



Association of American Railroads
Safety and Operations • Business Services
425 Third Street, SW • Washington, D.C. 20024

CIRCULAR NO. TD-1

IN EFFECT AS OF JANUARY 1, 2021
EXCEPT AS NOTED
CODE OF CAR SERVICE RULES/CODE OF CAR HIRE RULES

PREAMBLE

The Rules contained herein do not foreclose subscribers from entering into other agreements which may differ from these rules.

Note: Substantive changes are highlighted in **yellow**.

TO: TRANSPORTATION OFFICERS--ALL RAILROADS

The following instructions shall govern the placing and handling of embargoes/**Open & Prepaid Station List Notes (OPSL Notes)**:

This circular provides instructions for the placing of embargoes/**OPSL Notes** and for the handling of embargoed traffic. It does not establish standards for determining whether an embargo is lawful or unlawful. The party placing an embargo/**OPSL Note** is responsible for compliance with all applicable laws and regulations.

I. EMBARGO

A. DEFINITIONS

1. An embargo is a method of controlling Traffic movements when, in the judgment of the serving railroad, an actual or threatened Physical or Operational Impairment, of a temporary nature, warrants restrictions against such movements.
2. For the purpose of this Circular, "Traffic" is defined as follows:
 - i Loaded and revenue empty freight cars, trailers, and/or containers.
 - ii In the case of a disaster in which damage or destruction of railroad facilities such bridge fires, accidents, or the imminent occurrence of such a physical impairment (for example, the approaching hurricane, rising floodwaters) all rail equipment including railroad and privately-owned freight cars, trailers, and/or containers.
 - iii In the case of government action or civil activism actions that render facilities impractical or impossible to reach all rail equipment including railroad and privately-owned freight cars, trailers, and/or containers.
 - iv Empty privately-owned equipment may be embargoed in the case where an individual customer is experiencing congestion and alternate empty disposition is not received as outlined in [AAR Circular OT-57](#). Railroad owned or controlled non-revenue, empty freight cars, trailers, and/or containers may not be embargoed due to congestion.

B. PROHIBITIONS

1. It is prohibited to issue embargoes:
 - i As a permanent measure to control traffic.
 - ii At the request of a consignee.
 - iii As a commercial measure to control the routing of Traffic to or via any particular gateway, railroad, or destination which is not related to the existence of the impairment.
 - iv Against acceptance of Traffic on specified days.
 - v To limit the amount of Traffic to be accepted daily or periodically.

- vi Against Traffic consigned to the United States Government, its authorized agents, or officers, except when the Physical or Operational impairment prevents movement of such Traffic.
 - vii Against a consignor or consignee for failure to pay freight charges and/or demurrage.
 - viii To enforce terms of a contract or interchange agreement between railroads.
 - ix To de-market traffic.
 - x To restrict business growth.
 - xi To embargo by specific car initial and car number.
2. It shall not be permissible to maintain an embargo against:
- i Traffic for railroads or parts thereof, or stations, which are being abandoned or to which service is being discontinued, except as a temporary measure, to be kept in effect only until appropriate revisions of pricing documents of affected stations can be accomplished.
 - ii Acceptance of Traffic by reason of weight or clearance limitations, except as a temporary measure, pending publication of restrictions in the Open & Prepaid Station List Notes/Railinc Centralized Station Master (see "[OPSL NOTE](#)" on page 3).

C. PROCEDURE

When necessary to restrict Traffic movements for periods in excess of 24 hours, an embargo must be used. It is the responsibility of a railroad experiencing an Operational or Physical Impairment to place its own embargo rather than wait for such action by its connections. An embargo placed against an individual consignee is applicable to Traffic consigned, re-consigned, or intended, as well as Traffic billed "shippers order", for that consignee.

1. Carriers placing, amending, or canceling an embargo must notify the AAR through the AAR Embargo and Permit System. The Association of American Railroads will transmit via email or XML notices of embargoes placed, amended, or cancelled to each full member railroad's designated embargo officer named in the [AAR Embargo/OPSL Notes and Permit System](#), to the Surface Transportation Board and the American Short Line and Regional Railroad Association. The AAR will provide an electronic subscription service for daily embargoes to other interested parties upon request. For assistance with receiving the subscription, email csc@railinc.com (Railinc is a wholly owned subsidiary of the Association of American Railroads).
2. Each railroad shall designate an officer to issue and receive embargoes, whose name and email address must be published in the [AAR Embargo/OPSL Notes and Permit System](#).
3. Embargoes against a consignee shall be placed by the railroad performing the switching service or by a connecting road haul carrier for traffic it delivers to the switching carrier for that consignee. If served by more than one road, a consignee may be embargoed by each such road.
4. If in the judgment of the Association of American Railroads an emergency exists, it may issue an embargo without a prior request by the serving or switching carrier(s) involved. The AAR will contact the affected railroads in advance of issuing the embargo.
5. The Association of American Railroads will issue an embargo at the request of the Surface Transportation Board.
6. Embargoes will remain in effect until cancelled, but unless cancelled, will automatically expire one year after effective date of issuance (see "[RE-ISSUANCE](#)" on page 3).
7. An embargo shall contain the following information, as necessary to ensure the embargo will be properly applied: (i) if the embargo is station specific, a list of the affected stations, by Freight Station Accounting Code as defined in the Railinc [Centralized Station Master \(CSM\)](#); (ii) if the embargo is directed at a gateway or territory, a description of the affected gateway or territory by city, state, or province, (iii) commodities embargoed and their [Standard Transportation Commodity Code\(s\)](#) (or state "all commodities"); (iv) if the embargo is customer specific, the railroad embargo officer must supply by [Customer Identification File \(CIF\)](#) Number, the customers consigned, re-consigned or intended to be embargoed; (v) embargo cause; and (vi) any exceptions to the embargo.

D. EFFECTIVE DATE

The body of the embargo shall state a specific date, not earlier than date submitted via the AAR Embargo/OPSL Notes and Permit System to the Association of American Railroads, on which the embargo is to become effective.

1. An embargo may be "effective immediately" only if it is due to the issuance of a security alert requiring an embargo; the inability of the consignee to receive a shipment due to the closure of the facility in response to a local, state, or federal government order; the sudden occurrence of a Physical Impairment that would make the rendering of service impossible or highly impracticable (e.g., natural disasters, damage or

destruction of railroad facilities such as bridge fires, accidents, spontaneous labor or civil activism action(s) rendering a location or facility inaccessible); or the imminent occurrence of such a Physical Impairment (e.g., approaching hurricane, rising floodwaters). An "effective immediately" embargo may not be issued for other Physical Impairments or for Operational Impairments of any kind.

- i An "effective immediately" embargo shall become effective at the time it is made available to other railroads on the AAR Embargo/OPSL Notes and Permit System (the "Effective Time") or upon approval.
 - ii An origin road may not accept Traffic to or via an embargoed location after the Effective Time. This does not preclude bilateral agreements between carriers that could allow traffic to move using an alternate route.
 - iii The serving road is not obligated to accept loaded or revenue empty traffic from connections which is intended for interchange to the serving road after the Effective Time. This does not preclude bilateral agreements between carriers that could allow traffic to move using an alternate route.
2. An embargo other than an "Effective Immediately Embargo" becomes effective 11:59 P.M. of the date specified and no Traffic will be accepted for movement except as specified in Paragraph I.D.2.i below:
 - i An origin road will accept loaded traffic for movement to or via embargoed locations not to exceed 48 hours after the effective date of the embargo and then only for Traffic loaded or in the process of loading prior to the effective date of the embargo. Empty cars, trailers, and/or containers in route to shippers loading facilities do not qualify as being in the process of loading.
 - ii The serving road will accept loaded Traffic from connections which was originated in accordance with the provisions of Paragraph [1.i](#)

E. RE-ISSUANCE

Each embargo will automatically expire one year after the effective date of issuance unless a request is made to the Association of American Railroads for re-issuance.

II. OPSL NOTE

A. DEFINITIONS

1. An OPSL Note in the AAR Embargo/OPSL Notes and Permit System is a permanent or long-term method of controlling Traffic movements when, in the judgement of the serving railroad, stations are identified as due to operational issues such as clearance, weight, capacity, etc.
2. For the purpose of this Circular, "OPSL Note Traffic" is defined as follows:
 - i Loaded and empty freight cars including empty revenue freight cars, trailers, and/or containers.
 - ii Rail equipment including railroad and privately-owned freight cars, trailers, and/or containers for reasons of weight and clearance limitations.

B. PROHIBITIONS

1. It is prohibited to issue OPSL Notes:
 - i As a temporary or permanent measure to prevent or relieve congestion or to control Traffic.
 - ii As a commercial measure to control the routing of Traffic to or via any particular gateway, railroad, or destination that is not related to the existence of the impairment.
 - iii Against acceptance or limiting traffic on specified days, daily or periodically.
 - iv Against Traffic consigned to the United States Government, its authorized agents, or officers, except when the Physical or Operational impairment prevents movement of such Traffic.
 - v Against a consignor or consignee for failure to pay freight charges and/or demurrage.
 - vi To enforce terms of a contract or interchange agreement between railroads.
 - vii To de-market traffic.
 - viii To restrict business growth.
2. It shall not be permissible to maintain an OPSL Note against:
 - i Traffic for railroads or parts thereof, or stations, which are being abandoned or to which service is being discontinued, except if specific approval was granted by a governing agency (i.e., Surface Transportation Board).

C. PROCEDURE

It is the responsibility of a Railroad experiencing an Operational or Physical Impairment to place its own OPSL Note rather than wait for such action by its connections. An OPSL Note placed against an individual consignee is applicable to Traffic consigned, re-consigned, or intended, as well as Traffic billed "shippers order", for that consignee.

1. Carriers placing, amending, or canceling an OPSL Note must notify the AAR and use the AAR Embargo/OPSL Notes and Permit System. The Association of American Railroads will transmit via email or XML notices of OPSL Notes placed, amended, or cancelled to each full member railroad's designated OPSL Note officer named in the [AAR Embargo/OPSL Notes and Permit System](#) to the Surface Transportation Board and the American Short Line and Regional Railroad Association. The AAR will provide an electronic subscription service for daily OPSL Notes to other interested parties upon request. For assistance with receiving the subscription email csc@railinc.com (Railinc is a wholly owned subsidiary of the Association of American Railroads).
2. Each railroad shall designate an officer to issue and receive OPSL Notes, whose name and email address must be published in the [AAR Embargo/OPSL Notes and Permit System](#).
3. OPSL Notes against a consignee shall be placed by the railroad performing the switching service or by a connecting road haul carrier for traffic it delivers to the switching carrier for that consignee. If served by more than one road, a consignee may be restricted by each such road.
4. OPSL Notes will remain in effect until cancelled.
5. An OPSL Note shall contain the following information, as necessary to ensure the OPSL Note will be properly applied: (i) if the OPSL Note is station specific, a list of the affected stations, by Freight Station Accounting Code as defined in the Railinc [Centralized Station Master \(CSM\)](#); (ii) if the OPSL Note is directed at a gateway or territory, a description of the affected gateway or territory by city, state, or province, (iii) commodities restricted and their [Standard Transportation Commodity Code \(STCC\)](#) (or state "all commodities"); (iv) if the OPSL Note is customer specific, the railroad OPSL Note officer must supply by [Customer Identification File \(CIF\)](#) Number, the customers consigned, re-consigned or intended to be restricted; if the OPSL Note specific based on UMLER Characteristics including, but not limited to car number and car initial, weight restrictions, car types, etc. (v) OPSL Note cause; and (vi) any exceptions to the OPSL Note.

D. EFFECTIVE DATE

The body of the OPSL Note shall state a specific date, not earlier than date submitted via the AAR Embargo/OPSL Notes and Permit System to the Association of American Railroads, on which the OPSL Note is to become effective.

1. An OPSL Note will always be "effective immediately" and shall become effective at the time it is made available to other railroads on the AAR Embargo/OPSL Notes and Permit System (the "Effective Time").
2. An origin road may not accept Traffic to or via a restricted location after the Effective Time. This does not preclude bilateral agreements between carriers that could allow traffic to move using an alternate route.
3. The serving road is not obligated to accept loaded or revenue empty traffic from connections which is intended for interchange to the serving road after the Effective Time. This does not preclude bilateral agreements between carriers that could allow traffic to move using an alternate route.

III. AMENDMENTS AND CANCELLATIONS

Amendments or parts thereof reducing restrictions and embargo/OPSL Note cancellations become effective immediately on submission to the Association of American Railroads and reviewed by the AAR administrator unless otherwise specified therein. Amendments or parts thereof increasing restrictions will have an effective date subject to the guidelines in sections I.D and II.D (as applicable) of this Circular.

When an embargo/OPSL Note is amended, the portions of the original restrictions remaining in effect shall be considered continuous in application. Amendments shall be consecutively numbered and, in each case, shall state the reason for the change. Railroads will cancel embargoes/OPSL Notes immediately upon removal of cause for which embargo/OPSL Note was issued.

IV. PERMITS

- A. An embargo/OPSL Note may contain provision for a permit system to provide controlled movement of Traffic, including permits for special emergency situations where there is public necessity for special transportation relief. Where a permit system is used, the embargo/OPSL Note will contain the contact email address for the party responsible for the issuance of permits.

- B. Railinc, acting as the agent for the Association of American Railroads and for the railroads submitting embargoes/OPSL Notes will maintain an electronic AAR Embargo/OPSL Notes and Permit System to forward embargo/OPSL Note Numbers and embargo/OPSL Note Permit Numbers reported in an EDI 417 Transportation Waybill to railroads listed in the routing.
- C. Once the shipper is made aware that their shipment is restricted by an embargo/OPSL Note and want their shipment to move a permit number must be used to move a shipment; the shipper is required to furnish the embargo/OPSL Note Number and Permit Number in accordance with ANSI EDI 404 (Bill of Lading) Guidelines. The embargo/OPSL Note Number must be transmitted in the N901 EN Qualifier and the Permit Number must be transmitted in the N902 EB Qualifier. Failure to provide this information will result in shipments being held or billing rejected.

V. WATER CARRIERS

Water carriers listed in [Appendix A](#) of the Association of American Railroads Circular TD-1, have agreed to transmit embargoes/OPSL Note, amendments, or cancellations thereof, issued by them to the Association of American Railroads and to connecting rail carriers. In turn, the Association of American Railroads shall transmit embargo/OPSL Note notices to the water carriers. Water carrier embargo/OPSL Note notices transmitted to the Association of American Railroads shall be issued in the name of the originating water carrier. Embargoes/OPSL Notes issued by such water carrier will be observed by the railroads in the same manner as those issued by railroads. In the event of failure of the water carrier to receive Traffic currently, and to issue formal embargo/OPSL Note notice, it shall be incumbent on connecting rail carriers to issue individual embargoes covering the Traffic involved, in the same manner as against individual receivers.

By direction of,

Nichole Fimple

AVP Business Services/Executive Dir. Rules and Standards
Association of American Railroads

Legal Disclaimer

Any actions taken in reliance on or pursuant to this Circular are subject to Railinc's Terms of Use, as set forth in <https://public.railinc.com/terms-use>, and all applicable AAR rules.

Circular TD-1—Appendix A.
Water Carriers Which Have Agreed to Exchange Embargo
Information through Embargo Headquarters

Nichole Fimple, AVP Business Services/Executive Dir. Rules and Standards, Association of American Railroads
425 3rd St SW #1000, Washington, D.C. 20024

Name of Line, Title of Designated Embargo Officer and Address

Alaska-British Columbia Transportation Co.

E. D. Anderson, Mgr. of Pricing
P.O. Box 2287
Seattle, Wash. 98111

American Commercial Barge Line Co.

W. A. Kernan, Vice President--Traffic
1701 East Market St.
Jeffersonville, Ind. 47130

Arnold Freight Company

Paul W. Brown, President
303 Ferry Ln
St Ignace, Mich. 49781

Boyer Towing, Inc.

Albert Halvorsen, President
Route 7, Box 7824
Bainbridge Island, Wash. 98110

Canada Steamship Lines, Ltd.

R. J. Paquin, Frt. Traf. Mgr.
P.O. Box 100, Montreal, Que.

Federal Barge Lines

H. E. Mueller, Traf. Mgr.
611 E. Marceau St.
St. Louis, Mo. 63111

Foss Launch & Tug Co.

C. J. Harrison, T.M.
660 West Ewing Street
Seattle, Wash. 98119

The Intercoastal Steamship Freight Association

D. R. Sloane, Chairman
17 Battery Place
New York, N.Y. 10004

Includes:

Calmar Steamship Corp.
Pope & Talbot, Inc.
Sea-Land Service, Inc.
States Marine Lines, Inc.
United States Lines, Inc.
Weyerhaeuser Company

Kingcome Navigation Co., Ltd.

North Foot of Columbia
Vancouver, B.C.

Mississippi Valley Barge Line Co.

M. J. Kimutis, Traf. Mgr.
411 N. Seventh St.
St. Louis, Mo. 63101

Northern Navigation Co.

(See Canada Steamship Lines, Ltd.)

Norfolk, Baltimore & Carolina Line, Inc.

E. J. Tunney, Gen. Traf. Mgr.
937 Water St., Norfolk, Va.

Peninsular & Occidental Steamship Co.

K. A. Osborne, V.P. & G.M.
P.O. Box 1349, Miami, Fla. 83101

Puget Sound Freight Lines

L. S. Carlander, V.P. Traffic
P.O. Box 24526
Seattle, Wash. 98124

River Lines, Inc.

W. Larrimore, T.M.
Wigle & Larrimore
260 California St.
San Francisco, Calif. 94111

Seaspan International, Ltd.

W. G. Sutherland, Mgr. Rail
Offices: 10 Pemberton Ave.
North Vancouver, B.C. V7P 2R1
345 Harbour Rd. Victoria, B.C.

Seatrail Lines, Inc.

J. Hodgson, Jr., G.T.M.
595 River Rd., Edgewater, N.J. 07020

TMT Trailer Ferry, Inc.

A. H. F. Dimmling, Mgr. of Intermodal Ops.
P.O. Box 2110 Jacksonville, Fla. 32203

Union Mechling Corp.

R. M. Tyrie, G.T.M.
1 Oliver Plaza
Pittsburgh, Pa. 15222

Western Transportation Co.

R. F. Ditewig, T.M.
550 N.W. Front Ave.
Portland, Ore. 97209