

PORT OF LAKE CHARLES  
ANNUAL LINE HANDLERS PERMIT PROCEDURES

1. Line Handlers Requirement: Line Handling companies desiring to operate at the public wharves must file an application as outlined herein. No line handler shall conduct business within the District without first securing a permit from the District as set forth herein. Permits are granted for a period of one (1) year.

The District reserves unto the Executive Director the right to grant or deny any line handlers' application.

2. Line Handlers Permit: A permit application form may be obtained from the District's website at [www.portlc.com](http://www.portlc.com). An application will not be accepted and processed until the following documents are received:

- (1) A fully completed application form;
- (2) The applicant's articles of incorporation, if any;
- (3) A list, including complete names, addresses, 24-hour contact number and email address, of the applicant's full-time and part-time employees, including supervisors who the applicant intends to employ at the District;
- (4) A copy of the applicant's safety and training programs, including substance abuse policies or programs;
- (5) A copy of all business licenses held by the applicant; including evidence of authority and approval to conduct business within the State of Louisiana;
- (6) Insurance certificates (limits and coverage) as specified in the District's Tariff No. 13 or any subsequent tariffs. In addition to providing the required coverage limits, each applicant must also name the Port as an "additional named insured" and grant a "waiver of subrogation". **A copy of the endorsement and declaration pages** to the policies as well as any other information requested by the Executive Director must also be provided;
- (7) Any other information requested by the Executive Director.

3. Consideration of the Line Handlers: The Executive Director shall review the information submitted by the applicant and may request additional information as he sees fit.

The Executive Director will consider:

- (1) The applicant's past performance, including, but not limited to, its ability to provide consistent, adequate, and high quality services, its conformance with industry safety practices and environmental regulations, and its implementation of safety and training programs and substance abuse policies and programs;
- (2) The applicant's ability to provide qualified personnel or other resources necessary and suitable for the services intended to be performed at the District;
- (3) The applicant's work experience and personnel at the District, including, but not limited to, its managers' and employees' work history, including such personnel's active involvement in sea ports and length of time with the line handler business;
- (4) Such other factors that the Executive Director deems relevant;

If the Executive Director finds that the granting of a permit is consistent with public convenience and necessity based upon the factors enumerated above, he may, at his discretion, grant a permit to the applicant for one year and may impose such restrictions as he sees fit.

4. Decision by Executive Director: After receipt and review by the Executive Director of a completed application accompanied by all requested documentation, the Executive Director shall inform the requesting party, in writing, whether the permit will be granted, denied, or held in abeyance pending the receipt of further information or documentation. In the event that further information or documentation is needed, the District shall inform the applicant of the information or documentation that is sought.

5. Suspension or Revocation: The Executive Director may suspend or revoke a license upon prior written notice to the permit holder based upon any of the following and not limited to the following:

- (1) Failure of the permit holder to adhere to the terms and conditions of its permit, including the rules and regulations of the District;
- (2) Failure of the permit holder to comply with applicable federal, state, and local environmental laws, District's safety rules and regulations which can be found on the District's website at [www.portlc.com](http://www.portlc.com), Facility Security Plan or other applicable regulations or laws;
- (3) Failure of the permit holder to perform in accordance with industry safety practices or its own adopted safety and substance abuse policy programs;
- (4) The submittal by the permit holder of false or misleading information to the District;
- (5) Failure of the permit holder to provide equipment necessary and suitable for the services performed or intended to be performed at the District;
- (6) Failure of a permit holder to conduct business at the District for twelve (12) consecutive months;
- (7) Neglect of duty, incompetency, inefficiency, or any acts detrimental to the interests of the District; or
- (8) Such other factors as the Executive Director may deem proper.

6. Appeal: A permit holder or an applicant may appeal the denial, revocation or suspension of a license by filing a written protest and request for a public hearing with the District. If an appeal is filed, the decision appealed will be held in abeyance pending the final determination of the Board of Commissioners.

An appeal hearing may be requested by (1) an applicant for a permit if such application is denied, or (2) a permit holder whose permit has been suspended or revoked.

A public hearing is requested by filing a written protest and request for a public hearing with the District within thirty (30) days of receiving written notice of the action being appealed.

Any such appeal shall specify in writing and in detail all facts or reasons upon which such appeal is based. Any matter not specified shall not be considered.

Upon receipt of the protest and request for hearing, the District shall schedule a public hearing to take place within sixty (60) days, and shall publish notice of the hearing in a local newspaper of general circulation. Notice of the hearing shall also be promptly mailed to the party who requested the hearing.

Any interested party may submit written statements of support or opposition to the District in advance of the hearing.

The Board of Commissioners shall determine whether to adopt or overturn the Executive Director's denial or whether to take other action as it may, at its discretion, determine is in the best interest of the District.

7. Miscellaneous: A permit shall not be assigned or transferred without the written consent of the District. An attempt at a transfer or assignment without consent is cause for revocation or suspension of the license.

8. Permit Conditions: By submitting an application and being granted a permit, a line handler agrees to the following:

- (1) Maintain a permanent manned office within the District's facilities or Calcasieu or Cameron Parishes or alternatively, demonstrate to the satisfaction of the Executive Director that the line handler has and continuously maintains adequate personnel and communication systems to provide adequate, reasonable and prompt services to vessels calling the facilities of the District. The Executive Director shall be advised, in writing, as to party in charge of operations, the telephone number and address of all offices. Each line handler shall have at least one (1) person who is continuously available during normal working hours, forty (40) hours per week, Monday through Friday and a 24-hour contact number.
- (2) Insure that all employees of the line handlers follow the safety rules, Facility Security Plan, and regulations of the Port as they pertain to their operations;

abide by the District's traffic regulations; and do not litter the District's grounds, docks or sheds.

- (3) Provide adequate and experienced personnel to assure that the tasks contracted for in a manner which will create good will and satisfaction with the District's customers.

9. Line handlers recognize and agree that their use of the District's facilities is a limited privilege which carries the responsibility and liability of repairing and/or replacing all facilities and/or equipment owned or leased by the District and which are damaged and/or destroyed by the line handlers' employees. The line handling company also has the responsibility of reporting such damage and/or destruction immediately after the accident.

10. Line Handlers shall furnish to and maintain with the District, current Certificates of Insurance on their General Liability in the sum of \$2,000,000 aggregate combined single limit per occurrence and in aggregate (comprehensive). Automobile Liability in the sum of \$2,000,000 combined single limit per occurrence and in aggregate (bodily injury) and Automobile Liability in sum of \$2,000,000 each occurrence - combined single limit per occurrence and in aggregate (property damage). Employers' Liability in the sum of \$2,000,000/\$2,000,000/\$2,000,000 and Workmen's Compensation as required by the State of Louisiana Statutory Limitations. All coverages and each certificate of insurance supplied shall provide for the District to be an "additional named insured" and provide for "waiver of subrogation" to the District. **A copy of the endorsement and declaration pages** to the policies and any other information requested by the Executive Director must also be provided. The District reserves the right to establish other minimum adequate coverage limits.

11. Line Handlers found not complying with these conditions shall be placed on notice by the Executive Director. Continued non-compliance by the applicant will result in any permit to operate within the District's facilities being suspended or revoked fifteen (15) days from date

of notice issued by the Executive Director. Any aggrieved line handler may appeal such decision as set forth in subsection 7 above.

12. All liner handlers must be TWIC compliant.

13. These conditions are made a part of the line handlers permits issued and attached thereto.

Terms/Conditions Accepted:  
Line Handlers Company

By. \_\_\_\_\_

Print Name: \_\_\_\_\_

LAKE CHARLES HARBOR AND TERMINAL DISTRICT  
PORT OF LAKE CHARLES  
LINE HANDLERS PERMIT APPLICATION

In accordance with the provisions of Item 383, of the Lake Charles Harbor & Terminal District's Tariff, application is hereby made for a permit to operate as a provider of services at the Lake Charles Harbor & Terminal District. In support of this permit application, the following information is submitted: (Additional pages may be attached hereto in responding to these questions and those additional pages will be considered a part of this application. Please use the format attached for any additional pages.) Application and supporting documents must be completed and updated annually.

1. Applicant's Company or Business name: \_\_\_\_\_  
\_\_\_\_\_
  
2. (a) Applicant's principle physical and mailing business addresses:  
\_\_\_\_\_  
\_\_\_\_\_  
  
(b) Telephone: \_\_\_\_\_  
(c) Email: \_\_\_\_\_
  
3. (a) Address at which books and records of Applicant are, or will be maintained:  
\_\_\_\_\_  
\_\_\_\_\_  
  
(b) Telephone: \_\_\_\_\_  
(c) Email: \_\_\_\_\_
  
4. (a) Applicant's form of business entity, proprietorship, partnership, corporation, other (please describe): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
(b) If corporation, State of incorporation: \_\_\_\_\_

5. Is the company making this license application the same company that will perform the services as Licensee? \_\_\_\_\_ If not, explain in detail.

\_\_\_\_\_

6. (a) Nature of Applicant's current business, if any, at the Lake Charles Harbor & Terminal District:

\_\_\_\_\_

(b) If Applicant's current business is different than the purpose of the licensee, please explain how Applicant will undertake this new endeavor (use separate sheet).

7. (a) Does the Applicant or other business related entity currently hold a license to perform the proposed service, or similar services, at any other port or place? (Please list the ports or places, effective dates of licenses and names of the related entities): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(b) Has Applicant actually performed the service within the past six (6) months?

\_\_\_\_\_

If "YES", state where and for whom services have been performed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If "NO", state reason: \_\_\_\_\_

8. (a) Does Applicant presently have a permanent office in Calcasieu or Cameron Parish, Louisiana? \_\_\_\_\_

If "YES", please give the address and phone number:

\_\_\_\_\_

\_\_\_\_\_

(b) If Applicant does not presently have a permanent office in Calcasieu or Cameron Parish, Louisiana office, please provide the office location and all contact information for such office from which agent will supply services to the vessels calling District facilities.



9. The facilities of the Lake Charles Harbor & Terminal District are operated in an environmentally sound matter. Does the Applicant agree not to handle, store or bring onto Port property any substance considered hazardous under any federal, state or Local laws unless first receiving written approval of the Port?

---

10. If the permit requested by this application is granted, will Applicant hold the Lake Charles Harbor & Terminal District harmless from claims arising out of any operation, in accordance with the Lake Charles Harbor & Terminal District's Tariff, Item 340?

---

11. In the event this permit application is approved and a permit is granted, will Applicant agree to abide by all the provisions of the Lake Charles Harbor & Terminal District's Tariff? \_\_\_\_\_

---

12. Will Applicant notify the Lake Charles Harbor & Terminal District in writing within ten (10) working days of any change in the information supplied in this application?

---

I, the undersigned, declare that all contents of this application, including all attachments, are true and factual. I understand that any misrepresentation of information shall be grounds for immediate rejection of the application or revocation of the permit. I acknowledge availability of a complete copy of the current tariff of the District.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title. \_\_\_\_\_

Company's Name: \_\_\_\_\_

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

PERSONALLY appeared before me, the undersigned authority, in and for the Parish/County of \_\_\_\_\_, State of \_\_\_\_\_ who, after being duly sworn, did say that he signed and delivered the foregoing instrument on the day and in the year therein mentioned as his voluntary act and deed and that he was authorized to do so on behalf of the Applicant.

THUS DONE AND SIGNED, this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires:

REQUIRED ATTACHMENTS AND OTHER DOCUMENTS REQUIRED:

(See Line Handlers Permits, Tariff Item 383)

- | Check if Attached | <u>ITEM</u>  |
|-------------------|--|
| _____ (1)         | A fully completed application form;  |
| _____ (2)         | The applicant's articles of incorporation, if any;   |
| _____ (3)         | A list, including complete names, addresses, 24-hour contact number and email address of the applicant's full-time and part-time employees, including supervisors, who the applicant intends to employ at the District.  |
| _____ (4)         | A copy of the applicant's safety and training programs, including substance abuse policies or programs.  |
| _____ (5)         | A copy of all business licenses held by the applicant; including evidence of authority and approval to conduct business within the State of Louisiana.   |
| _____ (6)         | Insurance certificates (limits and coverage) as specified by the District. In addition to providing the required coverage limits, each applicant must also name the Port as an "additional named insured" and grant a "waiver of subrogation". <b><u>A copy of the endorsements and declaration pages</u></b> to the policies and any other information requested by the Executive Director must also be provided. |
| _____ (7)         | Other information requested by the Executive Director.   |