
PIPELINE AND UNDERGROUND/AERIAL WIRELINE OCCUPANCY APPLICATION INSTRUCTIONS (FORM NCRR 230)

North Carolina Railroad Company has retained HNTB North Carolina, P.C. (HNTB) to process applications and perform engineering reviews pertaining to pipe and wire/conduit/cable occupancies on NCRR's Corridor. All correspondence and requests for information pertaining to this process should be directed to HNTB. Described below are the occupancy agreement process procedures and requirements.

Definitions

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| NCRR | - North Carolina Railroad Company |
| Operating Railroad | - A railroad company designated by NCRR to operate trains on its Property. Currently, Norfolk Southern Corp. and in some places CSX Transportation. |
| Engineering Representative | - Person or persons designated by NCRR to review and approve plans and applications for occupancies of its property. Currently, HNTB North Carolina, P.C. |
| Owner (Applicant) | - Individual, corporation or municipality desiring occupancy of NCRR property. |
| Professional Engineer | - Engineer licensed in North Carolina. |

Engineering Representative

All occupancy agreement applications will be submitted to HNTB North Carolina, P.C. thru NCRR's Engineering Portal.

For additional information or assistance with the application process, please contact the following:

HNTB North Carolina, P.C.
Attn.: Mgr., NCRR Pipe and Wire Occupancy Agreement Process
343 East Six Forks Rd, Suite 200

email: NCRR_Uilities@HNTB.com

HNTB's general office telephone number is (919) 546-8997 and the fax number is (919) 546-9421. The HNTB website is www.hntb.com and the North Carolina Railroad website is www.ncrr.com.

HNTB Engineering Review Fee

The engineering review fee is payable to HNTB North Carolina, P.C. thru the NCRR Engineering Portal. This fee is non-refundable, and the application will not be accepted until payment has occurred.

The engineering review fee does not include the license fee payable to North Carolina Railroad Company and the Operating Railroads.

The engineering review fees and additional information regarding fees are shown on the Fee Schedule (Form HN-02) for the current year and are available on North Carolina Railroad Company's website. All fees are subject to change.

NCRR Application Fee

The application fee is payable to North Carolina Railroad thru the NCRR Engineering Portal. This fee is non-refundable, and the application will not be accepted until payment has occurred.

The application fee does not include the license fee payable to North Carolina Railroad Company and the Operating Railroads.

The application fee and additional information regarding fees included as shown on the Fee Schedule (Form HN-02) for the current year and are available on North Carolina Railroad Company's website. All fees are subject to change.

Application Process

Submit the application along with the required fees and supporting documents to North Carolina Railroad thru the NCRR Engineering Portal. All applications shall include as a minimum the following:

- HNTB Engineering Review Fee
- NCRR Application Fee
- Completed Application for:
 - Underground/Aerial Wireline Occupancy (NCRR Form 210), or
 - Pipeline Occupancy (NCRR Form 220).
- Sealed Plans meeting the requirements of Specifications NCR101 and/or NCR102
- Sealed Specifications

Note that application forms other than those identified above are not acceptable.

The NCRR Infrastructure Manager reviews the application for completeness and viability of the owner of the proposed installation. Applications submitted by developers or contractors will not be accepted.

The Engineering Representative assigns a 5-digit File Number and a NCRR ID number related to the milepost location of the application. These numbers will be referenced in any communication regarding the application.

If the application is incomplete, the Applicant will be notified of any deficiencies and asked to submit the required information before further action is taken. Should a site inspection be required to complete the review, the Applicant will be notified by the Engineering Representative. Notification of incompleteness will be sent to the Applicant within seven (7) business days of the application being submitted to the NCRR Engineering Portal.

Upon receipt of a complete application, the Engineering Representative will complete the engineering review within fifteen (15) business days and provide comments to the Applicant thru the NCRR Engineering Portal. The Applicant will be required to make the necessary corrections and resubmit the corrected application and plans for further review and approval.

Certain applications will require further review by the Operating Railroads and may incur additional review time. These applications include, but are not limited to:

- All applications where CSXT has operating rights (generally between Raleigh and Cary)
- Occupancies over 300 feet
- Longitudinal occupancies
- Occupancies within 50 feet of a bridge or other structure
- Culverts and drainage structures

The Engineering Representative will coordinate all reviews with the Operating Railroads.

If the application is approved, the Engineering Representative will prepare the Occupancy Agreement for the proposed installation. The occupancy agreement will be transmitted for review and electronic signature to the Owner's Representative thru the NCRR Engineering Portal.

After the agreement is signed by the Owner's Representative, the license fees, including a \$200 fee to Norfolk Southern Corp., and insurance certificates required by both North Carolina Railroad Company and the Operating Railroads will be submitted thru the NCRR Engineering Portal.

NCRR and Norfolk Southern Corp. will review/approve the insurance certificates and fully execute the Occupancy Agreement. The agreement will be transmitted to the Owner's representative thru the NCRR Engineering Portal.

At the time of receipt of the signed Occupancy Agreement, the Applicant will be instructed as to who shall be contacted in order to gain access to the Corridor and begin construction. The Applicant must also meet all right of entry requirements of the Operating Railroad.

Construction cannot begin until the Applicant receives permission from the Engineering Representative and the Operating Railroad(s) to proceed with the work.

The Operating Railroad will provide inspection of the completed project and coordinate all other construction aspects of the project that relate to railroad operations (flagging, track work, protection of signal cables, etc.). Any construction errors and omissions observed by the Operating Railroad and/or NCRR shall be corrected immediately. All costs associated with these corrections shall be borne by the Applicant.

Right of Entry

Entry to NCRR property for the purpose of conducting surveys, field inspections, obtaining soil information, or any other purpose associated with the design and engineering of the proposed occupancy, will not be permitted without a proper Entry Permit prepared by the NCRR and the Operating Railroad(s) and Executed by the Applicant. For requirements related to work on the NCRR Corridor see the “North Carolina Railroad / Norfolk Southern Railway - Special Provisions for the Protection of Railway Interests”.

Additional Information

For locations where CSXT has operating rights (generally between Raleigh and Cary), the Applicant will need to submit a separate application for engineering review to CSXT. CSXT will review and approve the design of the proposed installation but not issue an agreement. The only occupancy agreement necessary is issued thru the NCRR Engineering Portal process.

For a description of all information required for an Underground/Aerial Wireline Occupancy Application, see Section 1.6 of NCRR Form NCR 101 “Specifications for Wire, Conduit and Cable Occupations of North Carolina Railroad Company Property.”

For a description of all information required for a Pipeline Occupancy Application, see Section 1.6 of NCRR Form NCR 102 “Specifications for Pipeline Occupancy of North Carolina Railroad Company Property.”

NCRR Forms 101, 102 and the North Carolina Railroad / Norfolk Southern Railway - Special Provisions for the Protection of Railway Interests may be obtained on the NCRR website at www.ncrr.com or by contacting the Engineering Representative.