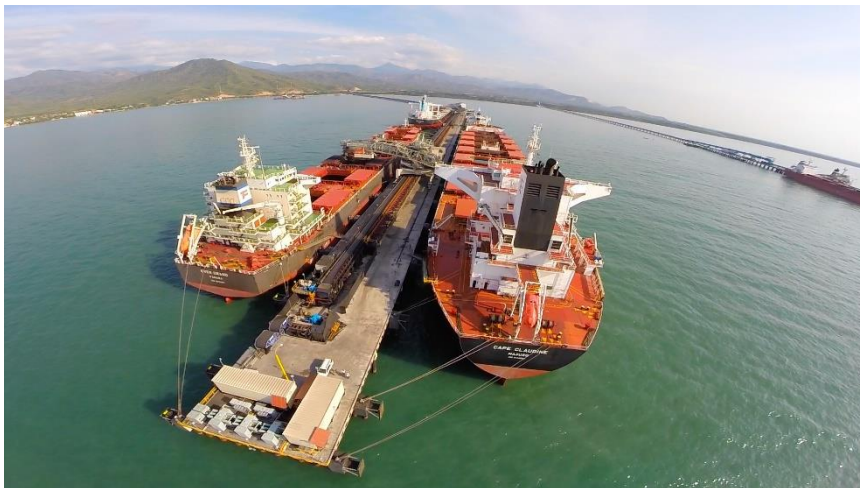


PUERTO DRUMMOND TERMINAL



DIRECT SHIP LOADING FACILITY

COMMERCIAL PORT RULES & REGULATIONS

Bogotá, D.C.

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VIGILADO
SuperTransporte

AMERICAN PORT COMPANY INC.

COMMERCIAL PORT RULES & REGULATIONS

DOCUMENT CODE: SIG-2196

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CHANGE CONTROL	
DATE	Change Description
October 2019	<ul style="list-style-type: none">• Inclusion of the reviewed version of the document in Drummond's Management System.• Revision and update of all the forms related to the document• Document updated according to the last version of the technical regulation of port operations, which was recently approved by authorities.

EMERGENCY PROCEDURE

IN THE EVENT OF AN EMERGENCY:

INMEDIATELY inform the Santa Marta Port Control – Call sign: “Santa Marta Harbor” on VHF Channel 16.
Mobile phone: +57-322 351 7341

STATE:


The name and position of the ship;
The nature of the emergency; and
The type of assistance required.

If berthed alongside the APCI Coal Terminal facilities,
ALSO, INFORM THE LOADING MASTER on VHF Channel 71 – 73 and clear all personnel from areas of danger.

Advise them of the nature of the emergency, and advise if “Santa Marta Harbor Master” has been contacted.

Puerto Drummond Terminal has an Emergency Plan complying with the BLU code recommendations.

Any further information please contact the shipping agent.

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ABOUT

The purpose of this Information document is to advise all ship owners, operators and terminal operators of American Port Company inc.(APCI) for the safe loading of solid bulk cargoes. This information is to enhance and clarify any issues with the IMSBC code, BLU Code and Colombian maritime regulations.

The information and procedures contained herein are subject to amendment, with or without notice.

Recommendations regarding procedures are as a guide only and are in no way intended to be comprehensive or to indicate that all normal procedures and precautions should not be observed.

The Company will not be liable to any person as a result of, or in connection with, any information requirements, conditions or suggestions within this document.

A full style of Port Rules and Regulations RCTO (only in Spanish) approved by ANI (National Infrastructure Agency) by means of resolution N° 1144 of 2019 is available at www.drummondltd.com

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1. CONTACT DETAILS

1.1. Port Authority

- Harbor Master
 - Email: jefcp04@dimar.mil.co; cp04@dimar.mil.co
 - Mobil: +57-311 531 0032
 - Phone: +57-(4)-4210739 , +57-(4)-4311876
- Marine Traffic Control Station – Santa Marta Port Control
 - Phone: +57-322 351 7341
 - VHF: Channel 16
 - Email: ectmcp04@dimar.mil.co

1.2. Terminal contact

Loading Master

- VHF: Channel 71 – 73
- Mobile: +57-315 721 1325

2. DEFINITIONS

APCI	The initials for American Port Company, Inc. This is the holder of the port concession where Puerto Drummond Terminal operates.
BLU Code	This is the code of practices for safe loading and unloading operations for bulk carriers as described in the attachment to Resolution A. 862 (20) by the IMO assembly on November 27, 1997.
BLU Manual	A manual for loading and unloading solid bulk cargo for terminal representatives. MSC/Circ.1160
Cargo	For the effects of this set of regulations, the definition of cargo shall be limited to steam coal in bulk.
Air Draft	This is the distance from the water line to the top of hatch covers, used to determine the minimum distance with respect to the shiploader's boom/spout
DIAN	National Department of Taxes and Customs Offices
DIMAR	General Maritime Authority of Colombia
Draft Survey	Calculation of the weight of cargo loaded to ship from measures of changes in its displacement. The technique is based standard procedures.

ETA	Estimated Time of Arrival to Pilot Station.
Free Practique	Free Practique is understood to be the authorization from the Colombian Authorities for a ship to freely engage in loading and/or unloading operations.
GMT	Greenwich Meridian Time.
Harbor Master	Local representative of DIMAR
IALA	International Association of Marine Aids and Lighthouse Authorities, the system for maritime beacons.
IMO	International Maritime Organization or IMO.
ISM Code	International Safety Management Code adopted by the IMO assembly.
ISPS Code	International Ship and Port Facility Security Code.
Marine Draft Surveyor	Person who carries out inspections, measurements, and calculations to determine the quantity of cargo before, during, and at the end of loading.
MARPOL	International Convention for the Prevention of Pollution from Ships developed by the IMO.
MT	Metric ton
N.O.R	Notice of Readiness. It indicates that the ship is ready in all aspects to begin loading.
OBO (Ore-bulk-oil) Carrier	A ship designed to transport both wet and dry bulk cargo.
Port Authorities	Ministry of Transportation, Superintendence of Ports and Transportation, DIMAR among other authorities that in conformance with Colombian law are considered Port Authorities.
Puerto Drummond Terminal	A private maritime terminal for the export of coal, located in the APCI concession.
Rightship	Maritime risk management and environmental assessment organization.
SIG (Sistema Integrado de Gestión)	Terminal Integrated Management System
Ship loaders	Equipment installed on the dock to load ships.

Shipowner	This is a natural or legal entity, who may or may not be the owner of the ship. The shipowner is in charge of equipping, crewing, and maintaining a ship in a seaworthy condition with the goal of assuming its nautical management and operation.
Shipping Agent	The ship's representative in Colombia.
Stowage Factor – SF	The ratio between the volume occupied and the weight of a determined cargo.
TPH	The abbreviation for tons per hour
Trim	The trim of a ship is defined as the difference between the aft draft and the forward draft at a determined waterline.
Trimming	This is the addition, removal, or transfer of weight within a ship so that the draft to the fore and aft is as required.
Turning Basin	The area of the port for maneuvers to prepare the ship to dock or set sail from the dock.
UKC	Under Keel Clearance is the distance between the ship's keel and the seabed.
WWD	Working Weather Day refers to the working days on which the weather permits loading cargo operation.

3. LOCATION OF PUERTO DRUMMOND TERMINAL

3.1. Location

Puerto Drummond Terminal is located in the municipality of Ciénaga, Department of Magdalena at Km. 10 Vía Ciénaga - Santa Marta, Colombia, 12 NM due south of pilot station and 30 km south of Santa Marta City.

Geographical Coordinates:

LATITUDE	LONGITUDE
11° 04' 35.116''	74° 14' 06.86''

3.2. Time Zone

UTC-5 hours. All ETA and other messages should be made in local time.

3.3. Public Access Channel

The access channel is a channel for public use for ships to enter the maritime terminals in the area. Coordinates and location are described in annexes 1 & 2.

The entrance to the public access channel is marked by a Red/White sea safe water buoy with a White Mo(A) light signal and located at the following coordinates:

LATITUDE	LONGITUDE
11° 06' 17.86" N	74° 19' 24.95 W"

3.4. Turning Basin

Is the area of the port concession established for the maneuvers to prepare the ship to dock or set sail from the dock. This turning basin is adjacent to the maneuvering basin at the terminal of PNSA (*Puerto Nuevo S.A.*)

The following coordinates and locations delineate the entire maneuvering basin for Puerto Drummond:

Table 1. Turn Basin Coordinates

GEOGRAPHIC COORDINATES		
POINT	LATITUDE	LONGITUDE
K'	11°4'39.406"N	74°14'42.264"W
J'	11°4'42.013"N	74°14'34.244"W
I'	11°4'48.135"N	74°14'27.790"W
H'	11°4'48.765"N	74°14'0.4956"W
G'	11°4'34.641"N	74°13'43.936"W
F'	11°4'19.066"N	74°13'42.954"W
S'	11°4'10.866"N	74°13'50.572"W

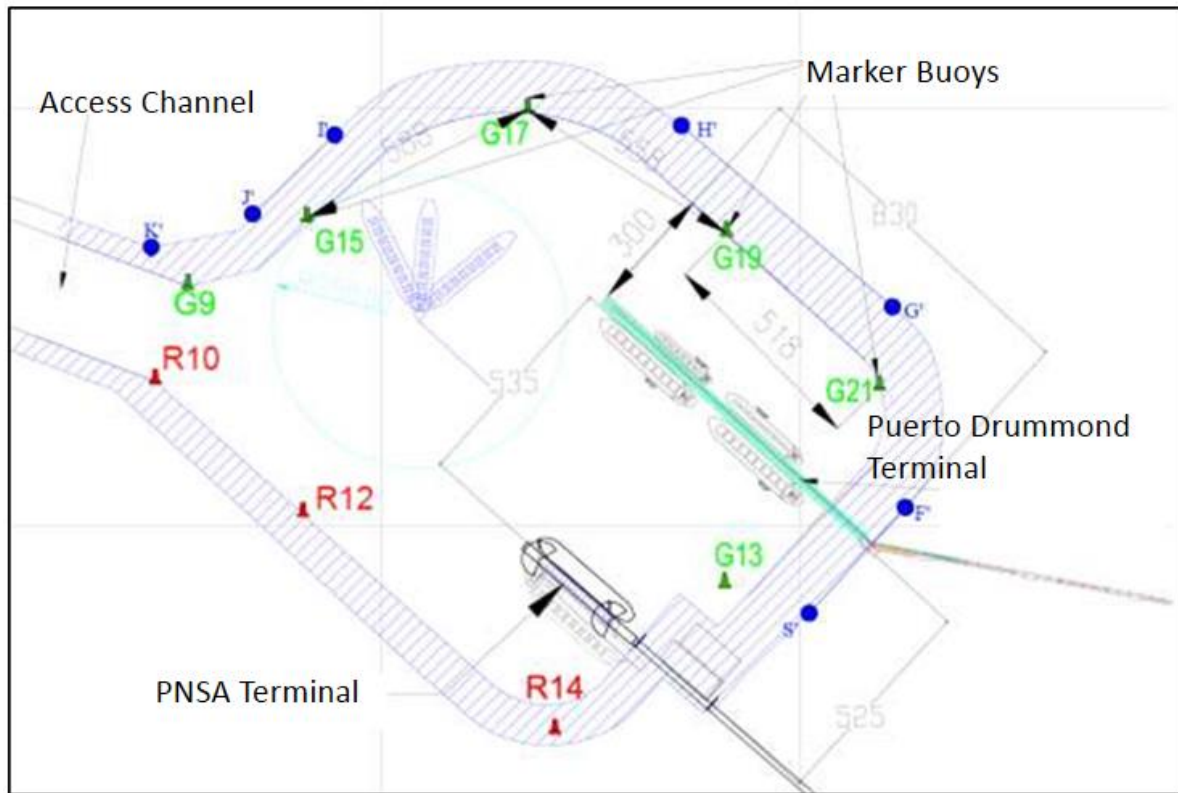


Figure 1. Puerto Drummond Turning Basin

4. GENERAL

4.1. Terminal Facilities

- Use of Public Access Channel

Vessel traffic in the public access channel and maneuvers in the turning basin are regulated and coordinated by DIMAR through Marine Traffic Control Station of Santa Marta Port.

Access Channel & Turning Basin	Description
Length of public access channel	8,000 m
Width of public access channel	240 m
Indicative Minimum depth of public access channel	20.3 m
Heading of public access channel	291°
Indicative Minimum Depth of turning basin	20.3 m
Dimensions of turning basin	1,300 x 700 m

- Loading System and Dock

The direct ship loading system is made up of a 1,521-meter trestle where two enclosed conveyor belts are installed, a dock with a length of 744 meters, and two Sandvik PL 200 ship loaders located on the dock to permit simultaneous loading of two vessels. See figure 2.

The length of the dock is 744 meters, with the capacity to moor four vessels up to Cape size, two on each side. Two ship loaders are capable of maximum loading capacity of 7,000 TPH each (subject to vessel size). Each berthing position has sufficient bitts (norays) and bumpers to make mooring efficient and safe.

- General Characteristics

Dock	Description
Length of dock	744 m
Indicative Depth of dock	20.5 m
Maximum beam	50 m ¹
Maximum length	305 m ¹
Indicative Maximum draft for departure	18.4 m
Tide	Max 0.45m
	Min -0.1 m
Maximum Air Draft	17 m
Range of ships	Up to 220,000 DWT
Alignment of Dock	311°
UKC (Under Keel clearance)	Up to Master's discretion
Number of berthing positions	4
Berthing	Both sides
Ship loaders	2
Maximum loading rate capability for each ship loader (subject to vessel size, deballasting rate and availability of cargo).	7,000 TPH
Minimum distance between the shiploader's spout and the coaming of the hold	1 m

¹ Vessels with dimensions that exceed maximum specified above will be reviewed and approved on a case-by-case basis. This shall apply for departure draft as well.

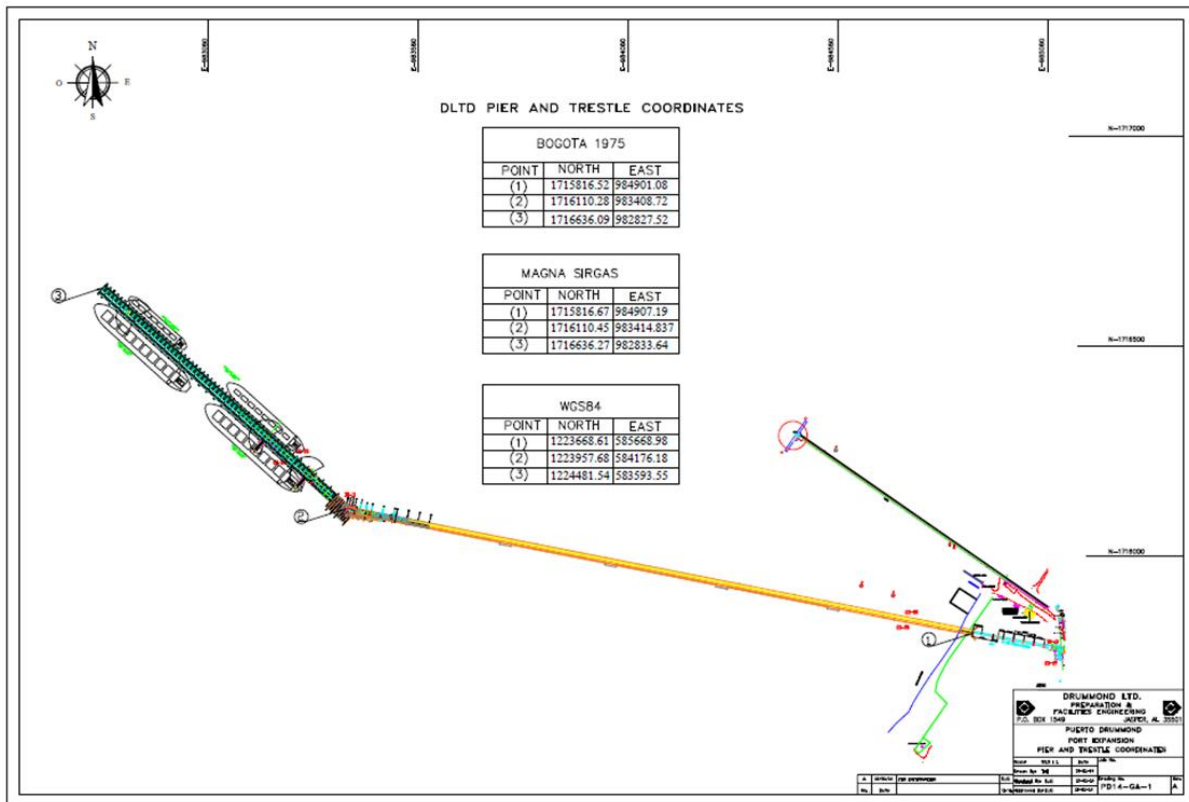


Figure 2. Puerto Drummond Pier and Trestle

4.2. Vessel's requirements

The vessels to which Puerto Drummond Terminal provides loading services must compliance the requirements of DIMAR, these regulations, and other applicable regulations, including but not limited to the environmental legislation applicable to the vessels.

- Age of vessel cannot exceed more than twenty (20) years old. (see 4.2.1)
- Classified as bulk carrier.
- Maximum beam 50 meters.
- Maximum Air Draft 17 meters. See figure 3
- Only mooring lines of synthetic fibers will be used with a minimum resistance to break strain of 55 tons of force.
- Ship must have P&I cover (Protection and Indemnity) with the member of the International Group of P & I club and H&M (Hull and Machinery) insurance.
- The NOR must be properly verified and authorized by the Terminal.
- The ship must meet the ISPS Code, the ISM Code and the Rightship certificate as necessary.
- The ship must not be forbidden or classified as substandard in any MOU, nor should it be on the list of ships not compatible with loading at Puerto Drummond Terminal.

- The ship or its owner must not be or have been included on the list at the United States Department of the Treasury, the European Union, the United Nations, or any other official entity that regulates or executes applicable international sanctions, or their periodic modifications.
- If it is a geared ship, it must coordinate its loading ahead of time with Puerto Drummond Terminal.

The ship's agent must confirm that the ship meets the requirements in accordance with the general characteristics and vessel's requirements of Puerto Drummond Terminal.

4.2.1. Puerto Drummond Terminal reserves the right to accept at its sole discretion vessels older than twenty (20) years if the vessel has been Rightship inspected and retains a current CAP 2 certification or higher, or are classed by an IACS Classification Society and which are CAP certified by their own classification society with similar CAP certification or higher. This certification must be submitted at the time of the vessel nomination and Puerto Drummond Terminal has the sole discretion to accept or reject such certification. Puerto Drummond Terminal further reserves the right to require a full vessel inspection, at Owner's expense, upon vessel arrival by an inspector of Puerto Drummond Terminal's choosing at anchorage area and receive approval of such inspector to assure the vessel is in proper condition to transit the Ship Public Access Channel, moor and load at Puerto Drummond Terminal and then pass out the Ship Public Access Channel with cargo.

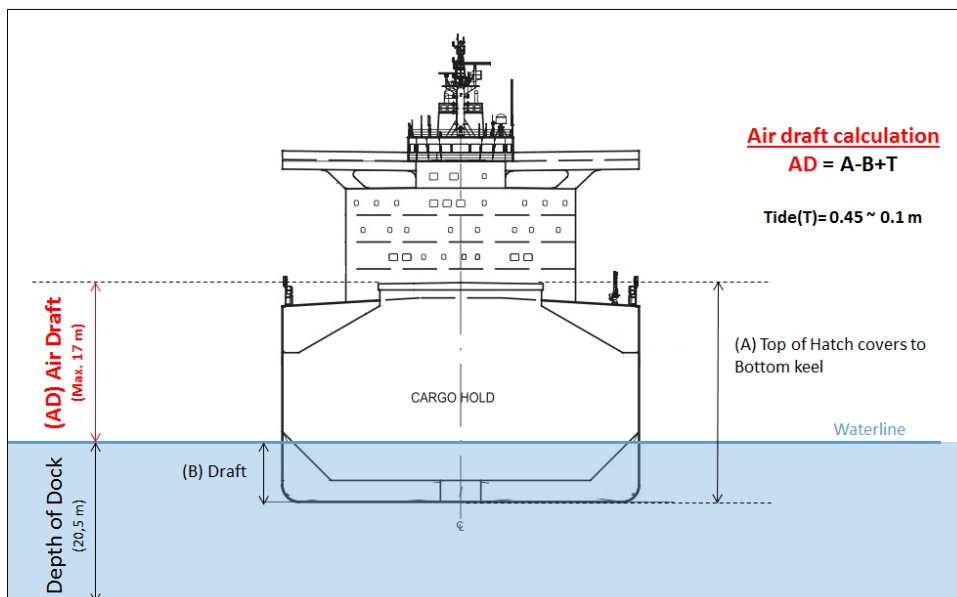



Figure 3. Maximum Air Draft for Vessel's Arrival

4.3. Navigational Aids

The area where Puerto Drummond Terminal is located has a navigation aid, the lighthouse at Punta Brava, located at the following coordinates:

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PUNTA BRAVA LIGHTHOUSE	
LATITUDE	LONGITUDE
11° 7' 1.2" N	74° 13' 59.88 W"

Further to the north is the Morro de Santa Marta Lighthouse, which is located at the following coordinates:

EL MORRO LIGHTHOUSE	
LATITUDE	LONGITUDE
11° 15' 0.48" N	74° 13' 49.33 W"

To enter the public access channel there is a sea safewater buoy located at the coordinates described before (Num. 3.3)

The public access channel currently has 10 buoys marking the entire channel to the maneuvering basin. Each buoy is located one nautical mile from the next buoy, according to the stipulations in the manual on navigational aids by the IALA, region B. (Annex 1)

There are no hazards or obstacles that generate navigational risks neither in the public access channel nor the maneuvering basin at Puerto Drummond.

4.4. Pilotage and Towage

- **Pilot**

Pilot assistance is compulsory for vessels above 500 GRT coming in/out of the port as well as for shifting between piers. Pilot station boarding position at 0.5 nautical miles south of the Morro Grande light. Santa Marta port control station and pilots can be contacted on VHF channels 11, 16 and 74. A pilot ladder shall be rigged on the starboard side of each Vessel unless otherwise instructed.

- **Tugs**

The tug assistance is compulsory for all vessel over 2,000 GRT.

The tugboat services coordination and requirement shall be done through the shipping agent. Tugboats must comply the requirements stipulated by DIMAR for maneuvers at the Port facilities. Tugboats must follow all safety procedures as required by DIMAR and Puerto Drummond Terminal.

According with above described, the number of tugboats to use in arrival and departure maneuvers are as follow (See Table 2):

Table 2. Number of Tugs for Arrival and Departure

VESSEL LENGHT (m)	BULK CARRIER		BULK CARRIER WITH BOW THRUSTER	
	BP ²	# TUGS	BP ²	# TUGS
E ≤ 80	20	2	17	1
> 80 ≤ 100	29	2	25	1
> 100 ≤ 120	38	2	33	1
> 120 ≤ 140	48	2	41	1
> 140 ≤ 160	58	2	51	2
> 160 ≤ 180	65	2	56	2
> 180 ≤ 200	101	2	86	2
> 200 ≤ 220	147	3	125	3
> 220 ≤ 240	172	3	146	3
> 240 ≤ 260	189	4	160	4
> 260 ≤ 280	207	4	176	4
> 280 ≤ 300	231	4	196	4

4.5. Notification

Any vessel prior to starting loading operations at Puerto Drummond must have been inspected by port authorities and fulfill with all the operational formalities.

The captain of the ship will send an arrival notification immediately after receiving instructions from his charterer or ship owner (or after setting sail from the immediately prior port) to the shipping agents. The ship is required to send notification of the ETA to the shipping agent ten (10) days prior to arrival and every day after that. ETA notification must be sent every day before fourteen hours (14:00) GMT.

4.6. Official visit

Once the ship arrives and before the loading operations are authorized, the official visit shall be made to the ship at the site established by DIMAR. This visit will include an official from each one of the following entities, including but not limited to:

- DIMAR, Harbor Master office representative.
- Colombian custom and Immigration
- Port Health Authority
- ICA – Agricultural Authorities
- Shipping Agent

² BP stands for Bollard Pull

4.7. Berthing

Upon departure from pilot station and before entering the public access channel and Puerto Drummond Terminal operations area, Master and/or Pilot are to contact Puerto Drummond Terminal via radio channel VHF 71, VHF 73 or mobile phone +57 315 721 1325 (On duty Loading Master) for instructions and traffic control within Puerto Drummond and other terminals in the area.

4.8. Mooring

Puerto Drummond Terminal dock (See annex 3) has the equipment necessary to ensure a safe and effective mooring.

Considerations when ships are moored:

- The Captain of the ship will be responsible for the conditions and orientation of all the mooring lines (breast lines, spring lines, head and stern lines, etc.) guaranteeing the safety of the ship and the dock, and must not be oriented or positioned in any way that might hinder, make difficult, or obstruct the safety of the ship loading operations.
- The mooring lines must be kept constantly tight while ship on berth, whether on loading operations or not.
- The material of the mooring lines must be synthetic fibers. The use of steel cables is prohibited.
- All the mooring lines must be the same size and be made from the same material. If this is not so, the ship must use the mooring lines in such a way that the lines that carry out the same functions are made from the same material and have the same dimensions.
- The mooring lines that serve the same function must have the same length between the ship winch and the bitt and/or the dock mooring accessories.
- The minimum diameter of the mooring lines must be 3" and they must have a minimum resistance to breaking strain of 55 tons.
- Quantity of mooring lines. See table 3.

Table 3. Standard Quantity of mooring lines

VESSEL TYPE	BOW AND STERN HEAD LINES	BOW AND STERN BREAST LINES	BOW AND STERN SPRING LINES	TOTAL
HANDY/HANDY MAX SIZE	4		2	12
PANAMAX/NEO PANAMAX	4		2	12
CAPE SIZE/NEW CASTLE MAX	4	2	2	16

4.9. Gangways

The gangways and accommodation access ladders must be in accordance to IMO MSC.1/Cir.1331 recommendations. Ladders and gangways must be positioned in such a way to not obstruct pier operations.

5. LOADING

5.1. Information and Documents Exchange

The Information exchange between vessel, shipper, shipping agent, stevedoring company and the terminal will be conducted according to the general guidelines established in SOLAS, IMSBC and BLU Code in order to load the vessel under safe conditions.

Before, during and after completion of loading operations the terminal representative, chief officer and shipping agent should confirm that the documents and forms of table 4. are duly completed and turned in on time.

Table 4. Information and Documents Exchange Summary

TEM	DOCUMENT	CODE	RESPONSIBLE*	RELATED ARTICLE	LOADING STAGE
1.	Cargo Information for Solid Bulk Cargoes	SIG-3253	Shipper/Shipping Agent	5.1	Before arrive
2.	MSDS	SIG-3254	Shipper/Shipping Agent	5.1	Before arrive (if applicable)
3.	Statement of Estimated Moisture Content Analysis	SIG-3255	Shipper/Shipping Agent	5.1	Before arrive
4.	Transportable Moisture Limit (TML)	N/A	Shipper/Shipping Agent	5.1	Before arrive
5.	Vessel's Questionnaire	SIG-2199	Vessel/Shipping Agent	5.1	Before arrive
6.	Notice of Readiness (NOR)	N/A	Vessel/Shipping Agent	5.1/5.3	Before arrive
7.	Loading Plan	SIG-3256	Vessel/Shipping Agent	5.1/5.2	Before arrive/During
8.	Ship/Shore Safety Check List	SIG-2197	Vessel/Terminal	5.3	Before and upon al fast
9.	Trimming Tonnage Declaration Form	SIG-2198	Vessel/Terminal	5.8	During
10.	Mate's Receipt	SIG-3257	Vessel/Shipping Agent	5.3	After
11.	Free of Damage Certificate	SIG-3258	Vessel/Shipping Agent/Terminal	5.5	After
12.	Statement of Facts	N/A	Vessel/Shipping Agent/Terminal	5.3	After
13.	Bill of Lading	N/A	Shipping Agent	5.3	After
14.	Bill of Lading Receipt	SIG-3261	Vessel/Shipping Agent/Shipper	5.3	After
15.	Packing List	SIG-3262	Terminal/Shipping Agent	5.3	After (if applicable)

5.2. Loading Plan

The Captain of the ship must send through the shipping agent the proposed loading plan in accordance with the terminal form SIG-3256, at the latest five days prior to arrival at the port, for the terminal approval.

An adequate loading plan must consider as follow:

- The maximum loading rate for loading plan purposes is 7,000 TPH when loading empty holds.
- The minimum loading rate is 3,000 TPH, less than this could incur in penalties (see section 5.3 bullet 12).
- Subject to vessel size and hold configuration, loading rates may vary. Masters must check with the Terminal at time of preparing and sending stowage plans
- The loading plan must consider a maximum of two passes per hold and two holds as a maximum for trimming operations.
- The loading plan must indicate the loading sequences per hold, quantity of ballast and tanks to be de-ballasted during loading operation, the initial and sailing draft as the trimming for the ship.
- The top off and trimming per hold is done by the shiploader's spout and not by other mechanical means. The cargo shall be loaded in accordance with IMO Regulations and requirements
- The indicated stowage factor to use is 41.75 ~42.0 Ft³/metric ton.
- The trim cargo must not exceed 1.5% of the total cargo and quantities or parcels less than 300 metric tons will not be permitted.

5.3. Loading Operations

The loading and stowage of the ships is carried out according to the cargo plan agreed with the ship following the recommendations of the IMSBC and BLU Code³ in order to load the ship safely, efficiently, maintaining good practices and ensuring the structural and navigability conditions.

The captain of the ship is the person responsible at all times for safety during the ship loading operations. The details of the loading must be confirmed to the terminal representative in the form of a loading plan. See 5.2

Ships shall be loaded at Puerto Drummond Terminal in compliance with the requirements described below and in conformance with the following procedure:

- Once the ship docks at the loading berth, the captain will give the order to open the hatches of the holds to facilitate inspection by a Marine Surveyor named by Puerto Drummond Terminal. This person shall inspect and certify that the holds are free of contaminating agents, prior cargoes, heavy rust, or loose materials that could contaminate the coal. If the cleanliness survey is not satisfactory, all the costs and consequences shall be borne by the ship charterer and disposal of the vessel in this condition will be Puerto Drummond Terminal sole discretion.

³ Resolution A. 862 (20) by the IMO assembly on November 27, 1997.

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- The shipping agent must send the NOR to the terminal for its consideration and acceptance.
- The ships berthed to the dock will provide one or two accommodation or combined ladders, properly illuminated at night. It is the Vessel's responsibility to maintain the ladder available and on a proper position, in good working conditions all the time and during loading operations, away and safe from mooring ropes.
- The terminal representative and captain or chief officer will attend the key meeting to agree final details about loading plan, sequences, safety and any other issues related to the safe loading of the vessel and its stay in the terminal.
- When the stowage and loading plan sequences, safety and environmental inspections have been agreed, the master and terminal representative should confirm the beginning of the loading operations.
- The captain shall check the ship's draft at regular intervals during the loading operation and, in particular, when 75% to 90% of the cargo has been loaded. This is to be coordinated with the shipping agent representative on board.
- All changes in the loading plan and total tonnage for loading requested by the ship must be communicated through the shipping agent to the terminal representative at least 12 hours prior to the scheduled completion of loading the ship. This new plan must follow the guidelines established in the loading plan, section 5.2.
- The terminal will keep an exact record of the tonnages loaded in each pass through the hold.
- The cargo will be reasonably distributed within each hold in order to avoid heeling and to reduce to a minimum the risk of shifting of the load while under sail.
- Communication arrangements between ship and terminal must be confirmed at the moment the safety check list (form SIG-2197) is completed.
- Monitoring of the cargo handling operation, and effective communication between the terminal and ship, must be maintained at all times, and especially during final trimming of the ship.
- The stevedoring company is not responsible to clean cargo residues from the deck, however, the stevedoring company might supply a limited cleaning service at its own discretion and as a courtesy as long as labor is available for that effect.
- Any interruption of Terminal loading operations associated with the inability to keep up with deballasting during cargo loading or any other reason attributable to the vessel, will be penalized at USD \$ 2,500 / hour, these charges will be assumed by owner.
- On the completion of loading, the master and the terminal representative should agree in writing, using the Mate's receipt (SIG-3257), that the ship has been loaded in accordance with the loading plan, including any agreed variations.

5.4. Deballast

5.4.1. Environment regulations

According to Colombian law and this set of Commercial Port Rules & Regulations, contaminating Colombian ports, anchoring areas and/or territorial waters is

prohibited. Colombia is a signature state to the MARPOL Convention and ships must be in full compliance with this convention.

For ballast exchange operations the ships must do it in international waters at a distance not less than 200 nautical miles and at a depth no less than 200 meters, except when they come from the Caribbean Sea, case in which the distance will not be less than 50 nautical miles and the depth not less than 200 meters.

The Maritime Authorities during the official visit or Port State Control may verify the veracity of the ballast water renewal report. If a vessel has any suspicion of carrying out unloading operations with contaminated water or other contaminated waste, all operations will be suspended immediately.

For the effects of not hindering port activities, Puerto Drummond Terminal reserves the right to order the ship to move to the anchoring zones authorized by DIMAR until the investigation is completed and a solution has been found to all related matters. All costs, expenses, and the time the vessel remains at anchor will be paid by and will be at the risk of the ship owner.

5.4.2. Deballast Operations

Ballast is to be discharged at a rate which maintains vessel condition and prevents disruption to loading, final trimming and completion. It is the Master's responsibility to consider the tank top limits, bending moment, Shear forces and the deballasting capability of the vessel.

Load plans must be harmonised with deballast operations. The vessel should provide details about planned loading delays due to deballasting – indicate the pour that will be delayed and the projected delay duration.

5.5. Damages

The Vessel's Master must report any damage caused to the ship by Puerto Drummond terminal as soon as it occurs, but no more than six (06) hours after the occurrence, to the stevedores through the shipping agent. Any claim presented subsequent to six hours after the time of the incident or after vessel has departed Puerto Drummond terminal will not be considered to be valid and will not be accepted.

In case the terminal causes any damage to a vessel, Puerto Drummond reserves the right to organize a third party to repair the damage. Puerto Drummond make their best effort to make permanent repairs according to the instructions of the captain, the inspector from the classification society, and the inspector designated by DIMAR, for acceptance and full satisfaction.

If a damage is caused to Puerto Drummond berths or associated equipment (including but not limited to wharf fenders, wharf decking, shiploaders, etc.) by a vessel (whether before, during or after the berthing process), damages shall be settled directly between terminal and Ship Owners based on a complete damage report.

When loading operations are finished the Master and Terminal representative must sign the Free of Damage Certificate (SIG-3258).

5.6. Minimum Cargo Quantities

Puerto Drummond Terminal guarantees the following minimum cargo quantity in a period of 24 consecutive hours per WWD excluding port super holidays.

Table 5. Minimum Cargo Quantities - WWD

SIZE OF THE CARGO (MT)	MINIMUM CARGO QTY (MT per WWD)
25,000 to 35,000	10,000
35,001 to 50,000	20,000
50,001 to 70,000	30,000
70,001 to 90,000	35,000
90,001 to 120,000	40,000
120,001 to 150,000	45,000
More than 150,000	50,000

1. Puerto Drummond Terminal operates 24 hours a day, for 362 days per year. Super Holidays days are as follows:
 - Labor Day: As of 06:00 hours on May 01st, until 06:00 hours on May 02nd.
 - End of Year: As of 06:00 hours on December 31st, until 06:00 hours on January 02nd.
2. The loading of one quality of coal (parcel) must be completed before beginning loading another quality of coal, when the loading plan includes parcels of different qualities.
3. The loading conditions for ships of less than 25,000 MT will be analyzed by the terminal.

5.7. Request additional cargo

If the captain of the ship requests additional cargo to be loaded it will be done in accordance with the availability of the coal quality and as long as it does not interfere with the loading plan of other ships.

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For the effects of the above, the captain must request the additional quantity to be loaded with minimum 12 hours before finalizing the scheduled loading.

5.8. Draft Survey

The captain of the ship must coordinate with the shipping agent, the terminal representative and the marine surveyor the timely undertaking of the initial, intermediate, and final draft surveys.

After the intermediate draft survey, the Master or Chief Officer and Terminal Representative must fill the Trimming Tonnage Declaration Form (SIG-2198).

All the time in which loading operations are suspended with the purpose of undertaking any surveys shall be borne by the ship owner/charterer even if the vessel is on demurrage.

A draft survey is recommended once the ship has reached 75% - 90% of the cargo requested on board. This must be coordinated with the representative of the shipping agency or terminal representative.

6. DEPARTURE

The shipping agent is responsible of arranging all matters related to the ship's departure maneuvers, including tugboats, maritime pilots, all the cargo documents for departure required by the office of Harbor Master, among any other.

7. LIABILITY FOR DAMAGE TO CARGO AND TO THE FACILITIES

Ship owners, captains of ships, contractors, port operators, or their representatives, shipping agent, users, and other natural or legal entity who engage in activities inside the facilities of Puerto Drummond Terminal will be liable to the terminal for any accidents, injuries to people, damages and losses to the cargo, and for damages to the cargo and the facilities when those events are caused by unsafe conditions, poor conditions or deficiencies in equipment, rigging, or mooring ropes supplied by them, low visibility, or obstacles that hinder their correct handling or manipulation, or from errors or lack of expertise by their personnel, without prejudice to the provisions in this area in the Colombian Civil Code and other applicable laws.

Therefore all vessels and users of the Terminal hereby agree to indemnify, defend and hold harmless to Puerto Drummond and all persons, firms or other entities which may manage, own or control the operations of said terminal, and their officers, directors, agents, insurers, and vessels (collectively with Puerto Drummond Terminal, the "PDT Indemnitees") from and against any and all claims, actions, damages, liability or expense, including court costs and attorney's fees, in connection with the loss of life, bodily injury, disease, or any other injury of any type whatsoever, involving anyone, including Visitors, and damage, contamination or loss of property, including the User's Cargo, incident to or resulting from their use of the Terminal facilities.

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Puerto Drummond Terminal shall assume no responsibility arising from anchoring maneuvers, which will shall be done in the areas designated by DIMAR and will be done at the cost and under the responsibility of the ship.

Specifically, all ships that are moored or anchored are under the sole and exclusive responsibility of the Captain.

The Charterer, the Captain and the agent of a ship are jointly and severally responsible, and must indemnify Puerto Drummond Terminal against all losses suffered that arise from:

- Failure to comply with any rule in this set of Port Rules & Regulations
- Any injury, death, loss or damage caused by the ship or a person associated with the ship directly or indirectly related with docking or undocking the ship, except in the degree that the failure to comply, injury, death, loss or damage is caused by negligence on the part of Puerto Drummond Terminal.

In addition all vessels calling to Puerto Drummond Terminal must be regulated and Class by an IACS (International Association Classification Society), and must have a H&M (Hull & Machinery), and a P&I cover (Protection and Indemnity insurance) with the member of the International Group of P&I club.

8. SHIP AND PORT FACILITY SECURITY

The Puerto Drummond Terminal facility is certified to be in compliance with the International Ship and Port Facility Security Code (ISPS). Therefore, the terminal's security plan standards for the facilities, the loading, and the ships are those established in the ISPS Code.

When a ship arrives, the ISPS Protection Liaison Officer at Puerto Drummond will board the ship in order to interface with the ship security officer and will explain all the rules pertinent to port security.

For the effects of the security of the ships, the crew, and the cargo, it is required for the ship to have security guards on board the entire time it remains either in the anchoring area and/or secured to the berth during loading operations or waiting for loading operations to begin.

8.1. Security inspections in compliance to ISPS

Puerto Drummond Terminal provides at no cost, a security patrol boat for making routine inspections along the trestle, the dock, and the ships on berth.

8.2. Underwater inspections

Divers from the Colombian Navy or divers licensed by DIMAR before the ship sets sail will do underwater inspections. During that inspection the propeller must be stopped, there

will be no pumping, no type of discharge and no machinery may be operated that will affect the safety of the diver(s). No valve may be opened or closed, and the Alfa flag must be raised in accordance with the International Code of Signals that indicates divers in the water. The underwater inspection may be carried out at either the dock or the anchoring area depending on the occupancy rate at the terminal, the regulations of the maritime authority, and the weather and sea conditions. The Captain of the ship will be responsible for the safety of the divers as it relates to the ship's equipment.

This underwater inspection will be valid for only 1.5 hours, if for any reason a vessel remains for a longer period, a new underwater inspection must be scheduled prior of vessel sailing.

All associated cost and expenses for underwater inspection are borne by the vessel.

8.3. Access to the Terminal and dock

In compliance with International Maritime security, the terminal will manage security and control the access of vehicles and personnel to the facilities, dock, and to the vessels

Carrying weapons is prohibited. Bringing in alcoholic beverages, hallucinogenic substances, or any other illicit substances and entering and/or being inside the facilities under their effect is also prohibited.

8.4. Access to the Vessels

Access to vessels is restricted. All personnel that need to board a ship must follow the procedures of the terminal's ISPS Code, the procedure of the ship, and the safety procedures.

Access to the ships will be gained using an accommodation ladder on the side tied on to the dock. These ladders must be properly installed and illuminated. It is of the Master responsibility to watch and monitor of such ladders in order to avoid any damages that might occur while vessel remains at the loading dock.

8.5. Disembarking and transit of vessel crews

- For crew members to disembark a request must be made ahead of time to Puerto Drummond Terminal through the shipping agency following the procedure established to that end, and they must carry the permit issued by the Colombian Immigration Authorities. All requests must be processed through the shipping agent 12 hours before the time planned for disembarking, with the exception of a medical emergency or a personal or family emergency or calamity.
- Crew members going on to the wharf for ship operations such as reading draughts must use the PPE and appropriate clothing. Puerto Drummond will not provide PPE.

- Crew members may only pass through the terminal using the paths from the ship to the entry gate or the entry gate to the ship, using a transportation method provided by the shipping agent, with authorization from Puerto Drummond Terminal.
- The crew members that disembarking for visit the city must follow the terminal security protocols. A security officer will verify the following rules without limited to:
 - The terminal schedule for transit is from 06:00 to 18:00.
 - The entry of alcoholic beverages and drugs is not allowed.
 - For the entrance to the terminal crewmembers must not be under influence of alcohol or drugs.
 - Any kind of articles are not allowed to enter to the terminal. All supplies are manage by the shipping agent
 - The crew members cannot carry or use any kind of weapon.

9. VESSEL SERVICES

9.1. Bunkering, potable water and waste disposal

None of these services are available at Puerto Drummond. In the case a vessel requires potable water or waste disposal service it has to be requested through the shipping agent. A third party company will provide the service; the waste disposal company must comply with all MARPOL requirements and procedures, local and national authorities' applicable permits and following the terminal protocols (*Procedure for Waste Delivery Receipt from Vessels SIG-1651*). Puerto Drummond will review and will authorize the stated service once the waste disposal company fulfill all the formalities related to Drummond safety and environmental protection policies, MARPOL and Colombian authorities' requirements.

9.2. Stores and Provisions

Stores and provisions should be arrangement through the shipping agent. The loading of stores onto the Vessel is the responsibility of the ship chandler or supplier. The Vessel's crew can only assist with the loading of stores with the provision's crane or once the stores are on board the Vessel. Terminal personnel are not available to assist with this procedure.

10. GENERAL SAFETY RULES ON VESSELS

All precautions must be taken to ensure the integrity of the vessel and crew as well as the terminal and its personnel, including but not limited to:

- The ship must have sufficient crewmembers available on duty and standing by to respond to any requirement from the terminal relative to managing the mooring lines and the loading operations.

- The ship must not disable the main engine at any time while moored to the dock, or any other engine or component, or undertake any operation that could immobilize the ship, in the case an emergency departure is required.
- Before, during, and after loading, the captain must ensure that there will be no welding or cutting, or other work or hot work that might produce sparks or open flame near the cargo holds.
- Smoking is not allowed at the pier under any circumstances.
- A copy of the firefighting plan, together with a list of the crewmembers, must be located at a site outside of the ship accommodations.
- Loading or unloading flammable or explosive substances to or from the ship is not permitted.
- If any crewmember requires an inspection of the vessel from the dock, it must coordinate with the terminal representative. It is mandatory for all crewmember to wear life vest and all PPE and fulfill Port Rules & Regulations.
- The accommodation ladder and/or combination ladder must be supplied by the vessel under optimum safety conditions. The terminal representative will indicate the ladder position. The vessel will be responsible for keeping watch and monitoring the ladder during its staying at terminal.

11. ENVIRONMENT PROTECTION

The environment is of high importance to Puerto Drummond terminal and is managed through extensive improvement and monitoring programs, minimizing impact to neighboring communities and the environment. All persons accessing the terminal are to ensure their activities result in no adverse impacts to air quality, soils, water quality or noise levels. Compliance is strictly enforced to ensure our neighbors and environment are not adversely affected.

Contaminant waste from ships will be handled according to the MARPOL Convention, under the authorization of the competent authorities, Colombian environmental legislation and following the protocols of the terminal. The captain of the ships must comply with the current provisions contained in the aforementioned agreement on the provision of elements, facilities and documents on board for the prevention and control of operations of waste or other substances.

12. INFRACTIONS

All infractions and failures to comply with the safety, environmental and security standards established in this document, or with the laws and regulations of the Colombian authorities shall authorize Puerto Drummond Terminal to order the immediate termination of loading, the immediate rejection of the ship, and notification of the Colombian Authorities so that they might initiate the pertinent investigations.

Any cost or consequence resulting from a failure to comply with this set of regulations shall be borne solely by the charterer.

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13. FORCE MAJEURE

Means any cause beyond the reasonable control and without fault or negligence of any party affected thereby, and shall include but shall not be limited to Acts of God, acts of the public enemy, insurrections, strikes, lockouts, fires, explosions, floods, electric power failures, non-availability and interruption of availability of necessary port and handling facilities at the terminal, interruption to or contingences of transportation, embargoes, order or act of any court or Government or military authority which prevents or affects the loading or transportation or delivering of a user’s coal exports or the acceptance of unloading or conveyance of stacking or reclaiming or shiploading of coal by Puerto Drummond terminal.

In the event of the occurrence of force majeure Puerto Drummond terminal will notify every user in writing giving details of the event and the estimated time of its duration, and if the occurrence of the event prevents or restricts the carrying out the obligations or Puerto Drummond in terms of these regulations, Puerto Drummond is relieved of such obligations for the duration of the event, provided that Puerto Drummond resumes its obligations as soon as possible after cessation of the event.

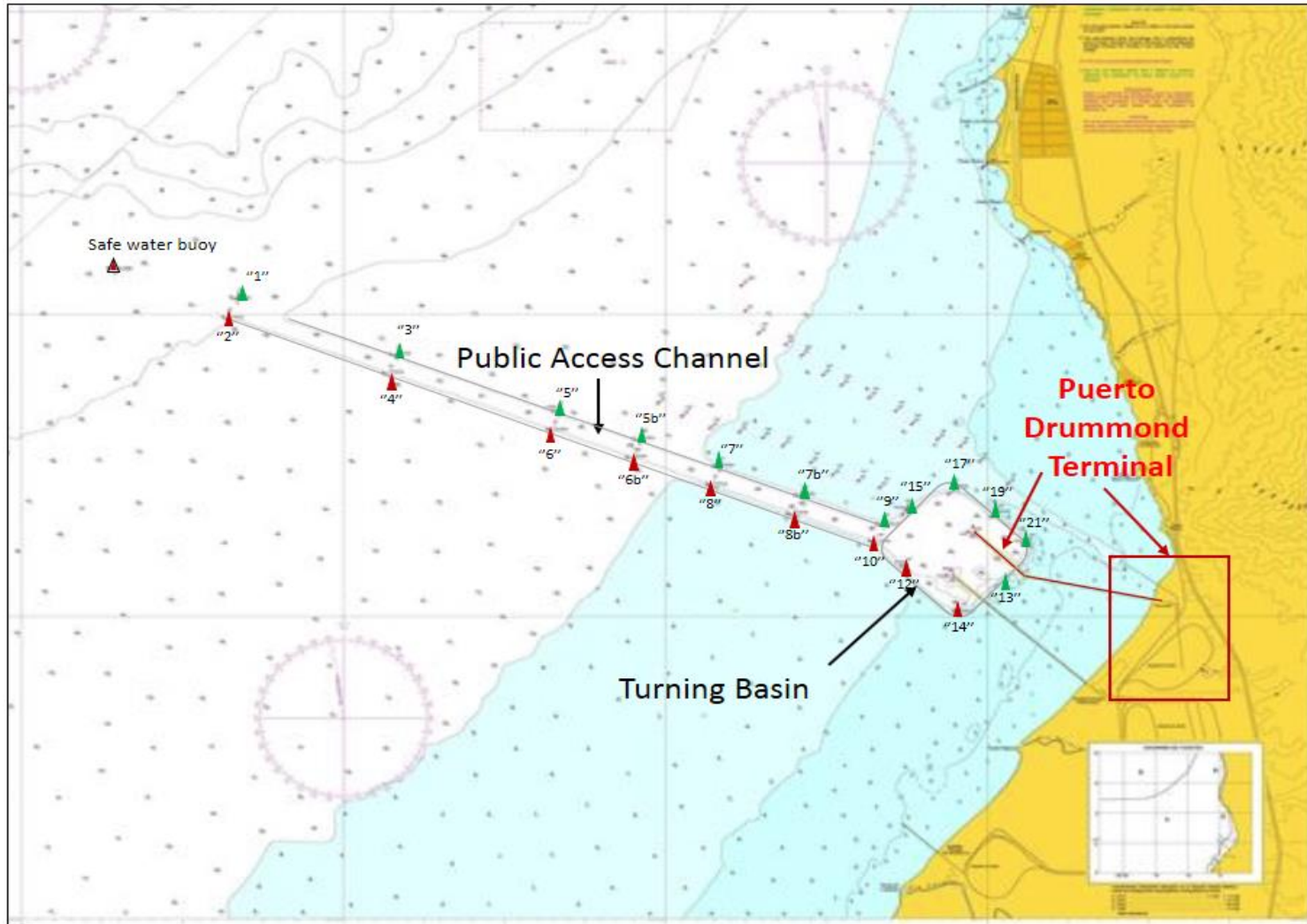
ANNEXES

In conformance with what is described in this set of Commercial Port Rules & Regulations the following documents and attached maps form an integral part of this set of regulations:

ANNEX 1. PUBLIC ACCESS CHANNEL COORDINATES

#	BUOY	LATITUDE (N)	LONGITUDE (W)
1	SB	11°06'17,86"	74°19'24,95"
2	G1	11°06'05,40"	74°18'40,09"
3	G3	11°05'43,09"	74°17'39,91"
4	G5	11°05'20,80"	74°16'39,72"
5	G5b	11°05'09.64"	74°16'09.63"
6	G7	11°04'58,48"	74°15'39,54"
7	G7b	11°04'47.33"	74°15'09.45"
8	G9	11°04'36,19"	74°14'39,36"
9	R2	11°05'58,08"	74°18'42,89"
10	R4	11°05'35,76"	74°17'42,64"
11	R6	11°05'13,45"	74°16'42,42"
12	R6b	11°05'02.28"	74°16'12.31"
13	R8	11°04'51,13"	74°15'42,20"
14	R8b	11°04'39.96"	74°15'12.08"
15	R10	11°04'28,80"	74°14'41,96"

ANNEX 2. PUBLIC ACCESS CHANNEL



ANNEX 3. TERMINAL DOCK

