BNSF 6041-B	BNSF RAILWAY COMPANY	Title Page
	BNSF	
	BNSF PRICE LIST 6041-B (Cancels BNSF Freight Tariff 6041-A)	
	PROVIDING	
RULES AND REGUL	LATIONS GOVERNING UNIT TRAIN AND VOL	UME ALL-RAIL
COAL SERVICE, AL	LSO ACCESSORIAL SERVICES AND CHARG	ES THEREFOR
•	APPLYING AS PROVIDED IN PRICE LIST	

ISSUED: September 19, 2011 EFFECTIVE: October Issued by BNSF Price Management, P.O. Box 961069, Ft. Worth, TX 76161-0069

EFFECTIVE: October 9, 2011

BNSF 6041-B	BNSF RAILWAY COMPANY	Page 1	
	TABLE OF CONTENTS		
SUBJECT		ITEM	
	ement of A Unit Train at Origin Or Destination		
Coal Cars or Cars	ments For Montana and Wyoming Mines	50	
Diversion of a Loaded Unit Train to an Alternate DestinationDiversion of an Empty Unit Train to an Alternate Destination			
Forecasting Protocol		- 260	
Holding a Loaded or Empty U	Init Train In Route	- 125	
Loading FacilityLoading Free Ti	me	40	
Miscellaneous Handling of Coal Cars			
Out-Of-Route Charges for Transporting Empty Coal Cars			
Placement and Pick-Up of Private Coal Cars on Shipper Supplied Tracks Placement, Storage and Pick-Up of Private Coal Cars on BNSF Supplied Tracks			
Pre-Release for Empty Coal Trains			
Release And/Or Pick-Up of Locomotive Power and CrewsResidual Coal Provisions			
Scale Testing at Absaloka MineSwitching of Overloaded Coal Cars			
Train or Unit Train		- 60	
Unloading Facility		80	
Weighing Of Unit Trains		130	
ISSUED: September 19, 2011	EFFECTIVE: Octobe	er 9. 2011	

# ITEM 20 AAR INTERCHANGE RULES

The rules and regulations developed by the AAR, prescribing certain standards for freight car mechanical specifications, repair and damage liability, and the administrative procedures related thereto. These rules are published in the Field Manual and Office Manual of AAR Interchange Rules, as in effect from time-to-time.

## ITEM 30 COAL

Bituminous, Sub-bituminous and Lignite Coal with a Standard Transportation Commodity Code (STCC), that with the digits 11-211 series, 11-212 series and 11-221 series. This tariff shall not cover beneficiated, enhanced, or synthetic coal; PROVIDED, HOWEVER, coal treated with additives used exclusively for dust control or to mitigate freezing shall not be considered "enhanced".

## ITEM 40 LOADING FACILITY

The equipment necessary to load Coal into Trains at origins and any support facilities used in the handling of Coal including rail trackage, raw Coal hopper, crusher, processing and/or preparation plants, Coal storage facilities, load-out silos, and conveyor systems used for moving the Coal from the raw coal hopper through all intermediate phases to the storage facilities and/or loading chute.

## ITEM 50 COAL CARS OR CARS

An open-top gondola or bottom dump hopper or bottom dump rapid discharge railcar with a designation by The Official Railway Equipment Register of GT or HT.

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

## ITEM 60 TRAIN OR UNIT TRAIN

Any assemblage of Coal Cars with BNSF supplied locomotives and end-of-train devices necessary for the movement of Coal.

# ITEM 80 UNLOADING FACILITY

The equipment necessary to unload Unit Trains of Coal at a destination, and all support facilities necessary for the unloading of Coal to storage, including rail trackage, Coal Car positioner, rotary dumper or bottom dump unloading system, feeders and hopper, dust collector or dust suppression and conveyor systems.

ISSUED: September 19, 2011 EFFECTIVE: October 9, 2011

# ITEM 100 COAL DUST MITIGATION REQUIREMENTS

- 1. To prevent contamination of the rail ballast caused by fugitive coal dust, BNSF is modifying the loading requirement applicable to all coal cars loaded at Montana and Wyoming mines by shippers whose coal transportation is subject to this Rules Book.
- 2. Effective October 1, 2011, shippers loading coal at any Montana and Wyoming mine must take measures to load coal in such a way that any loss in transit of coal dust from the shipper's loaded coal cars will be reduced by at least 85 percent as compared to loss in transit of coal dust from coal cars where no remedial measures have been taken. At least 30 days prior to loading cars for shipment by BNSF, a Shipper shall provide BNSF with written notice of compliance efforts.
- 3. A shipper will be deemed to be in compliance with the loading requirement set out in this Item if the shipper satisfies Sections 3.A and 3.B below or pursues the option in Section 4 below:
- A. Shipper ensures that loaded uncovered coal cars will be profiled in accordance with BNSF's published template entitled "Redesigned Chute Diagram" located in Appendix A to this publication.
- B. Shipper ensures that an acceptable topper agent (e.g., surfactant) will be properly applied to the entire surface of all loaded coal cars at an effective concentration level and in accordance with the manufacturer's specifications. An acceptable topper agent is one that has been shown to reduce coal dust loss in transit by 85%. Appendix B to this publication lists the topper agents that meet this criteria. Proper use of any one of the topper agents on the approved list in accordance with the manufacturer's specifications and at the application rates specified in Appendix B, will satisfy this safe harbor provision. BNSF will consider other topper agents to be acceptable for purposes of this safe harbor provision if the shipper can demonstrate that appropriate testing has shown that the topper agent achieves compliance with this Item. Guidelines for the testing of new topper agents will be provided upon request.
- 4. Shipper may seek inclusion of any other method of coal dust suppression (e.g., compaction or other technology) in the safe harbor provision of Section 3.B above by submitting a compliance plan to BNSF that provides evidence demonstrating that an additional proposed compliance measure will result in compliance with this Item. Shipper must also satisfy the profiling requirement of Section 3.A above. Any product including topper agents, devices or appurtenance utilized by the Shipper or Shipper's mine agents to control the release of coal dust shall not adversely impact railroad employees, property, locomotives or owned cars.

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 110 LOADING OR UNLOADING FREE TIME

Shipper shall provide for the efficient loading of Coal into Unit Trains at origin and for the efficient unloading of Coal from Unit Trains at destination at no expense to BNSF. Upon arrival of a Unit Train at origin, BNSF or the mine's loading crew will move empty Unit Trains through the origin loading facilities at a controlled speed which allows for the full and uniform loading of each Coal Car. Upon arrival of a Unit Train at destination, BNSF or the destination's unloading crew will move loaded Unit Trains through the unloading system at a controlled speed, or place the Unit Train in proper position as to allow for full unloading of each Coal Car.

Four (4) hours free time will be allowed to load all Coal Cars in a Unit Train. The free time at origin shall begin at the time of Actual Placement or Constructive Placement (as defined herein) of the Unit Train for loading ("Loading Free Time"). Shipper will be assessed **\$600 per hour** (or any fraction of an hour) that the completion of loading of a Unit Train and its release for movement is delayed in excess of the Loading Free Time.

Six (6) hours free time will be allowed to unload all Coal Cars in a Unit Train. Free time at destination shall begin at the time of Actual Placement or Constructive Placement (as defined herein) of the Unit Train for unloading ("Unloading Free Time"). Shipper will be assessed **\$600 per hour** (or for any fraction of an hour) that the completion of unloading of a Unit Train and its release for movement is delayed in excess of the Unloading Free Time.

In the event that a customer exceeds their unloading free time by up to 30 minutes, on any train with no unloading exceptions, BNSF will credit the customer an extra free time hour on that train.

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 120 ACTUAL AND CONSTRUCTIVE PLACEMENT OF A UNIT TRAIN AT ORIGIN OR AT DESTINATION

"Actual Placement" is made when the Unit Train arrives at the point where BNSF can not proceed without authorization from the mine operator at origin or unloading operator at the destination and the Train crew has requested loading or unloading instructions. If Actual Placement is prevented due to any cause attributable to Shipper (or its agent) or Shipper (or its agent) is otherwise unable to accept a Unit Train or Unit Trains for loading or unloading upon arrival, the Unit Train may be Constructively Placed.

"Constructive Placement" shall begin once it is determined that Actual Placement cannot be made and shall end when the Shipper (or its agent) notifies BNSF that Actual Placement has become possible. Time accrued under Constructive Placement shall apply against Loading Free Time or Unloading Free Time, as the case may be. The time elapsed between the release of a Constructively Placed Unit Train for movement to origin or destination and the Actual Placement of the Unit Train at origin or destination will not be included in the computation of Loading or Unloading Free Time.

Any delay directly attributable to BNSF which prevents a Unit Train from being loaded or unloaded will not be included in the computation of Loading Free Time or Unloading Free Time.

When the total number of Unit Trains in Actual Placement, Constructive Placement and otherwise held in route for loading at an origin mine exceeds the number of available loading slots/berths by 20% for a period of 5 days or more, BNSF may place Unit Trains destined for that origin mine on BNSF track for storage and remove the locomotive power. When BNSF determines that (i) the number of unit trains in Actual Placement, Constructive Placement and otherwise held in route for such origin mine no longer exceeds 20%, and (ii) reintroduction of the Unit Train into the system will not raise the number of Trains in Actual Placement, Constructive Placement or otherwise held in route for loading to a point where the number exceeds the available loading slots/berths by 20%, BNSF will remove the Unit Trains from stored status. At Shipper's request and subject to BNSF's consent, BNSF may forward a stored Unit Train to another available origin mine for loading. Shipper shall pay to BNSF a switch charge of \$600 per hour (or any fraction of an hour) for switching Unit Trains into and out of storage and a storage charge of \$75.00 per Coal Car per day. In addition, release and pick-up of locomotive power charges shall be paid by the Shipper.

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 125 HOLDING OF A LOADED OR EMPTY UNIT TRAIN IN ROUTE

If for reasons not attributable to BNSF, a loaded or empty Unit Train comprised of Shipper supplied railcars must be held in transit due to congestion, mechanical breakdown, planned or unplanned outage or other issue at Shipper or Shipper's agent's loading or unloading facility, Shipper will be assessed \$600 per hour (or for any fraction of an hour); for Unit Trains comprised of Railroad supplied Cars held under similar circumstances Shipper will be assessed \$700 per hour (or any fraction of an hour). Assessment of both charges shall commence at the time that BNSF either determines or is informed that a loaded or empty Unit Train cannot be further advanced and shall conclude at the time that BNSF is informed by Shipper or Shipper's agent or BNSF otherwise determines that a Unit Train so held may be advanced.

For this purpose, Shipper's agent shall include, but is not limited to, a rail carrier other than BNSF which controls train dispatching over a line of railroad serving Origin or Destination.

In the event that in BNSF's sole judgment the locomotive power of a Unit Train so held must be removed Shipper shall pay BNSF a release and pick up of power charge of **Item 160** herein.

If holding the Unit Train requires an out-of-route movement, Shipper shall pay out-of-route charges (and Fuel Surcharge) as applicable under **Item 170 herein.** 

# ITEM 130 WEIGHING OF UNIT TRAINS

The weight of the Coal in the Coal Cars will be determined at the origin by Shipper (or its agent). BNSF shall not be responsible for such weight determinations. Unless otherwise stipulated, the weights ascertained shall be used for the assessment of the freight charges. Weighing shall be performed on scales inspected in accordance with the then-current NIST Scale Handbook specifications for such scales, and subject to supervision and verification by BNSF (or its agent).

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 140 DIVERSION OF A LOADED UNIT TRAIN TO AN ALTERNATE DESTINATION.

At any time following departure of a loaded Unit Train from an origin, the Shipper that loaded or caused its mine operator to load such Unit Train for subsequent transportation may request that BNSF divert such Unit Train ("Diverted Loaded Train") to an alternative destination identified by Shipper. BNSF shall fulfill such request at its sole option, and, where BNSF assents to the request, the following diversion charges will be invoiced to Shipper:

- 1. Shipper shall pay an administration fee of \$1,000 per occurrence.
- 2. When Shipper, at the time of a diversion request, is not able to identify the alternative destination for a Diverted Loaded Train, Shipper shall pay \$600 per hour (or fraction of an hour) that a Diverted Loaded Train is held in transit pending Shipper's identification of the alternative destination.
- 3. Shipper shall pay **\$0.025 per ton** of lading ("Net Ton") for each additional mile that a Diverted Loaded Train actually moves beyond the total miles it would have moved had the Diverted Loaded Train traveled directly from the origin to its alternative destination (for example: 100 miles x 13,000 Net Tons x \$0.025 cents = \$32,500), and a Mileage-Based Coal Fuel Surcharge pursuant to BNSF Rules Book 6100-series, Item 3381.

Payment of the diversion fees identified in this Item shall not release Shipper from any existing obligation to pay the freight charges applicable to the loaded Unit Train; provided, however, that where a third-party consignor has agreed to accept delivery of a Diverted Loaded Train and to pay applicable freight charges for delivery to the alternative destination, BNSF will not seek payment of applicable underlying freight charges from the original Shipper.

# ITEM 150 DIVERSION OF AN EMPTY UNIT TRAIN TO AN ALTERNATE ORIGIN

Unit trains shall be deemed to be in service between the origin and destination of the immediately preceding Coal shipment; provided, however, diversion to any other applicable origin will be authorized by BNSF without additional charge to the Shipper provided that notice of such requested diversion is received by BNSF prior to release of the empty Unit Train at the destination. When Shipper's requested diversion is received by BNSF subsequent to the release of empty Unit Train at the destination ("Diverted Empty Train"), BNSF shall fulfill such request at its sole option, and, where BNSF assents to the request, BNSF reserves the right to invoice the Shipper for the following diversion charges:

- 1. Shipper shall pay an administration fee of \$1,000 per occurrence.
- 2. When Shipper, at the time of a diversion request, is not able to identify the alternative origin for a Diverted Empty Train, Shipper shall pay **\$600 per hour** (or fraction of an hour) that a Diverted Empty Train is held in transit pending Shipper's identification of the alternative origin).
- 3. Shipper shall pay out-of-route charges (and Fuel Surcharge) as applicable under Item 170 herein.

ISSUED: September 19, 2011

Issued by BNSF Price Management, P.O. Box 961069, Ft. Worth, TX 76161-0069

EFFECTIVE: October 9, 2011

# ITEM 160 RELEASE AND/OR PICK-UP OF LOCOMOTIVE POWER AND CREWS

Upon reasonable request by Shipper, or as required by other items herein, BNSF will deliver a Unit Train to a maintenance facility, storage track, interchange point or other location on the route-of-movement. If release of locomotive power is required, Shipper shall pay BNSF a release of power charge of **\$2,000 per occurrence** plus any miscellaneous switching charges that may apply.

Upon reasonable request by Shipper, or as required by other items herein, BNSF will pickup a Unit Train from a maintenance facility, storage track, interchange point or other location on the route-of-movement. If BNSF supplies locomotive power, Shipper shall pay BNSF a pick-up of power charge of \$2,000 per occurrence plus any miscellaneous switching charges that may apply.

If BNSF arrives with locomotive power at an interchange point, maintenance facility, storage track or other location on the route-of-movement to drop-off or pick-up a Unit Train and the location or Unit Train is not available for any reason an additional charge of **\$2,000 per occurrence** shall apply.

The provisions of this Item are intended for non-routine use by Shippers in response to extraordinary circumstances and may not be used to circumvent otherwise applicable charges that may apply, including charges resulting from the expiration of Loading or Unloading Free Time specified in Item 110.

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 170 "OUT-OF-ROUTE" CHARGES FOR TRANSPORTING EMPTY COAL CARS.

Movement of new or empty Coal Cars (including Coal Cars that have been idled and not in BNSF service for ninety (90) days or more) that are out-of-route from an existing transportation agreement or other rate authority will be rated using the prevailing rates published in BNSF 90020. Pricing information can be retrieved at <a href="https://www.bnsf.com">www.bnsf.com</a> under the following link:

http://www.bnsf.com/bnsf.was6/epd/EPDController?FCGCODE=21&FCGDESC=Government%2FMachinery&BUCODE=04&PAGE=PRC\_AUTH&EPDACTION=DisplayPriceAuthority

New Coal Cars move under Standard Transportation Commodity Code ("STCC") 37-422-13 and used empty Coal Cars move under STCC 37-422-14.

In BNSF 90020, the minimum charge per Car in listed in Item 1000 and the rate per mile is listed in Item 1020. (For example, on January 1, 2009 the minimum charge for 0 to 354 miles was \$530 per car (Item 1000 p. 5) and the rate per mile from 355 to 9999 miles was \$1.49 per mile (Item 1020 p. 5). Consult these cited items for the current charge.)

ISSUED: September 19, 2011 EFFECTIVE: October 9, 2011

# ITEM 190 PLACEMENT AND PICK-UP OF LOADED OR EMPTY PRIVATE COAL CARS ON SHIPPER SUPPLIED TRACKS

Upon request by the Shipper and if Shipper or privately owned track is available at origin, destination or within the route-of-movement, BNSF will place loaded or empty Coal Cars on such tracks. Upon subsequent request by the Shipper, BNSF will remove the Coal Cars from such storage and return it to service. Shipper shall pay BNSF a charge \$600 per hour (or for any fraction of an hour) for such switching services plus any applicable release or pick-up of locomotive power, out-of-route charges or miscellaneous switching charges.

# ITEM 200 PLACEMENT, STORAGE AND PICK-UP OF LOADED OR EMPTY PRIVATE COAL CARS ON BNSF SUPPLIED TRACKS

Upon request by the Shipper and if BNSF track is available, BNSF will place empty Shipper Coal Cars (single Coal Cars or small blocks of coal cars less than a Unit Train) or an entire Unit Train on BNSF track for storage. Upon subsequent request by the Shipper, BNSF will remove the empty Coal Cars from such storage and return them to service. Shipper shall pay to BNSF a switch charge of \$600 per hour (or any fraction of an hour) for switching Coal Cars into and out of storage and a storage charge of \$75.00 per coal car per day.

The provisions of this Item are intended for non-routine use by Shippers in response to extraordinary circumstances and may not be used to circumvent otherwise applicable charges that may apply, including charges resulting from the expiration of Loading or Unloading Free Time specified in Item 110.

ISSUED: September 19, 2011 EFFECTIVE: October 9, 2011

## ITEM 210 SWITCHING OF OVERLOADED CARS

The maximum gross weight for any Coal Car transported pursuant to this price list, including lading and Coal Car tare weight, shall be the maximum gross weight of the Coal Car as listed in the UMLER file but not to exceed the gross weight on rail ("GWOR") of 286,000 pounds. When the weight of any loaded Coal Car is in the excess of the maximum gross weight of the Car, it will be the responsibility of the Shipper to remove the excess Coal from the Coal Car.

If overloaded Coal Cars are discovered at the origin, Shipper (or its agent) will unload the excess Coal for the Coal Cars and Shipper will be assessed a switching charge of \$600 per hour (or for any fraction of an hour) in addition to any other applicable charges.

If overloaded Coal Cars are discovered in route then BNSF shall remove the overloaded Cars from the Unit Train and notify the Shipper by any reasonable means. Shipper (or its agent), shall arrange to remove the excess Coal at the Shipper's expense. If an overloaded Coal Car is removed from the Unit Train, Shipper shall pay to BNSF a switch charge of \$600 per hour (or for any fraction of an hour) for removal and \$75 per car per day (or fraction of a day) for storage on BNSF tracks. Such switching fee shall be assessed upon the return of the Coal Car for movement to its destination.

BNSF has the right to refuse to accept or refuse to transport an overloaded Coal Car. If the overloaded Coal Car is not reasonably accessible to Shipper, BNSF shall assist Shipper in arranging access to the overloaded Coal Car

# ITEM 220 MISCELLANEOUS HANDLING OF COAL CARS

BNSF will provide the following handling services at no charge to the Shipper: (a) Switching required to remove Coal Cars for routine repairs performed pursuant to the AAR Interchange Rules, including both switching out of Coal Cars needing such repair and/or switching in of spare empty Coal Cars in substitution for Coal Cars in need of such routine repair and (b) Switching of Coal Cars that BNSF placed in a Unit Train with the rotary end misaligned. All other miscellaneous services performed that are not required for normal Train operation (including but not exclusive of; stripe alignment of Coal Cars when misalignment is not due to BNSF, connecting and disconnecting dump line hoses, gagging and un-gagging rapid discharge Coal Car hot shoes, etc.) shall be subject to a charge of \$600 per hour (or for any fraction of an hour).

# ITEM 230 RESIDUAL COAL PROVISIONS

Residual Coal is Coal which remains in a Coal Car after the completion of the unloading process at destination, including Coal which remains in a Coal Car after the Shipper has attempted to loosen or thaw frozen Coal.

Shipper will be responsible for the complete unloading of Coal Cars and securing of Coal Car doors prior to departure of an empty Unit Train from its destination. If BNSF discovers residual Coal in any Coal Car in the Unit Train after such Unit Train has departed destination, and such residual Coal results in an unsafe condition (for example, residual Coal accumulated on one side or end of the Car causing the Car to become unbalanced), BNSF may remove such Coal Car from the Unit Train. Shipper shall pay to BNSF a charge \$600 per hour (or fraction of an hour) for switching services required to set out and pick up any such Coal Car plus for storage of the Coal Car in Item 200 plus any applicable out-of-route charges in Item 170. Shipper will be responsible for the removal of the residual Coal.

ISSUED: September 19, 2011 EFFECTIVE: October 9, 2011

#### **ITEM 250**

# BELT SCALE TESTING AT ABSALOKA, ROSEBUD, WEST DECKER AND EAST DECKER MINES

The belt scale testing for Absaloka Mine at Kuehn, MT; Rosebud Mine at Coal Strip, MT; and West Decker and East Decker at Decker, MT is initiated by moving a consist of empty Coal Cars from a mine or empty Coal Cars returning to a mine and weighing the empty Coal Cars on a reference scale. The Coal Cars will then be transported empty to the mine loading facility, where Coal is weighed using a belt scale and loaded into the Coal Cars. Once loaded, the Coal Cars with be taken back to the reference scales for re-weighing and then transported to a destination for unloading. Charges this service shall be in accordance with the table below;

BELT SCALE LOCATION	REFERENCE TRACK SCALE LOCATION	RATE PER CAR USED	MINIMUM CHARGE PER OCCURRENCE
ABSOLAKA	ROSEBUD	\$1,000.00	\$20,000.00
ROSEBUD	ROSEBUD	\$250.00	\$5,000.00
EAST DECKER	EAST DECKER	\$250.00	\$5,000.00
WEST DECKER	EAST DECKER	\$250.00	\$5,000.00

The above charges are in separate and in addition to applicable freight charges assessed from these mines to destinations. If a scale test is not completed or fails for any reason (other than causes attributable to BNS) the above charges shall apply. The charges above shall be billed to the mine whose belt scale is being tested.

## TRACK SCALE TESTING

In the event track scale tests are required or requested, then BNSF will provide locomotive, train crews and any coal cars necessary to conduct the test. Charges shall accrue beginning when testing begins or two (2) hours after the BNSF crew arrives at the mine, whichever occurs earlier. The mine shall be assessed a charge of \$950 per hour or fraction of any hour subject to a minimum charge based on four (4) hours. Charges shall end when testing is completed or testing ceases for that day. Charges shall continue to be assessed for any test continued into the subsequent day.

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 260 COAL UNIT TRAIN FORECASTING PROTOCOL

A Shipper shall enter all coal tonnage that it intends to cause to be loaded for shipments on BNSF into the web-based program known as BNSF's Coal Forecasting Tool ("CFT").

Shipper shall enter coal tonnage into the CFT by origin mine, by plant. Additional requirements for entering tonnages into the CFT by Shipper shall include, but not be limited to, the following:

- 1) Shipper shall enter into the CFT all coal tonnage that Shipper intends to cause to be loaded for a calendar month no later than the close of business two working days prior to the first day of such calendar month.
- 2) Shipper shall enter into the CFT all coal tonnage that Shipper intends to cause to be loaded for shipments on BNSF during no less than three calendar months immediately subsequent to the current calendar month.
- 3) Shipper shall cause Shipper's coal supplier to enter into the CFT all coal tonnage that Shipper's coal supplier intends to load for a calendar month no later than the close of business on the last working day of such calendar month.
- 4) Shipper's coal supplier shall notify Shipper of any discrepancies between coal tonnage entered into the CFT by Shipper and coal tonnage entered into the CFT by Shipper's coal supplier and the parties shall resolve any such discrepancies. In the event a discrepancy is not resolved then the lesser of the two tonnage amounts shall be used for purposes of train allocation.

Shipper and Shipper's coal supplier shall be required to register users with BNSF prior to utilization of the CFT. Shipper can register for utilization of BNSF CFT at the following address: <a href="http://www.bnsf.com/">http://www.bnsf.com/</a>

ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

# ITEM 270 PRE-RELEASE FOR EMPTY COAL TRAINS

Shipper or Shipper's agent at Destination shall pre-release empty Unit Trains using the Pre-Release Web feature at www.bnsf.com and following the attached Pre-Release Web instructions. The "Pre-Release" feature allows Shippers to notify BNSF of an estimated time when the Unit Train will be unloaded, several hours in advance of completion the Train's unloading and release. Shipper or Shipper's agent can register by clicking on the "Register/Login Customer" link on the BNSF Home Page. Shipper or Shipper's agent can also access the Pre-Release Web feature through BNSF's Voice Customer Recognition (VCR) phone system. To access the VCR system, please call 888-428-2673, Option 2, and follow the Pre-Release VCR instructions. Please Note: Item 270 Pre-Release For Empty Coal Trains is only applicable to customers directly served by BNSF.

ISSUED: September 19, 2011 EFFECTIVE: October 9, 2011

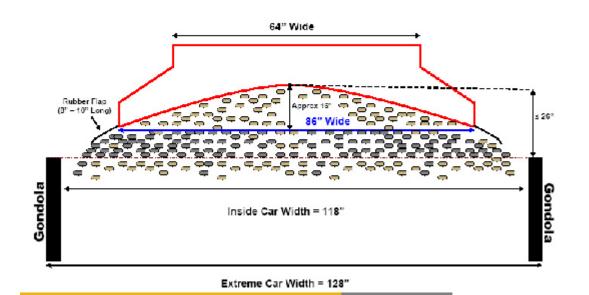
BNSF 6041-B BNSF RAILWAY COMPANY Page 18

# **RULES AND OTHER GOVERNING PROVISIONS**

## **APPENDIX A**

## **REDESIGNED CHUTE DIAGRAM**

# **Redesigned Chute Diagram**



ISSUED: September 19, 2011

EFFECTIVE: October 9, 2011

## **APPENDIX B**

## **Acceptable Topper Agents and Application Rates**

Topper Agents <sup>(1)</sup>	Concentration Rate per Car (2)	Total Solution Applied per <u>Railcar <sup>(3)</sup></u>
Nalco Dustbind Plus	2.0 gal	20 gal
Midwest Soil-Sement	1.25 gal	18.75 gal
AKJ CTS-100	1.36 gal <sup>(4)</sup>	15 gal
AKJ CTS-100C	1.36 gal <sup>(4)</sup>	15 gal
Rantec Capture 3000	2.5 lbs	20 gal
MinTech Min Topper S+0150	1.1 gal	20 gal

- (1) For Topper Application only.
- (2) The amount of topper agent mixed into a solution for each Railcar. These concentration rates were established during testing. c
- (3) The amount of topper agent applied to each Railcar.
- (4) 1.36 gallons of concentrate (CTS-100C) mixed with 13.64 gallons of water.

ISSUED: September 26, 2011 EFFECTIVE: September 26, 2011