to refuse crane service when in the judgment of the Port Operations Supervisor, the crane operator, or other authorized Port representative, the service requested or ordered is hazardous, or may imperil the safety of a crane, of cargo, or of human life; and the Port similarly reserves the right to withhold service if in the judgment of the Port Operations Supervisor, or the crane operator, a crane is requested to render service beyond its safe operating capacity or lift.

Cranes are furnished with the bare hook only, and all gear which is required to perform the lifting operation from that point must be furnished by the user. The Port reserves the right to refuse service if such gear is in the opinion of the Port, unsatisfactory.

It is the Port's desire and intention to maintain its crane equipment to a high standard, and every effort will be made to do so. However, the Port will not be responsible for any costs that may be incurred by others as a result of unforeseen breakdown of cranes. Only Port owned cranes may be used for cargo related operations upon Port property, unless otherwise specifically authorized in writing by the Port.

At the inner harbor Heavy Lift Dock, only Port shore cranes can be used to perform cargo operations. Vessels wishing to use ship’s gear can do so only with prior consent from the Municipal Port Director. This consent may include extra charges for crane operators per union practices.

D. Vessel Docking/Undocking by Master (I)

The maneuvering technique of “stemming off” is not to be used by Masters along Port owned dockwalls.

E. Cargo
The Port assumes no responsibility for loss or damage to freight stored at the harbor facilities, which may be caused by water, fire, frost, heat, salt, leakage, failure of buildings or building systems, protective coverings, animals, insects, dampness or the elements, nor is it responsible for any delay, loss or damage arising from riots, strikes, wars, insurrection, national emergency or mobilization declared by the President of the United States, or any cause unavoidable or beyond its control.

The Port does not assume care, custody and control of cargo and therefore takes no legal responsibility for the same. The Port carries no insurance on cargo or material placed in storage at the harbor facilities. The owner of the goods should arrange for such insurance at his own expense, since goods are stored at the risk of the owner or of the entity having care, custody and control.

Item 22. Weights
Charges, adjustments, etc., made by the Port will be based on weights of cargo determined on the basis of vessel, truck or railcar manifest, official survey documents, certified weight scale tickets or such other good and sufficient documentation satisfactory to the Port. Railroad and truck scales and independent surveying companies are available in the nearby area to furnish certified weights. No cargo will be accepted for handling by mechanical equipment unless correct weights are properly marked upon the package.

Item 23. Metric Ton
A metric ton is defined as 2204.62 pounds.

Item 24. Freight Charges
The Port assumes no responsibility for rail, water or truck freight charges on shipments moving via its facilities. Freight charges cannot be prepaid by the Port for customer's account.

Item 25. Demurrage/Consequential Damages
The Port does not assume the responsibility or costs for delays of any nature, including but not limited to demurrage to vessels, trucks, or railroad cars, or detention of vessels labor or other arising from any cause whatsoever.

Item 26. Non-Deviation

Tenants of the public port, including lessees of general cargo terminals, are, for the purpose of this tariff rule, limited to the functions and operations described in their respective leases or operating contracts, and are not authorized to deviate therefrom, without written permission of the Port. For example, lessees of general cargo terminals are not authorized to engage in bulk cargo handling operations without application to and written approval from the Port, and port tenants are not authorized to make berth assignments to vessels in distress, or requiring emergency repairs, without application to and written approval of the Municipal Port Director, or his designee. It is the purpose of this rule to assure that commercial berths are assigned and used for their normal and intended functions, and that any substantial deviation therefrom, or the handling of any marine emergency, shall come within the purview of, and be solely under the control of the Port of Milwaukee. Such approval by the Port shall be deemed conditional upon the tenant holding harmless said Port, the City of Milwaukee, and its employees, from any liability in connection with the use of the designated facilities.

Item 27. Outer Harbor

Any reference to the Outer Harbor in this tariff shall mean all facilities, docks or wharves located on the Lake Michigan side of the Port peninsula and the Downtown North Harbor Tract.

Item 28. MARPOL 73/78 - Annex I
Mobile Waste Reception Facility Service

The Port, acting on behalf of local marine terminals who provide services to overseas vessels, has been granted a Certificate of Adequacy by the U. S. Coast Guard, to provide a mobile waste reception facility service. This service will receive and dispose of certain residues and mixtures containing sludge from on-board fuel and lubricating oil processing and oily bilge water from all ocean-going ships. All ships, their owners or agents, which require mobile waste reception facility service, shall contact their Terminal Operator or the Port to obtain the name of the certified local provider. A minimum of 24 hours advance notice for service must be given to the provider by the Master of the vessel or his representative. All vessels, ships owners or agents are required to enter into a prior contract with the mobile waste reception facility provider, which includes advance information of type and characteristic of waste to be disposed.

Item 29. MARPOL 73/78 - Annex V
Mobile Garbage Reception Facility Service

The Port, acting on behalf of local marine terminals who provide services to both foreign and domestic vessels, has been granted a Certificate of Adequacy by the U. S. Coast Guard, to provide a mobile garbage reception service. This service will receive and dispose of certain types of ship-board generated garbage. All vessels, ships owners or agents requiring this service shall contact their Terminal Operator or the Port Authority to obtain the names of certified local providers.

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ITEM 30. LIMITS OF LIABILITY

Deleted.

Section III
Services

Item 102. Dockage

Dockage is a charge levied against the vessel for the use of the berthing space at all public Port facilities. No services are covered by this charge. Dockage charges will be billed by the Port on the basis of vessel length overall as applicable. Such measurements shall be obtained by the Port from either the vessel's register or similar documentation, or from a recognized vessel directory, at the option of the Port. Billing for dockage will be for vessel account. Dockage will be billed to the owner and/or operator of the vessel, or such other person or persons acting as agents thereof including charterers, sub-charterers or any other person or persons representing the vessel.

Assessment of dockage is a prerogative of the public Port only, and no Port tenant or stevedore contractor may levy dockage against vessels at any public Port facility owned or controlled by the Port.

Dockage commences when a vessel is made fast to a wharf and continues until it is completely freed from and vacates the berth at such wharf. It is the responsibility of the owner and/or operator of the vessel, or such other person or persons acting as agents thereof including charterers, subcharterers or any other person or persons representing the vessel, to notify the Port Operations Supervisor of the estimated arrival time of the vessel at Port of Milwaukee facilities. Within 24 hours of departure, the Port Operations Supervisor is to be notified of the actual arrival and departure times of the vessel. Such notification can be given by phone 24 hours a day by calling Area Code (414) Telephone Number 286-3511 or by fax at 414-286-8506. Failure to provide such notification may result in the assessment of a minimum dockage charge based on three days' berthing.

Exemptions: Vessels owned and operated by any department of the United States Government. Vessels against which a rental is levied by special agreement with the Port.

NOTE: If for any reason the berth is needed for a working vessel, said vessel will be required to shift or be removed at owner or agent's expense.

See Section IV, Rates and Charges, Item 210.

(A) All vessels including barges, per length overall, see Item 210 (A).

(B) Lay Berth - Vessel owners, operators and/or agents may request berthing space alongside a wharf for any vessel awaiting a working berth to load or unload cargo, or to effect vessel repairs, or in the event of stress of weather and such berth will be assigned by the Port Operations Supervisor subject to such a berth being available for the period of time requested. (This item is also subject to Item 6., Berth Assignments.)

See Item 210 (B).

Item 103. Wharfage and Landborne Receipts (C)

Wharfage or landborne receipts is a charge for the use of the wharf or Port facility, respectively levied against all cargo, except as otherwise agreed, in the process of loading or discharging a vessel or landborne conveyance. No services are covered by this charge.

Assessment of wharfage or landborne receipts is a prerogative of the public Port only, and no Port tenant or stevedore contractor may levy such charge or charges against vessels or landborne conveyances at any public Port facility owned or controlled by the Port except as expressly authorized by the Port.

Wharfage and landborne receipts charges are based upon a metric of 2,204.62 lbs., or measurement ton, which ever is greater.

See Section IV - Rates and Charges - Item 215.

Item 104. Mooring, Winter

Mooring berths, commonly known as winter mooring berths, are arranged by special agreement with the Port upon written application. Upon request, and subject to availability, the Port Operations Supervisor will assign all winter mooring berths.

Winter mooring rates apply only between December 10 and April 10.
Mooring rates at all Port and Harbor facilities are based on length overall with a daily charge.

See Section IV - Rates and Charges - Item 220.
NOTE: Also see Item 13.

Item 105. Electric Current

Electric current from 120-volt, A.C., single-phase, 60 cycle, 100 amp. up to 480-volt, A.C., three-phase, 60 cycle, 400 amp. is available at most Port facilities, by special arrangement.

See Section IV - Rates and Charges - Item 225.

Item 106. Water

Potable water, through approved backflow preventer and metering system is available at most Port facilities by special arrangement.

See Section IV - Rates and Charges - Item 230.

Item 107. Rental

Rental is a charge levied against a vessel, steamship line, cross-lake operation or industry, entitling the lessee to a preferential use of a wharf, slip, industrial area or other facility, but not to absolute control of the same. No services are covered by this charge.

NOTE: Rentals to be arranged by special agreement with Port upon written application.

Item 108. Equipment Rental, Miscellaneous

The Port has a variety of miscellaneous work equipment available, at nominal rental rates by special arrangement and application. Equipment consists of:

(A) Workboat, HARBOR SEAGULL, 50' longx12' beam, 250 H.P. diesel engine, aft open deck with hydraulic knuckle boom loader.
(B) Tractor/Loader, 42 H.P. diesel with one cubic yard bucket and various special attachments.
(C) Torch cutting and welding equipment.
(D) Forklift truck, 5,000 lb. capacity, pneumatic tires.
(E) Compressor, portable trailer mounted, 160 CFM capacity.
(F) Oil retention booms, in various lengths.
(G) Truck, pick-up, maintenance or railroad.
(H) Caterpillar 980C front end loader with forks or bucket.
(I) 52,000 lb. capacity Kalmar fork lifts with fork or ram. (QTY. 6)

See Section IV - Rates and Charges - Item 235.

Item 109. Labor (C)

A variety of skilled labor crafts is available from the Port. All labor charges are based on the scale of wages and fringes adopted by the Common Council of the City of Milwaukee.

When services are performed by regular Port employees, including supervisory forces, for work not specified elsewhere in this tariff, such services shall be charged at the established hourly charges as shown in Item 240.

See Item 112 and 113 for working hours and conditions.
See Section IV - Rates and Charges - Item 240.

Port labor charges and work rules are also governed by City of Milwaukee labor contracts. All terms and conditions of such contracts including but not limited to the Master Building Agreement Area 1 of the International Union of Operating Engineers Local 139 and the Agreement Milwaukee District Council 48 AFSCME, AFL-CIO are included in the Tariff.

Item 110. Crane Equipment

The Port has a variety of crane equipment, available by special arrangement and application, at specified rental rates. When services are performed requiring the use of the Port's equipment for work not specified elsewhere in this tariff, rental for such equipment will be at the standard rate as shown in Item 245, Sub-Section A, or at such other rate as set by special agreement with the Municipal Port Director. The Port also lists special cargo crane rates which are applicable on waterborne commerce, as shown in Item 245, Sub-Section B.

All crane equipment rentals normally include Crane Operator who is billed separately. Signalman will be provided by the Port of Milwaukee only by the request of the person so ordering and with the consent of the Port. There is a minimum rental charge for all crane operations of one hour at straight time and two hours at overtime.

There are exceptions for use of certain cranes, as shown under Item 245, Sub-Section C.

All charges under this tariff item are subject to applicable Wisconsin State Sales Tax.

All crane equipment assignments will be made in order of application and according to availability.

See Section IV - Rates and Charges - Item 245.
NOTE: Also see Item 114.
Also see Item 21(c)

A general listing of Port crane equipment follows:

(A) Crane No. 9, Clyde electric gantry, 100-ft. main boom with 10-ft. jib, rated at 70-ton capacity, capable of bucket and magnet work.

(B) Crane No. 15, Custom made Thielacker stiff-leg derrick with 100 ft. of main boom and 10-ft. jib., Manitowoc 3-drum electric hoist, rated at 220 net tons capacity at 30 ft. from dockside.

(C) Crane No. 16, Lima diesel crawler crane, with elevated boom foot and operator's cab, 100 ft. of main boom and 10-ft. jib, rated at 200-ton capacity, EQUIPPED FOR BUCKET OR MAGNET WORK.

(D) Crane No. 17, P&H diesel crawler crane with elevated boom foot and operator's cab, 130-ft. main boom and 10-ft. jib, equipped to operate with a fully automated container spreader, magnet or bucket, rated at 300-ton capacity.

(E) Crane No. 18, Bucyrus-Erie diesel driven, hydraulic, telescoping boom truck crane, 42-ft. to 104-ft. main boom with additional 40-ft. swing-away jib, rated at 90-ton capacity.

(F) Crane No. 19, Manitowoc 4100 Series II WV diesel crawler crane with elevated operator's cab, 140 ft. of main boom with 6 ft. of jib. Crane rated at 230 net ton capacity, can be equipped for bucket work.

Further information and specifications on cranes is available upon request. See Port's web site at www.milwaukee.gov/port.

NOTE: Also see Item 111 Harbor Terminal Crane capacities.

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Item 111. Harbor Terminal Crane Capacities

Safe Loads in Pounds

Distance From Dock Side	Gantry Crane No. 9	Stiff-Leg Derrick No. 15	Mobile Heavy Lift No. 16	Mobile Heavy Lift No. 17	Truck Mounted Crane No. 18	Mobile Heavy Lift No. 19
5'	140,000					
7'	140,000					
12'	140,000					
17'	140,000					
19'	140,000					
23'	126,000		251,900			
30'	102,000		190,000		41,900	211,300
35'	84,000	440,000	154,000			175,500
40'	78,000	400,000	128,000	193,200	31,500	139,700
45'	67,000	360,000	110,175	170,000		118,700
50'	62,000	340,000	95,875	147,000	24,400	102,800
60'	53,000	320,000	75,525	114,000	17,700	80,400
70'	44,000	*300,000	61,775	92,000	13,100	65,300
80'	*30,000		51,850	77,000	9,900	54,400
90'			*44,350	65,000	(*)7,400	46,200
100'				56,200		39,900
120'				44,100		30,500
130'				*39,100		27,500
135'						*25,500

* Maximum Reach.

(*) Maximum Reach with 104-ft. boom. Additional 40-ft. swingaway boom available. Lifting capacities with 144-ft. boom available upon request.

For Cranes 16, 17,18 and 19, distances are shown from center pivot of crane.

Crane 18 lifting capacities shown are with 104 ft. of boom. Additional capacities available with shorter boom lengths.

Additional crane capacities and measurements available upon request.

See Section IV - Rates and Charges - Item 245.

NOTE: Also see Item 110.

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Item 112. Working Hours and Conditions for Port Operations

The Port's standard working day during the Seaway season extends from 8:00 A.M. to 5:00 P.M., and during the closed Seaway season from 8:00 A.M. to 4:30 P.M., Monday through Friday, excluding holidays. All other working time including Saturdays will be on an overtime basis, except where shift arrangements permit straight time. The overtime basis of labor charges shall be at rates shown under Item 240. If special arrangements are made for work on a holiday as listed in the City's contract with its union, labor rates will be assessed as shown under Item 240 (2).

Labor and equipment of the Port will be available to handle any of the operations covered by this tariff upon application by the stevedore contractor, or other person responsible, such application to state the time crew is to be available. The allocation of Port labor and equipment is solely at the discretion of the Municipal Port Director through the Port Operations Supervisor.

Item 113. Overtime Authorization

Operations may be extended into overtime periods at the discretion of the Municipal Port Director, or the Port Operations Supervisor. All overtime work must be authorized by stevedore contractor, or other person responsible, not later than 2:00 P.M. on the date that such overtime work is to be performed, or on the last business day preceding any Saturday, Sunday or holiday. Overtime labor rates, per Tariff Item 240, will be applicable for overtime periods. On regular working days, crews for cranes will be available, and cranes will be rented to authorized persons, in order of application for crane service, according to availability.

On operations of less than four hours' duration, the cost of labor per Item 240 between actual time worked and a minimum of four hours, will be assessed, all at overtime rates.

Item 114. Calling Crane Operators and Signalmen

Crane Operators, and Signalmen when requested, will be scheduled to furnish service, as requested and guaranteed by stevedore contractors, or other Port clientele, and at the times specified by those ordering the service. Any delay in crane operations thereafter shall be chargeable to the person ordering the service, unless the crane and crane crew can be economically assigned to other work. Crane crews called for duty, but not actually working due to non-availability of vessel or cargo, or for any other reason beyond Port control, will be paid a minimum of one hour crane time (two hours if on overtime) at prevailing rates, which cost will be chargeable to the person ordering the service. Crane crews will thereafter be released unless the stevedore contractor, or other person ordering the service shall order and authorize such crews to remain on standby, in which event such person or contractor will be liable for all waiting time incurred.

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For operations involving Saturday, Sunday and Holiday work, crane crews will be called by order of stevedore contractor, or other persons responsible. On operations of less than four hours' duration, the cost of labor per Item 240 between actual time worked and a minimum of four hours, will be assessed, all at overtime rates.

Waiting time during loading, unloading or terminal handling operations, for the convenience of stevedore contractor or other party ordering the service, shall be billable to such contractor or party, at cost of labor and equipment.

It is understood that crane rental rates include the service of Crane Operator, which is billed separately. If the crane is detained or delayed for the convenience of a particular stevedore contractor or other Port client, it is understood that crane rental will be billed at standard rates, which will include the service of the Crane Operator. Signalman, if required, will also be billed at the applicable tariff rate. Reference in this item to labor billing therefore refers to the services of other labor who are authorized by the stevedore contractor as part of crane crew.

Item 115. Storage of Freight Involved in Water Transportation

Dock side storage space, and back area storage space, are available for rental, and may be assigned on application from stevedore contractors or others eligible for use of such storage facilities.

Dock side storage is limited. The Port reserves the right to allocate available dock side storage space, and will accept applications and make reservations for such space in the order of their receipt, giving due regard to cargo in relation to vessel berthing requirements, and to operating requirements. When dock side storage is not available, back land areas or other storage spaces available will be allowed.

Stevedore contractors or others, desiring to place material in storage, or to reserve storage space for their cargo handling requirements, shall inform the Port Operations Supervisor as to their space requirements, requested location, and requested length of time for which such storage space or area shall be allotted.

For all open storage, dock side or back lands, rates upon application to the Municipal Port Director, Port of Milwaukee.

The Port assumes no responsibility for damage to cargo or for checking, inventorying, certifying quantities or in any other way assuming responsibility for cargo, material or equipment placed in storage by a stevedore contractor or other Port users. The Port's responsibility is limited to assignment of space only, and to collection of charges therefor.

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For all materials placed in storage, stevedore contractors or other users of the Port responsible for such storage shall be required to produce manifests, bills-of-lading, or other documentary evidence acceptable to the Port, on the basis of which the Port may determine quantities in storage and assess the charges due.

The Port reserves the right to allocate dock side storage in such a manner as to assure maximum efficiency of operations and equal treatment for all stevedore contractors or other Port users. It shall be understood, therefore, that dock side storage remains under control of the Port, and the Port reserves the right to order the shifting of cargo to or from back areas, at the expense of the stevedore contractor or other Port users having such cargo in his custody, when it is necessary to free or to provide dock side storage to assure accommodation for cargoes requiring shipside facilities.

Item 116. Storage of Freight Not Involving Water Transportation

For storage of all unclassified freight not involving water transportation at the harbor facilities, rates are available upon application to the Municipal Port Director.

Storage areas are to be assigned by the Port Operations Supervisor. Arrangement to place commodities in storage areas may be made through the Port of Milwaukee or its stevedore contractors.

Item 117. Weighing

Highway carriers may secure weights over the truck scale located in the Port.

The Port in no way is responsible for securing weight for rail cars or for trucks.

Item 118. Special Services (Not Presently Applicable)

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Section IV
Rates and Charges

Item 200. Application of Rates

The rates, charges, rules and regulations named in this tariff, or corrections thereto, shall be applicable on and after the effective date of this tariff or effective date of corrections.

Item 205. Payment of Charges, Delinquency Charge

All charges levied by the Port are the responsibility of the party or parties ordering the service for which the charge is made. Under no conditions shall invoices be altered by recipients. Any claims for error or overcharge will be promptly considered and necessary adjustments made by the Port.

Invoices covering charges in this tariff as issued by the Port are due and payable upon presentation. Any invoice issued for any charge or charges prescribed by this tariff remaining unpaid for a period of forty-five (45) calendar days after the date of invoice, is delinquent and shall be charged a delinquency charge of one and one-half percent (1-1/2) per month on the total unpaid balance thereof. A forty-five (45) day grace period for payment may be granted from date of billing and if not paid within such period, interest will be charged on a retroactive basis to the date of billing.

Item 210. Dockage (C) (I)

Dockage will be charged on all vessels, including barges, at the following rates for each twenty-four (24) hours or fraction thereof while vessel is berthed at wharf, or alongside another vessel, including Saturdays, Sundays and Holidays:

(A) Vessels, including tugs & barges

Working Berth:

(1) 152 meters (500 ft.) or more in length overall	$1,040.00
(2) Between 82 meters (270 ft.) and 152 meters (500 ft.) in length overall	$ 676.00

Lay Berth:

(3) 152 meters (500 ft.) or more in length overall	$ 780.00
(4) Less than 152 meters (500 ft.) in length overall	$ 520.00

(B) Vessels 82 meters (270 ft.) LOA or less, including hopper and deck barges/associated tugs at their combined length $ 338.00

(1) Lay berth for above $ 170.00

Also see Item 102.

Note to Item A & B: Dockage charges for tug/barge combinations shall be computed on the basis of the combined length overall of the tug added to the length overall of the barge.

(C) Special dockage arrangements for barges and tugs may be requested through the Harbor Master or Municipal Port Director. Such arrangements should be approved before vessel arrival.

(D) Multiple barges or ships that are rafted off the dockwall will be charged individually.

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Item 215. Wharfage and Landborne Receipts (per metric ton of 2,204.62 lbs. or measurement ton such as cubic meter, which ever is greater). N.O.S. cargoes charged on a measurement basis will be at one-half the weight rate shown. (G) (I)

Vessel wharfage or landborne receipts charges will be charged at the rates shown below:

		Vessels
A.	Metal Products - All Grades (See Note 1)	$0.60 M.T.
B.	Salt	0.33 M.T.
C.	Sand	0.38 M.T.
D.	Bulk Commodities - Dry	0.54 M.T.
E.	Bulk Commodities - Liquid	0.54 M.T.
F.	Trucks	4.32 Axle
G.	Bagged Cargo (Including Public Law 480, Section 416, Section 1110 Cargoes)	1.07 M.T.
H.	Containerized Cargo - Loaded	8.06 TEU
I.	Containerized Cargo - Empty	5.46 TEU
J.	N.O.S. Cargo	2.25 M.T.
K.	Passengers (Cruise Ships docked at commercial Port berths)	5.20 per passenger
L.	Construction Aggregates Including Stone, Rip-Rap, Gravel, Crushed Rock	.38 M.T.

Note 1: Metal products include: angles, bars, beams, billets (not further processed), channels, coils, flats, plates, rails, reinforcing bars rods), sheets structural sheet, pipe, wire rod in coils, blooms, strips, pig iron, scrap ingots and miscellaneous metals.

See Item 210 for lay berth rate.

Also See Item 103 and 210.

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Item 220. Mooring, Winter

The rates for mooring at all Port and Harbor facilities on the basis of length overall, per day are:

Vessels 190M or less in length overall	$55.00/day
Vessels greater than 190M to 230M in length overall	77.00/day
Vessels greater than 230M to 260M in length overall	94.00/day
Vessels greater than 260M in length overall	110.00/day

Above rates apply only between December 10 and April 10.

NOTE: Also See Item 13, and Item 104.

225. Electricity

Electricity, where available, will be supplied by the Port of Milwaukee at applicable "Secondary User" rates authorized by Wisconsin Electric.

Note: Also See Item 105

Item 230. Water, Potable

Water, where available, will be supplied by the Port of Milwaukee at the rate of $1.85 per hundred cubic feet, minimum water charge $75.00 plus the cost of set up; minimum set up charge - $400.00

Labor charges additional, per Item 240.

NOTE: Also See Item 106.

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Item 235. Equipment Charges, Miscellaneous (A) (I)

(A)	Workboat, HARBOR SEAGULL without crew, per hour, minimum charge 2 hours Note: crew of 2 required, see Item 240(b)	$100.00
(B)	Tractor/Loader without operator, per hour, minimum charge 1 hour	29.00
(C)	Torch cutting and welding equipment without operator, per hour, minimum charge 1 hour	10.00
(D)	Fork-lift truck, 5,000 lbs. rated capacity without operator, per hour, minimum charge 1 hour	20.00
(E)	Compressor, portable, trailer mounted, 160 CFM rated, per hour, minimum charge 2 hours	12.00
(F)	Oil Retention Boom, per foot per day: Plus labor charges per Item 240 if required	1.00
(G)	Truck (pick-up, security van, maintenance, or railroad), per hour or fraction thereof **(C)**	50.00
(H)	Caterpillar 980C front end loader with forks or bucket without operator, per hour; if operator required, billed separately (minimum 1 hour)	150.00
(I)	52,000 lb. Kalmar forklift with fork or ram, per hour without operator (minimum 1 hour)	150.00
(J)	Boom lift with man platform, w/o operator per day	300.00
(K)	Portable pole lights	75.00/day or 250.00 per week

NOTE: Also see Item 108.

Item 240. Labor Charges (A)

	Hourly Rates Labor Description	Straight Time	(1) Overtime	(2) Overtime
(A)	Crane Operator	$72.29	$111.29	$123.94
(B)	Laborer/Signalman	50.65	79.94	88.96
(C)	Mechanic	56.28	86.67	97.92
(D)	Supervision	99.08	152.98	172.18

(1) All overtime except Sundays and holidays.
(2) Sundays and holidays.

NOTE: Also see Item 109.

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Item 245. Crane Rental (A) (C)
Sub-Section A - Standard Rates, Without Operator
Applicable for All Operations

A.	Gantry Crane No. 9, rate per hour	$192.00
B.	Stiff-leg Derrick No. 15, rate per hour	$450.00
C.	Mobile Heavy Lift Crane No. 16, rate per hour	220.00
D.	Mobile Heavy Lift Crane No. 17, rate per hour	220.00
E.	Hydraulic Truck Crane No. 18, rate per hour	192.00
F.	Mobile Heavy Lift Crane No. 19, rate per hour	220.00

- Minimum Charge: 1 hours straight time
  2 hours overtime

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Sub-section C – Exceptions (C)

Note 1: Minimum crane charges: 1 hour straight time
2 hours overtime

Note 2: Rigging cranes for heavy lift or special duty: Labor and supervision charges to be applied after which crane rental is applicable.

Note 3: All hourly crane rates are subject to fuel cost escalations at time of use. Port reserves the right to add fuel surcharges as needed.

THE RULES, REGULATIONS, AND RATES HEREIN PUBLISHED ARE SUBJECT TO CHANGE.

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