

Non-Environmental Right of Entry Instructions



NON-ENVIRONMENTAL RIGHT OF ENTRY APPLICATION INSTRUCTIONS

Norfolk Southern Railway Company and its operating subsidiaries (collectively, NS) have secured the services of RailPros to handle non-environmental rights of entry applications. Now there is just one application whether the duration on NS property is over or under 30 days. On NS's behalf, RailPros will receive and process the applications through the application management portal: <https://ns.railprosp permitting.com>. All applications must be submitted through this platform and all correspondence regarding applications (i.e., questions, updates, and messages) will be handled through this system.

Processing your application involves several departments at NS and requires NS management review and approval. No access is allowed prior to the execution of a separate formal agreement with NS and verification that all insurance requirements have been met.

NOTE: IF YOUR ACCESS IS RELATED TO UTILITY WORK DO NOT USE THIS APPLICATION. SUBMIT A PIPE & WIREAPPLICATION.

APPLICATION AND OCCUPANCY FEES

FEE SCHEDULE	
Non-environmental Right of Entry Application Fee	\$1,600.00
Expedited Application Fee	\$3,000.00
Occupancy Fee	TBD

Please be advised that the application fee is **nonrefundable** and does not guarantee approval. The Occupancy Fee will be determined at the time of application for projects of durations greater than 30 days or if the non-environmental right of entry requires multiple locations.

HANDLING PROCESS

- An application must be submitted, and the appropriate application fees paid before an application will be reviewed. For detailed instructions on how to use the portal, please refer to "Portal Tutorial" on the portal homepage <https://ns.railprosp permitting.com>.
 - RailPros will assign an NS Activity Number and communicate it to the applicant via message within the portal and an email within two (2) business days. All communications will reference this Activity Number.
 - For documentation and ease of tracking, all communications should be within the portal. The applicant will receive an email alert of a new message in the portal.
 - When the application is complete and determined to be satisfactory, RailPros will facilitate the review by NS departments and communicate the results of that review to the applicant.
 - If NS approval is granted, RailPros will prepare and transmit the Right of Entry to the applicant via DocuSign.
 - NS will execute the right of entry upon the receipt of insurance certificates and the appropriate fees.
 - No verbal authorization will be provided.
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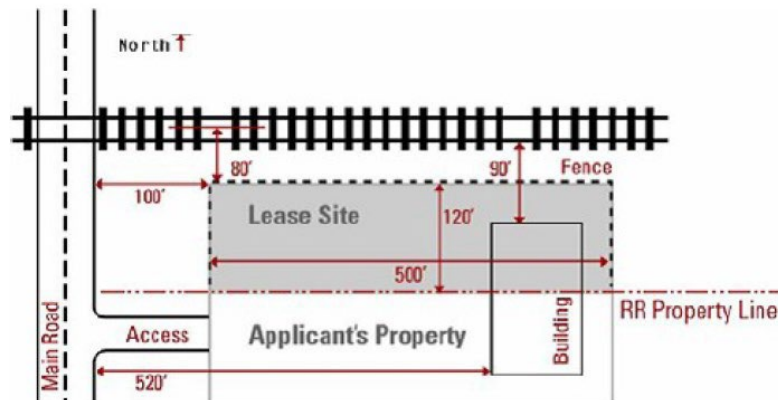
- No emailed or mailed submissions will be accepted. All applications must be submitted through the application portal.
- Processing of your application requires NS management review and approval and may involve several departments. Please allow 4-6 weeks for processing.
- Expedited applications will be allowed, but there are no guarantees that access will be granted. The expedite fee only moves your application up the queue before hundreds of other requests. It does not impact the availability of flaggers.

REQUIREMENTS FOR A COMPLETE APPLICATION

Complete all questions and upload all required documents into the application portal where indicated, including the following:

1. **Licensee/Principal:** Please be sure to provide the Licensee or requesting party's complete legal name (which is not the consultant working on behalf of the requesting party.)
2. **Application fee:** All application fees must be submitted online at the time of application submittal.
3. **Scope of Work:** All applications must include a detailed description of the requested work to be performed. The scope of work must include descriptions of the anticipated work, activity, or temporary use of the property. The scope of work should clearly state why access to NS property is required, and what alternatives were considered. It must include the anticipated duration.
4. **Exhibit:** All applications must include an exhibit depicting the approximate location on the NS property where the work is anticipated to be conducted, including dimensions and distances from any existing railroad structures such as railroad track. Any planned structures on the property, with dimensions from the nearest track, should also be depicted.

The proposed area of access, including ingress and egress should be highlighted. Please indicate which direction is north. If available, include additional information to assist in processing the application, such as the closest property address, railroad milepost, the parcel ID number, GPS coordinates, DOT #, and latitude and longitude. If milepost markers are readily accessible or visible on property, include them.



HAZARDOUS MATERIALS

Prohibition of Certain Potentially Environmentally Damaging Operation on company Property:

Electronics, electrical transformer repair or reconditioning, blast furnaces, steel works, rolling or finishing mills, smelting and/or refining, wood treatment or tie plants, salvage operations, junk yards, scrap dealers, drum or barrel reconditioners, battery recycling, tire storage or recycling, waste disposal operations of any kind including landfills, surface impoundments, and waste piles, incinerators, sewage systems, electroplating operations, fuel blending, waste or used oil recycling or reclamation, explosives disposal, manufacturing or detonation, bulk oil storage or any facility requiring TSD hazardous waste permit or any hazardous waste transloading facility.

The foregoing list of prohibited activities on company property is not exclusive. All proposed leases, licenses, and permits will be carefully evaluated to determine if the proposed activities pose an unreasonable environmental risk.

INSURANCE REQUIREMENTS

The NS insurance requirements will be defined in the right of entry agreement. In general, each agreement will require the applicant to obtain, at its sole cost and expense, several types of insurance coverage with various limits. The insurance coverage must be of form and underwritten by insurance companies that meet NS's approval. The types of insurance typically required include:

- Commercial General Liability Insurance
- Automobile Liability Insurance
- Worker's Compensation Insurance
- Railroad Protective Liability Insurance

In certain instances, the licensee may be required to pay NS a risk-financing fee to add the project to NS's Master Railroad Protective Policy. This will satisfy the railroad protective liability insurance requirement in its entirety for the project.

NS requires a policy of Commercial General Liability Insurance with a combined single limit of not less than \$2,000,000 per occurrence for injury to or death of persons and damage to or loss or destruction of property. *Access will not be authorized until all insurance requirements are satisfied.*

- a. The certificate must name as Certificate Holders, Norfolk Southern Corporation, Subsidiaries and Affiliates at 650 West Peachtree Street, Box 46, Atlanta, GA 30308 and endorsed to be Additional Insured to all applicable policies as required by written contract. All policies maintained in which Norfolk Southern Corporation, Subsidiaries and Affiliates have been endorsed as Additional Insured shall include a waiver of subrogation and shall be primary and non-contributory. All policies shall be endorsed to provide 30 days' notice of cancellation.
- b. The Certificate of Insurance (COI) shall be uploaded into the application portal prior to NS executing the right of entry agreement.

QUESTIONS?

Contact RailPros via Email or Phone:

Email: NS.Permitting@RailPros.com

Phone: (402) 965-0539 Ext. 1