**REGIONAL ISSUES**

**USDOT:** New York, Connecticut, Rhode Island, and Maine, but not Vermont, get money.*

**NBSR-ST:** More on joint train.*

**PW:** Costs paid to Amtrak for maintenance.*

**Halifax-Portland-Boston:** AFL feeder ship now docked in Portland, awaiting first trip.*

**NEW YORK**

[No report—see Regional.]

**CONNECTICUT**

[No report—see Regional.]

**MAINE**

**MDOT:** Commissioner update on rail and ports.

**NBSR-MMA-MDOT:** box on status, AAR facts
- MMA files for trackage rights.*
- NBSR files for trackage rights, operating rights.

**MDOT-NBSR:** Need four locomotives?*

Operating agreement almost done.

**Pan Am:** Service to paper mills questioned.

**ST-NBSR:** Oil trucked to Domtar, gas to replace.*

**Searsport:** Case dismissed re Sears Island.*

**MASSACHUSETTS**

**Amtrak:** Replacing Rocla concrete ties in Massachusetts. T lawsuit against Rocla.*

**CSXT:** To finish Worcester September 2012.*

**HRRC:** Embargoes Coltsville track in Pittsfield.*

**NS-ST-Revere:**
- Global to rail ethanol to its tanks in Revere.*

**VERMONT**

- Pan Am to rebuild East Boston branch.
- More detail from public meeting.
- Revere okays proposal.
- Fire chief supports proposal.

**Massport:** New service to Asia ups TEUs 50%.

**Massport:** Panama Canal widening may lead to large feeder vessels calling Boston.*

**Massport:** MSC to use 6700-TEU vessel standard.*

**NEW HAMPSHIRE**

**MBRX v ST:** An issue of fairness.

**SLR:** Patriarch buys Gorham paper mill.

**RHODE ISLAND**

**PW:** RIDOT look at hazmat and passenger.* Map.*

**Quonset-ProvPort:** Market jointly?**

**MARITIMES/QUÉBEC**

**CN:** Move to 53-foot domestic boxes; UPS buys.*

**RAIL SHIPPERS/RECEIVERS**

A cross-reference to companies mentioned here.

**PEOPLE, POSITIONS, EVENTS**

Mike Coates dies.*

MDOT’s commissioner has convinced me that Maine should put the 100,000-pound trucks on the interstate.

Since northern Maine rail is failing with the 80,000-pound limit, why would 100,000 affect rail?

- Chop Hardenbergh Next formal issue 7 June

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Common abbreviations:
REGIONAL ISSUES

USDOT: MORE $$ FOR THE REGION*

9 May, DC. U.S. TRANSPORTATION SECRETARY RAY LAHOOD ANNOUNCED $2 BILLION IN HIGH-SPEED-RAIL AWARDS to speed up trains in the Northeast, expand service in the Midwest, and continue work toward a high-speed train between Los Angeles and San Francisco. This was reprogrammed from the money Florida refused.

New York: $353 million
Under Empire Corridor Capacity Improvements New York received $58 million to construct upgrades, including replacement of the Schenectady Station and construction of a fourth station track at the Albany - Rensselaer Station.

Under Northeast Corridor, the MTA (operator of the Long Island Railroad) will receive $295 million to improve NEC Harold Interlocking bypass routes in Queens, the busiest passenger rail junction in the nation. {USDOT press release}

Connecticut $30 million
The state received an additional $30 million for the New Haven-Hartford-Springfield Amtrak line, Governor Dannel P. Malloy announced, 13.2% of the $227 million the state applied for. ConnDOT spokesperson Judd Everhart said in an email, ‘We are now reviewing the project to determine what we can accomplish with this additional $30 million.’

State Senator Andrew Maynard, D-Stonington, co-chair of the General Assembly’s Transportation Committee, called the announcement ‘somewhat disappointing. I think we were all hopeful for more. I don’t think there’s any doubt about it.’ The state has won a total of $190.9 million in federal money for the New Haven-Springfield line, but said of the latest awards, “All indications were the Northeast was where a lot of it was going to go. It is a little disheartening to see it’s less than we hoped for.” {Ed Stannard in New Haven Register 9.May.11}

Maine: $20.8 million
The Downeaster project will create 10.4 miles of double track between Wilmington and Andover. The area is part of the MBTA’s 38 miles Amtrak uses to get to Maine, which accounts for nearly 65% of delay minutes for the Downeaster. NNEPRA expects the alleviation of a bottleneck in that area will create more flexibility in scheduling and help eventually add another round-trip to the five now in operation.

‘Competition for this funding was tough,’ Patricia Quinn, executive director of the rail service, said in a statement. ‘NNEPRA is grateful to the Federal Railroad Administration for recognizing the importance of the Downeaster to Maine and our region by continuing to invest in our service.’ {Ann Kim in Portland Press Herald 10.May.11}

Rhode Island: $28 million
Rhode Island officials applied for $31 million in funding, and received $28 million for two projects. Some $25 million will build a section of track to allow higher speed rail through South County, most for a 1.5-mile third track bypassing Kingston Station in South Kingstown to allow Acela trains to reach 150 miles per hour. RIDOT has already received $1.5 million to plan this work.

Another $3 million will pay for engineering and environmental review to plan future improvements at Providence Station. State Transportation Director Lewis said the plan, if executed, could remove the need for PW to wait while passenger trains are in the station. [See Rhode Island.]

The Providence plan will also integrate high-speed rail with commuter rail, plus local and regional bus service.
A pedestrian and bicycle network will be created as part of the project. {Bruce Landis in Providence Journal 10.May.11}

**Vermont: no money**
VAOT sought $80 million to extend *Ethan Allen* passenger rail service to Burlington. Governor Peter Shumlin: ‘While I wish that Vermont’s application for high speed rail funds had been accepted, today’s announcement by Secretary LaHood is very helpful in achieving our goal of high speed rail from New York to Montreal with a spur to Boston. The investments being made to our south [the NHHS and the Albany area projects] will be critical to our success.’

State Senator Dick Mazza, D-Grand Isle/Chittenden, said: “To receive nothing is very disappointing. From all indications we got from the congressional folks, we certainly had a great case.”

The competition for funding was fierce, said Joe Flynn, VAOT rail director. Christopher Parker of the Vermont Rail Action Network noted: “We have a situation where there were $10 billion worth of applications for $2 billion worth of expense. What we have is a national problem of a country that is not spending what it needs to on infrastructure.” {Dan D’Ambrosio in Burlington Free Press 10.May.11}

**HALIFAX-PORTLAND-BOSTON**

![Image of AFL New England](image)

Portland. The new American Feeder Lines vessel *AFL New England* at its lay berth in the International Marine Terminal. (photo from AFL newsletter)

While awaiting its first revenue trip in June, the crew has already painted its new name, and is doing other refurbishing. {ANR&P discussion with Jack Humeniuk 17.May.11}

Massport estimates the service will add 15,000 TEUs a year to Boston throughput. {e-mail to ANR&P from spokesperson Lisa Langone 24.May.11}

**NBSR-ST: VELOCITY UP**

13 May, North Billerica. *ST HAS IMPROVED THE SCHEDULE OF SJWA*. ‘In an e-mail exchange this week with Jim Patterson, executive vice-president and chief operating officer for Pan Am, [Roy Blanchard] learned the transit time [from Saint John] to Barbers (the official CSX interchange north of Worcester) is now less than 60 hours.’

[The original article in the *Pan Am Clipper* put the transit as ‘less than four days’ from Saint John to Barbers, with 24 hours used to move from Saint John to Waterville. This made the Waterville-Ayer time less than three days. See 11#04B.]
EDMO/MOED improvement too
Patterson also told Blanchard: ‘Crews are now making EDMO/MOED [Mohawk-East Deerfield] turn in ten hours thanks in large measure to the infrastructure enhancements that are the core of the Pan Am Southern joint venture with NS, so we know that segment does not dally.’ {Roy Blanchard in Railroad Week in Review 13.May.11}

PW: NOTE ON ANNUAL REPORT*
10 May, Worcester. AN EXPLANATION OF AN OPERATING EXPENSE listed in the annual report came from Bernie Cartier, the railroad’s director of engineer. The item [see 11#04B] of incurred maintenance costs [PW] paid to Amtrak stems from maintenance performed by Amtrak on switches, tracks and interlockings used or shared by P&W, what Amtrak calls “work performed for the benefit of P&W”.
This is separate from the Amtrak mileage charges over all Amtrak property P&W operates west of MP 184.3 (just west of Providence Station). {e-mail to ANR&P}

MAINE

MDOT: OVERVIEW OF RAIL AND PORT PROGRAMS
21 May, Ellsworth. MDOT COMMISSIONER DAVID BERNHARDT SPOKE AT THE MRG MEETING HERE.
MRG, Inc, formerly Maine Rail Group/Downeast Rail, invited the commissioner, who took office in February, to speak at its annual meeting. He reviewed the department’s efforts.

Ports
Bernhardt gave this positive review of the federal funds obtained for the three ports:

Portland. Work will begin “next week” to rehab the International Marine Terminal. In July, work will be finished on the megaberth, permitting 1100-foot cruise ships to dock, and discharge “thousands of people.”

Searsport. An RFP is out for a moveable crane.

Eastport is finishing its conveyor system.

Taking traffic off the highway
Bernhardt explained that passenger rail relieved highway congestion, while freight saved on highway maintenance. “All transit is subsidized.” Rail keeps vehicles off the road, saves fuel and maintenance, and lessens pollution.
As an example, NNEPRA estimates that the two trains a day to Brunswick [to start in autumn 2012] will carry 100 passengers per day. It would take a month of keeping those 100 car trips off the highway to save the damage of one trip by one 80,000-pound truck.
Removing 100,000 cars from the interstate would not relieve the need to repave the interstate every twelve years. On the other hand, Bernhardt pointed out that raising the weight limit on Maine’s interstate from 80,000 pounds to 100,000 pounds would save a large amount of maintenance on the state’s secondary roads.
“Maine is a doughnut hole.” New Hampshire, Massachusetts, and Canada all permit 100,000 pound trucks. Some 32 states now permit 100,000-pound trucks, but “freight rail resistance” has thus far prevented a nation-wide raising of the limit.

Mountain Division: green pellets?
Bernhardt hoped that “we can continue working on the rail” with a “possible freight movement of wood pellets.
Europe is screaming for pellets [see 11#04B],” but also wanting green energy, meaning the buyers in Europe want to see US suppliers “move wood in on rail, and pellet out by rail.”

**Freight rail issues**

Freight rail in Maine has a “heavy reliance on pulp and paper.” [See AAR Fact Sheet.] Bernhardt told the meeting that “MMA has set up a meeting with me. I don’t know what it is about, I’ve gotta think it’s about Millinocket.”

Others in Governor LePage’s cabinet have reported that negotiations are continuing “to get them [the mills in East Millinocket] back working. Some good things might happen.”

Generally, he noted, “we have insufficient cars and service” while the service provider “does not have enough business to run enough” to satisfy the shipper.

Maine suffers from “vertical and weight constraints. That’s the good thing about Searsport, it has full doublestack. That’s very important.”

**State Rail Plan**

According to Bernhardt, “the state rail plan will be finalized later this year and submitted to the FRA.” He ascribed the delay [Consultant HNTB started on the plan in April 2009–see 09#04A, with MDOT rail chief Nate Moulton targeting December 2009 for completion] to the change in administration, the change in MDOT commissioner, and
Moulton’s need to work on the Aroostook rail situation.
   “Nate Moulton has helped me tremendously over the past couple of months.” Bernhardt dealt with rail maintenance when he oversaw operations; Moulton is helping him with the planning issues.
   “The five-year plan must be right. We are very close, and will get this out very soon...It’s a PRIIA [federal Passenger Rail Investment and Improvement Act] requirement.”

**Aroostook lines.**
[See other article.]

**State-owned lines**
Bernhardt briefly reviewed the lines the state owns.

**Calais branch.** He was there to ride on the Downeast Scenic Railroad. [Tom Testa, the president, told the meeting that Downeast has leased the line from Brewer to Washington Junction, but re-opening it to Brewer is far in the future. It now operates to Ellsworth Falls.]

**Rockland branch.** Bernhardt has talked to “Wes Weiss [the owner] and MERR is operating both freight and passenger here.”

**Lewiston Lower and Grimmel.** “This operation has its ups and owns, I get the call when things are not moving as fast as some would like.”

**Belfast and Moosehead Lake.** Russ Barber and the Brooks Preservation Society have an hour excursion operating from Belfast on the weekends.

**The Downeaster**
Bernhardt reported that the service now has five round trips the 116 miles Portland-Boston. He has met with his counterparts George Campbell of NHDOT and Jeff Mullan of MassDOT. “They don’t put a cent into [the service], we are going to work on that.”
   He mentioned the federal $38.3 million to do thirty miles of track extending the service to Brunswick, and the proposed layover facility in Brunswick. “NNEPRA is trying to acquire the property,” the former rail yard off Church Road, from Pan Am. “It’s a perfect location.”
   While some have proposed a Portland station near the waterfront, MDOT is “working closely” with a group proposing a $100 million development including a new arena at Thomson’s Point, the existing depot location, to create a “multimodal center” there. {ANR&P coverage}

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**NORTHERN MAINE RAIL: A SUMMARY**

as of 24 May
MMA filed on 14 April a notice to terminate service on the 233 miles it has sold to the state, and will operate until 14 June.
   NBSR subsidiary NMRC will operate the 233 miles and use trackage rights to St.Leonard and Brownville Junction. On 20 May it filed with the STB a notice on the trackage rights.
   But it will not file about the creation of NMRC until the STB exempts the filing, NBSR said on 20 May. On 14 May MMA filed with the STB a notice on the trackage rights it will have between Madawaska and Millinocket.
   Meanwhile the Twin Rivers mill in Madawaska continues to truck to Edmundston, and MDOT and NBSR work on the terms of the operating agreement.
NBSR-MMA-MDOT*

10 May, DC. THE TRACKAGE RIGHTS AGREEMENT DOES NOT NEED STB APPROVAL, said MMA in a filing this day. The rights will permit MMA to travel over the line it sold to the state in January [see11#01A], from Millinocket to Madawaska, where MMA will continue to operate between Madawaska and St.Leonard.

MMA filed a notice of exemption, arguing that 49 CFR 1180.2(d)(7) applies. That regulation exempts board oversight for ‘(7) Acquisition of trackage rights and renewal of trackage rights by a rail carrier over lines owned or operated by any other rail carrier or carriers that are: (I) based on written agreements, and (ii) not filed or sought in responsive applications in rail consolidation proceedings.’ {STB website, filings page, Finance Docket No. 35505

The agreement attached to the filing shows that the rights are overhead only (MMA cannot serve customers enroute) and that MMA will pay thirty cents per car per mile, points set out in the RFP for the new operator [see for example the draft Trackage Rights agreement, an Exhibit to the RFP].

MDOT-NBSR-MNRC: FILINGS

20 May, DC. NBSR IS CALLING ITS NEW RAILROAD THE ‘MAINE NORTHERN RAILWAY COMPANY’ (MNRC) according to a Petition for Exemption’ filed this day.

MNRC trackage rights

Under the proposed operation of MNRC, it would use the trackage rights granted by MMA to move traffic between Millinocket and Brownville Junction, where it would connect with EMRY, and between Madawaska and St.Leonard, where MNRC would connect with CN. [MNRC filed two Notices of Exemption covering the two track stretches on 20 May. {STB website, filings page, Finance Docket Nos 55518 and 55519}]

The legal problem: Exemption decision needed

‘EMRY, like MNRC, is wholly owned by NBSR, a non-carrier [presumably it has this status because it operates only in New Brunswick and not in the United States--editor]. Upon filing its Notice for a Modified Certificate under 49 CFR § 1150.23, MNRC would become a Class III rail carrier. EMR, too, is a Class III carrier.’

Under federal regulations, a non-carrier wanting to control more than one Class III rail carrier cannot use the Notice of Exemption procedure, which almost automatically permits a small railroad to begin operation [unless an outside party objects, as for example ABC&D’s proposal for a small railroad resisted by the Town of Ware–see 11#1A].

But a non-rail carrier may not acquire a second rail carrier without prior STB approval.¹ So, the filing stated, NBSR 'may not use the Notice of Exemption process to obtain exemption from the prior approval requirements....[and] is filing this Petition for Exemption from the prior approval requirements’ as permitted by 49 CFR Part 1121.

Need for quick action

NBSR stated: ‘Recently, MMA notified the Board that it would cease its operations on the State-owned lines on or about June 14, 2011. See MMA’s "Notice of Intent to Terminate Service", STB Docket No. 35463 (filed April 14,2011). The imminent cessation of operations by MMA has created the very real possibility that the shippers and communities of northern Maine will be without rail service until MNRC and NBSR obtain all required regulatory approvals...

‘An exemption obtained through the Petition for Exemption process "generally will be effective 30 days from the service date of the decision granting the exemption." 49 CFR § 1121.4(e). Recent Petition for Exemption proceedings at the Board have lasted two to four months from filing date to effective date. Therefore, MNRC cannot

¹ 49 USC section 11323 (a): 'The following transactions involving rail carriers providing transportation subject to the jurisdiction of the Board under this part may be carried out only with the approval and authorization of the Board: ... (4) Acquisition of control of at least 2 rail carriers by a person that is not a rail carrier.
begin rail operations on the State-owned lines until NBSR has received an exemption to continue in control of two rail carriers.’

**Request**

NBSR asked the Board to consider its request on an expedited basis, and exempt NBSR’s control of both EMRY and MNRC from Board oversight, before 15 June. {STB website, filings page, Finance Docket 33520 filed 20 May}

**MDOT view**

David Bernhardt, during his presentation to MRG [see other article], said that NBSR at first contemplated calling the operation the ‘Aroostook Railway’ and is now calling it the ‘Maine Northern Railway.’ “It will start 14 June.”

The saving of the line by the state is “huge.” If the state had not bought it, “the next day [after the abandonment was authorized], they said they will rip up the track, and it would never go back down.

“That would leave 21 rail businesses hurt. The $21 million [for the state to buy the line] is well worth spending.”

During the selection process, Bernhardt said, applicants were asked how they would “work this out with MMA and Twin Rivers” as Twin Rivers is not using MMA rail service at its mill in Madawaska now. {ANR&P coverage}

**NBSR-MDOT: FUTURE OPERATIONS**

17 May, Augusta. **STILL NO CONCLUSION TO THE NEGOTIATIONS ON THE OPERATING AGREEMENT.** Bob Grindrod, MMA president, noted: ‘As you know, the Irvings are hard negotiators, and now that there have been publicly selected and have the State against the wall with a deadline looming, they will be very tough indeed.’ {e-mail to ANR&P}

**How many locomotives will NBSR need?**

MMA now assigns five to the 233 miles it is operating for the state: one for the Presque Isle /Caribou turn out of Squapan, one in Madawaska for the Madawaska / Van Buren turn, and two for the road freight operating the main line. A pool unit runs to Houlton once a week.

NBSR has not contacted MMA about its operating intentions. {NBSR e-list; Grindrod e-mail.}

[This implies that, since NBSR does not operate the Madawaska turn, it could handle the 233 miles with four locomotives. Editor]

**MDOT-NBSR-MNRC: ALMOST THERE**

23 May, Augusta. **THE AGREEMENT IS NOT YET EXECUTED, BUT IS SUBSTANTIALLY COMPLETE**, wrote Nate Moulton, director of h MDOT rail program. {e-mail to ANR&P}

**What of MMA’s future in Maine - Searsport?**

Unless the Millinocket mills re-open, the entire Maine operation of MMA will not have enough traffic to continue—or so say several knowledgeable people.

David Gelinas, who heads the Penobsco Bay and River Pilots Association, fears for the continued health of not only the rail line out of Searsport, but the port itself, notwithstanding the proposed propane terminal. Shippers who might have used Searsport and MMA might find Saint John more attractive, because the two-line haul of MMA-NMRC may cost more than the one-line haul NMRC-NBSR.

One hopeful scenario: MMA would remove itself from Maine entirely. NBSR will take on operation of the line south of Brownville Junction. Because Irving is not tied to the use of Saint John’s breakbulk terminals, which are operated by Logistec, and is a major user of Searsport, Irving subsidiary NBSR could very well price moves via Searsport very competitively, and revive the use of the rail line to the port. {ANR&P discussion 23.May.11}
The disappearing paper mills

When this newsletter began in 1994, Maine and neighboring New Hampshire had at least 18 rail-served paper mills. Now, only seven use significant rail service.

SLR. Gorham, Berlin, and Groveton (two), all in New Hampshire. All but Gorham are gone, and that may use some rail [see New Hampshire].

A new mill started in Auburn, Maine, which uses some rail.

MMA. Madawaska, Millinocket, and East Millinocket. Only Madawaska is operating, and that is not using MMA.

ST. Baileyville, Lincoln, Old Town, Brewer, Bucksport, Skowhegan, Fairfield, Madison, Jay, Rileys, Rumford, and Westbrook.

While all have new owners, only the Brewer and Jay mills are completely gone. Baileyville, Fairfield, and Westbrook are doing far less rail, though. ST continues to receive criticism for its operations.

Maine Development Foundation

In July 2010, the Maine State Chamber of Commerce and the Maine Development Foundation produced a short report, ‘Making Maine Work.’ It had 12 recommendations. Nearly half of recommendation #10, on transportation and communications, was addressed to rail:

‘The state must find a better funding mechanism for transportation; explain it well to the public; and, generate the support needed to make the change.

‘Part of the new thinking must address rail investments and access. Rail is energy efficient. It serves the manufacturing sector, and is particularly important to rural and northern Maine. But, railroads are different than highways in one important respect – they are owned by private companies, not the public. This has led in the past to apparent conflicts between the broader economic development interests of the state and the narrower profit interest of the rail owner.

‘The state should evaluate all options for making railroad service available on a competitive basis to Maine businesses — including the option of setting up a state rail authority to own key sections of track.’ {text of report, emphasis added}

Commissioner Bernhardt

In his 21 May presentation to MRG in Ellsworth [see other article], David Bernhardt noted the large preponderance of forest products in the rail mix [see AAR Fact Sheet on Maine]. [Despite the loss of mills, Maine ranks second, at 4 million tons of paper annually, to Wisconsin at 5.3 million tons. {each state’s paper mill association}]

After the presentation, your editor referred Bernhardt to the ‘Making Maine Work’ report, and asked him if anything could be done about the need for better rail transportation.

Bernhardt said “not by the state,” noting that ST is a private corporation, and is answerable only to the STB. “The best way is to work on the relationship.” {ANR&P coverage}

ST-NBSR: NO OIL TO WOODLAND*

17 May. THE CONVERSION FROM OIL TO GAS WILL NOT AFFECT RAIL, said Bert Martin, spokesperson for Woodland Pulp. The company was receiving its oil by truck from the Irving Refinery in Saint John. {ANR&P discussion}
On 22 April the Finance Authority of Maine announced it would ‘assist Woodland Pulp and Machias Savings with financing for the mill’s conversion to natural gas.’ The project will take advantage of the Maritimes & Northeast natural gas transmission main, installed in 2000, that originates at Sable Island in Nova Scotia and crosses New Brunswick into Maine at the St. Croix River approximately 4.5 miles north of the Baileyville pulp mill.

FAME approved 90% pro-rata insurance coverage on a $5,278,000 Machias Savings Bank term loan for Woodland Pulp LLC to provide longer-term financing after completion of a natural gas pipeline connector and the conversion of the mill from oil to natural gas. {FAME press release}

**SEARSPORT: CASE DISMISSED***

6 May. THE MAINE SUPREME JUDICIAL COURT AGREED THAT RON HUBER OF ROCKLAND DID NOT SHOW ANY PROOF OF DIRECT INJURY from the Department of Transportation's plan to develop a port on Sears Island and conserve about 600 acres. The ruling this week upheld a September 2010 Superior Court decision, which found that Huber and others' lawsuits were premature because the state had not yet received an application to build a port on the island.

Huber said in a press release that the ruling did not surprise him, and that it allows him and other plaintiffs to file a new lawsuit should the state receive an application to develop a port. {Tanya Mitchell in Belfast Republican Journal 6.May.11}

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**MASSACHUSETTS**

**AMTRAK: CONCRETE TIES***

10 May, Boston. AMTRAK WILL BEGIN REPLACING CONCRETE TIES IN MBCR TERRITORY SOUTH OF BOSTON, said spokesperson Cliff Black. They were manufactured by Rocla and installed in the early 1990s. As many as 600,000 ties—the equivalent of more than 225 miles of track—made and bought in the mid- to late 1990s at Rocla’s Delaware plant have been identified as potentially defective because of a problem in the mix used to make the ties. In the overall Northeast Corridor, Amtrak will replace 1.2 million ties.

*Earlier concrete tie problems: San-Vel*

In the late 1980s, Lone Star Industries of Greenwich, Connecticut sold ties to Northeast railroad companies that within relatively few years began deteriorating, manufactured at Lone Star’s now-defunct Massachusetts subsidiary, San-Vel Industries in Littleton. [This same site is now dedicated to an automobile terminal which may soon expand—see 11#03B Massachusetts.] The ties soon cracked, crumbled, split, and broke. Rail systems, including the MBTA, sued Lone Star in federal court but only recovered replacement ties and had to cover the cost of installation themselves. San-Vel went bankrupt. {Jack Sullivan in Commonwealth summer.09; Richard Weir in Boston Herald 10.May.11}

*T lawsuit against Rocla*

In 2010, the T filed suit against Rocla in US federal district court, seeking $91.5 million as the cost of replacing ties installed under a separate contract for the Old Colony line. However, in a hearing in April 2011, Rocla produced a contract change, initialled by a T official, reducing the warranty period from 15 to three years. The judge has not yet ruled on whether to dismiss the warranty claim. {Court website, case 10-cv-10917}

**CSXT: INTERMODAL MOVE***

12 May, Worcester. THE NEW CSXT INTERMODAL YARD WORK SHOULD STILL BE FINISHED BY 15 SEPTEMBER 2012, following a Worcester City Council approval this evening. Measures to handle the altered traffic pattern caused by the 21May closure of Putnam Lane over the rail line were agreed to [see map in 10#02B].

{Nick Kotsopoulos in Worcester Telegram and Gazette 13.May.11}
**HRRC: COLTSVILLE EMBARGO***

26 January, DC. **THE RAILROAD EMBARGOED THIS BRANCH IN JANUARY**, shortly after the last customer, Filkins, reported that it hoped rail traffic would revive [see 11#01A]. According to Rian Nemeroff, who handles marketing for HRRC: ‘The last volume received came from California via the UP in 2008. The UP was the last originating carrier and thus named in the embargo. Since then there has not been any freight on the line and the track deteriorated from lack of use, thus track conditions as to the reason for the embargo.’ {e-mail to ANR&P 11.May.11}

Embargo No: HRRC000111, Effective Date: 01-26-2011, Participating Roads: CSXT, UP. Cause: track conditions. {AAR embargoes site}

**NS-ST-REVERE:**

**ETHANOL PROPOSED***

22 February, Revere. **GLOBAL PARTNERS FILED WITH THE CONSERVATION COMMISSION** here a proposal to move ethanol to its tanks by rail.

**Rail Modernization Project**

Global’s consultant, Wetlands Preservation Inc, this day filed with Revere Conservation Commission a Notice of Intent because the project falls under Massachusetts and Revere wetlands protection regulations. The terminal sits very near to Chelsea Creek [see map and photo in 10#08A–one might assume that the brushing out done in summer 2010 permitted the consultant to view the state of the track], falling under ‘land subject to coastal storm damage’ and ‘riverfront area’. It does not fall under ‘designated port area’.

As described, the work will modernize the ‘railcar unloading facility’ at the Global terminal, constructing two spurs one holding 11 cars, the other nine. Global will also construct new pumps, piping, and pollution control equipment

**Already contaminated area**

The description also notes that the area is recognized as contaminated. In addition, said Andy Desantis, chair of the Commission, the Chelsea Creek area is a designated environmental justice community.

**Applicable statute**

Massachusetts Chapter 131 Section 40

Section 40. No person shall remove, fill, dredge or alter any bank, riverfront area, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow or swamp bordering on the ocean or on any estuary, creek, river, stream, pond, or lake, or any land under said waters or any land subject to tidal action, coastal storm flowage, or flooding,

other than in the course of maintaining, repairing or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services,

without filing written notice of his intention to so remove, fill, dredge or alter, including such plans as may be necessary to describe such proposed activity and its effect on the environment and without receiving and complying with an order of conditions and provided all appeal periods have elapsed.

Said notice shall be filed by delivery in hand to the conservation commission or its authorized representative or by certified mail, return receipt requested, to said commission, or, if none, to the board of selectmen in a town or the mayor of a city in which the proposed activity is to be located.

[A note on the statute. Typical of Massachusetts statute drafters, the entire thing is pushed together into one giant paragraph, thereby causing any ordinary citizen difficulty in understanding it. I have separated out the clauses to help readers, and myself, understand it.

Do the legislators do this to make work for lawyers, or to hide the details of their work from citizens, or both?]
**Editor**

**Regulation excludes grandfathered rail lines**
Under the Code of Massachusetts Regulations:

310 CMR 10.03 (c) Category 4 covers construction of new rail lines.
310 CMR 10.57(1) Excludes from Land Subject to Flooding any ‘railroad tracks (including ballast and embankments), and similar areas lawfully existing on November 1, 1987 and maintained as such since that time.’
310 CMR 10.58(6) Excludes from ‘riverfront area’ (a) Any...rail line... marine cargo terminal owned by a political subdivision...within the riverfront area in existence on August 7, 1996. Maintenance of such structures or areas is allowed…’

**Pan Am work**
Global stated: ‘Simultaneously with the proposed modernization of GPC’s existing rail off-loading facility, Pan Am Railways will be performing maintenance and upgrades to the Rail Lines outside the Terminal, reducing the number of tracks outside the terminal from five tracks to three. Additional railcars will be stored adjacent to the Terminal in a fenced-in, secure area on a portion of the Rail Lines.’ {Global documents filed with the Conservation Commission; ANR&P discussion with Desantis 17.May.11}

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**NS-ST-REVERE: RAIL PLANS**

20 April, Revere. **CYNTHIA SCARANO, PAN AM EXECUTIVE VICE-PRESIDENT, WROTE TO EDWARD FANEUIL, HER COUNTERPART AT GLOBAL PETROLEUM CORPORATION (GPC)**, about Pan Am plans for the East Boston Branch, the line which would serve the Global terminal:

Recently, PAR has noticed a renewed interest in rail service to customers—including GPC—located on PAR’s East Boston Branch which runs by the GPC Revere Facility. As a result, PAR has elected to rehabilitate the branch line for freight service to this area, a project that is expected to begin in the summer of 2011. While this rehabilitation is not subject to state and local permitting [see quotes from statutes and regulations] because it [sic] is a freight carrier and therefore has not sought any permits for this project, I want to assure you that this rehabilitation will be done safely and that all applicable best management practices will be implemented to protect the environment and habitats. [PAR was convicted of criminal offenses against the environment in 2009–see 09#04A.]

Since there are a number of potential customers on the East Boston Branch and PAR could have a common carrier obligation to serve some or all of those customers, it is not possible for PAR to identify the routing of rail cars to be transported on the branch line. Simply put, as a common carrier PAR has an obligation to move certain goods if requested by shippers. As a result, PAR has little control over the origin or destination of the traffic it moves as a common carrier, and therefore is not in a position to provide more specific information. {text of letter filed with Conservation Commission}

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**NS-ST-REVERE: PUBLIC FACTS**

26 April, Revere. **MORE DETAILS OF THE GLOBAL PROPOSAL EMERGED** during a public presentation by Global requested by Revere.

**Inbound rail**
Global plans to receive 60-car cuts of ethanol roughly twice a week, according to Global testimony. The total throughput would come to 180 million gallons per year. A tank car holds around 30,000 gallons. One hundred trains a year equals 6000 carloads a year.

Patrick Herron, water quality monitoring director for the Mystic River Watershed Association, attended the 26 April community meeting. He related that Global representatives stated cars would be spotted at the terminal in clusters of 20, with the remaining cars staying in the Pan Am yard. Pan Am would switch the terminal at night, between 11PM and 4AM.

**More or fewer trucks?**
While Global could argue that rail delivery would reduce trucks on the highways and streets of Revere, Herron
countered that sixty-car unit trains could, if they exploded, wreak much more havoc than a single tank truck.

Moreover, if rail turns out to become a more efficient way moving ethanol, Global could move more gasoline through its tanks, and increase the number of loaded outbound trucks. Global representatives declined to discuss this point, saying they would not “cap our business.”

Community concern
Herron, speaking on 19 May, said members of the community would find it “difficult to understand the level of risk” posed by the rail service versus the trucks. \{ANR&P discussion with Herron 19.May.11; letter describing details filed with Conservation Commission 4 .May.11\}

Opposition from local citizen
One local citizen, Rita Falzarano, wrote on 26 April: ‘I attended a community meeting this evening in Revere Massachusetts presented at the request of a conservation commission on the environmental impact of having pure ethanol brought through our community via rail and off loaded to be mixed. I was more concerned about safety hazards, but when concerns about spills, fires, and how to address them were raised they were down-played. The issue of additional costs to our police or fire were raised. The company lawyer said there were none. I asked about special materials to put out the fire or protect the fire fighters or community and was told foam was needed but they had it on site.’ \{Reply posted to www.writeforarkansas.org article by Richard Irby on 18 February 2011 titled ‘Ethanol Fuel Trucks: A Hidden Danger’\}

NS-ST-REVERE: PERMIT OK

Revere. Looking compass northeast. Tracks curving to right go to Global Terminal. Track to left leads to MBTA lines, with a former yard switch visible. \{Courtesy rail observer 1.May.11\}
4 May, Revere. **THE CONSERVATION COMMISSION VOTED 6-1 IN FAVOR OF THE GLOBAL PROPOSAL**, Desantis said, ‘with myself the only one in opposition.’ {e-mail to ANR&P 19.May.11}

No appeal
According to Staci Rubin, staff attorney at Alternatives for the Community and Environment, none of the concerned organizations has as of 24 May appealed the Commission decision. {ANR&P discussion}

One councillor’s opinion
Speaking on 13 May, City Councillor Richard Penta said because of citizen concern, he has asked the Revere fire chief, a “bright guy” named Gene Doherty, to address the Council about the proposal.

Ethanol is already arriving by truck and barge
While the City Council “does not have jurisdiction over rail” Penta believes that hearing from the fire chief should allay some concerns. “I was concerned too, because I drive down the Lee Burbank Highway [which runs adjacent to the Global tanks] every day” to Massport, where he works.

“Ethanol is already arriving” at the Global tanks, Penta pointed out. “It comes in by barge and by truck, hundreds of trucks.” Rail will actually make Revere safer, by taking the trucks off the heavily-travelled Lee Burbank highway, which will only get more traffic if the Suffolk Downs racetrack gets a casino.

Doherty opinion
Penta characterized the chief’s attitude as very positive about Global. The chief looks on Global as a “first-rate company which has “everything in place” in terms of safety, and will do further safety upgrades. {ANR&P discussion}

No track work yet
An on-site report from one correspondent in early May revealed no improvements to the right-of-way. {e-mail to ANR&P from correspondent} [See 10#08A with map, and 11#02B.]

**NS-ST-BOSTON: MORE**

16 May, Revere. **FIRE CHIEF DOHERTY ADDRESSED THE CITY COUNCIL ON THE GLOBAL ETHANOL PROPOSAL** this day, at the request of Penta [see above].

Global Oil, located at Lee Burbank Highway in Revere, is the largest supplier of heating oil for the northeast and currently stores 88 million gallons of fuel products at their Revere terminals. Irving Terminal Oil, Inc stores roughly 35 million gallons in its Revere terminal.

Chief Doherty explained that his department is well prepared and trained for any such events such as a derailment or fire and that Global has been a great corporate neighbor to the city in providing equipment, training, as well as the ethanol product to the Massachusetts State Fire Academy for training purposes.

Doherty stated that the company will be providing an extensive network of security cameras allowing for live monitoring by the company and the city’s public safety departments.

Timeline for work
Global is expected to begin transporting the ethanol by rail in approximately eight to nine months following the upgrading and/or replacing of rail spur by Pan Am, the owners of the railway. Ethanol will only be delivered in the evening when the commuter rail is not in use.

Rita Falzarano, who also appeared on 26 April [see above], said Chief Doherty’s information was insufficient. {James David Mitchell in Revere Advocate 20.May.11}
ST: NO GE PLANT IN LYNN*

12 May. **GENERAL ELECTRIC WILL CONSTRUCT A NEW LOCOMOTIVE PLANT IN TEXAS.** It had looked at Lynn, but failed to get wage concessions from the jet engine plant which it “required” in order to site the plant there [see 11#04A]. GE Transportation announced it would seek a site in Texas to build a $96 million state-of-the-art plant to manufacture, assemble and remanufacture its rail and transportation-related equipment, including fuel-efficient locomotives.

Production is scheduled to start by 2012 at the 900,000SF facility. A site in Fort Worth is under consideration; the proposed location will become final pending local approvals, GE officials said in a prepared statement. The state of Texas plans to commit up to $4.2 million in incentives for the project through the Texas Enterprise Fund.

“GE Transportation is experiencing strong U.S. and global growth because of its technical leadership and we need to increase our manufacturing capacity and flexibility,” said GE Chair and Chief Executive Officer Jeffrey Immelt. In addition to the 500 people at the new plant, the company plans to expand the workforce at its Erie, Pa., locomotive manufacturing plant by hiring an additional 250 people. {Progressive Railroading Daily News 13.May.11}

MASSPORT: NEW SERVICE

18 May. **THE NEW WEEKLY SERVICE AWE-5 WILL ADD 85,000 TEUs** [about 50% of the 2010 total–see 11#01B] according to Massport. A consortium of the China Ocean Shipping Company (COSCO), Yang Ming Marine Transport of Taiwan, Hanjin Shipping of South Korea, and Hyundai Merchant Marine also of South Korea will provide it. [This corrects the 11#03B account saying CKYH would operate it.] Beginning on 27May, it will call Boston every Friday.

Three of the current North China AWE-2 service partners, COSCO, Hanjin Shipping and Yang Ming Marine Transport [Hyundai will substitute for K Line on the AWE-5 service–editor] will provide a total of nine 5,500 to 6,000 TEU post-Panamax ships on AWE-5, offering port calls at Hong Kong; Yantian, China; Kaohsiung, Taiwan; Cai Mep, Vietnam; and Singapore. Boston will be allocated 1,300 TEU on each ship, in each direction.

{Massport press release}

Roster of calls

* Mediterranean Shipping Company (MSC) calls weekly with a North European service to the ports of Bremerhaven, Germany; Felixstowe, UK; Antwerp, Belgium; and Le Havre, France. [See other article.]
* Mediterranean Shipping Company also offers a weekly Mediterranean service which connects to the ports of Naples and La Spezia, Italy; Valencia, Spain; and Sines, Portugal.
* COSCO and its partners, “K” Line of Japan, Yang Ming Marine Transport, and Hanjin Shipping (CKYH), operate AWE-2, a North China weekly service to the Chinese ports of Qingdao, Shanghai, Ningbo, and Yokohama. {Massport press release}

MASSPORT: CANAL WIDENING?*

6 May. **THE WIDENING OF THE PANAMA CANAL COULD BRING FEEDER SHIPS TO BOSTON,** said Massport Maritime Director Mike Leone, in an on-line discussion hosted by Massport.

‘There are going to be larger vessels (up to 12,000 TEU) transiting the Panama Canal, and in my opinion this will likely result in large feeder vessels (6,000-8,000 TEU) calling U.S. East Coast ports [such as Boston]. We are investing millions in cranes, terminal capacity, and dredging to handle these larger vessels....

‘These [6,000-8,000 TEU] feeder vessels can operate from a Caribbean trans-shipment hub or a major South Atlantic U.S. port.

Direct Suez service

‘Tom from Maine’ posed this question to Leone: ‘I used to be able to export containers from Maine to Hong Kong on a direct service from Boston, but that was discontinued and now I can't "get thea from hea". Any future plans for direct service to South China?’
Leone: ‘Our new direct Suez service [see above article] will have transit times of a little over 30 days between Boston and Hong Kong.’ [CKYH service–see 11#03B.] {ANR&P coverage}

**MASSPORT: MSC CAPACITY**

May. **MSC WILL HAVE PUSHED UP AVERAGE WEEKLY CAPACITY ON THE NORTH EUROPE/USEC (NORTH) SERVICE** by over 20% (April/May) and by the end of May, will operate a homogeneous fleet of 6,700 TEU vessels on the North Atlantic service. The port rotation will be: Bremerhaven, Felixstowe, Antwerp, Le Havre, Boston, New York, Philadelphia, Baltimore, Norfolk, New York, Bremerhaven. {Citation lost}

*Cascading affecting MSC Gulf service*

MSC has taken delivery of a slew of 12,500-TEU vessels in recent months (and is due to receive another dozen by the end of 2011) that have forced it to cascade 8,000-TEU vessels into trades that have never before accommodated such large ships. In April, MSC will rotate two 8,000-TEU vessels into its North Europe/U.S. Gulf service, which until now used 6,700-TEU vessels, the biggest in the trade. The North Europe/US Gulf service, according to *American Shipper* affiliate ComPair Data, has a rotation of Antwerp, Felixstowe, Bremerhaven, Le Havre, Charleston, Savannah, Freeport, Veracruz, Altamira, Houston, New Orleans, Freeport, Savannah, Charleston and Antwerp. {American Shipper 1.Mar.11 citing Alphaliner}

Note: The cascading may free up ships for the feeder service Leone is referring to.

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**NEW HAMPSHIRE**

**MBRX v ST: STANDARD OF REVIEW**

13 May, Concord. **ST SHOULD BE HELD TO A STANDARD OF DECENCY, FAIRNESS AND REASONABLENESS**, argued MBRX in opposing ST’s motion to dismiss the MBRX case against it.

The MBRX brief presented the court with this language from a 2009 New Hampshire Supreme Court case, *Livingston v 18 Mile Point Drive*:

> In every agreement, there is an implied covenant that the parties will act in good faith and fairly with one another. ... In New Hampshire, there is not merely one rule of implied good-faith duty, but a series of doctrines, each of which serves different functions. ... 

> The various implied good-faith obligations fall into three general categories: (1) contract formation; (2) termination of at-will employment agreements; and (3) limitation of discretion in contractual performance.

> This case deals with the third category. While the third category is comparatively narrow, its broader function is to prohibit behavior inconsistent with the parties' agreed-upon common purpose and justified expectations, *id.*, as well as "with common standards of decency, fairness and reasonableness." {citations omitted}

MBRX then concluded: ‘As in *Livingston*, this case falls within this third category, and. had the Defendants conducted its hearings [which resulted in the barring of MBRX owner Peter Leishman from operating on ST property] pursuant to these principles, this matter would not be before this Court.’ {text from court website}

**Court date**

Jury selection will begin on 7 June. Trial will begin on 13 June. {court website, 10-cv-264}

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**SLR: GORHAM BUYER**

13 May, New York. **PATRIARCH PARTNERS ACQUIRED THE MILL IN GORHAM**, and its three machines: a towel machine and two specialty paper machines. [Patriarch owns Old Town Fuel and Fiber–see 11#02B.] According to the announcement this day, ‘the towel machine is expected to resume production within 30 days, and
the two specialty paper machines are expected to begin to operate within 90 days. Patriarch intends to re-hire approximately 200 union workers and management during the next several months, including plant manager Willis Blevins.

[Fraser Paper, the prior owner, went through bankruptcy, and shuttered the mill. A deal with M&M Consulting [see 10#1O B] fell through; Counsel RB Capital, a liquidator, bought the plant out of the bankruptcy [see 10#12A] and sought an operator. Cate Street Capital of Portsmouth, had proposed to buy the plant, but ended its efforts. {Chris Jensen in NHPR 21.Apr.11}]

**Capital investment: tissue machine and Old Town Pulp**

Through its investment funds, Patriarch intends to make the significant capital expenditures and operational changes necessary to return Gorham Paper and Tissue to profitability, including a plan to acquire and install a tissue paper machine, which is expected to take 12-15 months, at a cost of $35 million and result in approximately 30 new jobs once it is operational.

The firm also will invest in the installation of a gas pipeline and the conversion of the mill’s boilers to allow the mill to switch its main power source from oil to gas. The gas conversion is expected to take 5-6 months and result in significant cost savings.

Finally, Patriarch plans to take advantage of synergies within its own portfolio. It is expected that a portion of the pulp utilized at Gorham will be produced at Patriarch’s Old Town mill in Old Town, Maine.

Patriarch head Lynn Tilton said, “Our hope is not only that we will be able to turn around this business and restore jobs, but also that a thriving mill in Gorham will have a positive impact on the town and surrounding area.” {text of announcement from Patriarch website}

**SLR comment**

SLR President Mario Brault wrote on 23 May: ‘We are very happy that the mill will start up and many of the laid off workers will return to work. This is good news for a Northern New England area that has been devastated with paper mill closures and general economy downturn in recent years.

‘SLR has been in discussions with mill officials on potential rail opportunities. We will continue to look for areas to help them, however our early assessment is that tissue is a truck-competitive commodity that is extremely difficult to ship by boxcar. We remain hopeful that there might be some opportunities to use our warehouse and transload partners to generate some new business for SLR.’ {e-mail to ANR&P}
required loaded ethanol trains to stop north of the station on the FRIP [freight rail improvement plan track for PW freight, completed in 2005—see 05#09A], and empty ethanol trains (also deemed hazmat) on the FRIP track south of the station.

According to Devine, Amtrak and PW could make that work, but with the addition of T service to the TF Green airport south of Providence, the system is bogged down because the T train uses the FRIP track.

Stopping a hazmat train outside the station no longer is deemed a good solution, because residences have sprung up close to the tracks, in former industrial area [see map: the track west of the station was once flanked by sizable rail yards, per a 1939 USGS map].

A solution

“We looked at adding another track,” said Devine, but the corridor is too tight for something like a mile-long siding. Instead, “RIDOT will continue to coordinate with the appropriate fire authorities in an effort to demonstrate the need to let the hazmat trains pass through with the installation of any appropriate infrastructure or equipment, if required.” {ANR&P discussion}

PW assisting

P&W is working closely with RIDOT on the Providence Station project, wrote spokesperson Marie Angelini. ‘We anticipate that the project, and any improvements indicated thereby, will assist P&W in expediting the movement of trains containing hazardous materials through Providence Station, an important step in keeping freight moving along the NEC as expanded commuter operations on that busy corridor are put into place by RIDOT.’ {e-mail to ANR&P}

QUONSET - PROVPORT:
JOINT MARKETING?**

12 May, Providence. RIEDC EXECUTIVE DIRECTOR KEITH STOKES TOLD THE PORT FACILITIES COMMISSION that Provvport and Davisville should market themselves jointly, so they do not compete with one
another. [See 09#03B for first meeting, and 11#03B for Waterson testimony.] [The Rhode Island Economic Development Corporation, a public body, controls the Quonset Development Commission, while ProvPort is controlled by Waterson Terminals, a private corporation. Editor]

One co-chair, State Senator William A. Walaska, D-Warwick, said, “You really don’t have much of a coordinated effort.” Stokes responded, “We’ve been so intent on building the amenities” that officials have been distracted from marketing. “I don’t want to create bureaucracy,” Stokes said, but he said that effective marketing will require “a dedicated professional team” that would seek out business for the two ports.

He and committee members agreed that the ports should be marketed as one unit. “From an international perspective it’s really one market,” Stokes said.

They also continued a discussion of two development ideas: what’s termed “short-sea shipping,” in which smaller ports such as Rhode Island’s could act as “feeder” ports for the ones in big cities; and trying to divert some of the fresh produce traffic now going to Delaware and Philadelphia to Rhode Island. {Bruce Landis in Providence Journal 13.May.11}

**Marketing is occurring**

Coincidentally, Bruce Waterson was marketing his facilities at the Breakbulk Europe Transportation Conference & Exhibition in Antwerp, Belgium when he commented on Stokes’ statement. ‘We have a marketing manager [Chris Waterson]. We do not compete with QDC as we also do stevedoring there so you could say we do marketing for them now. QDC doesn't do any marketing but if they do I would hope it would be for both ports.’

Waterson has provided stevedoring for ‘a pipe ship and a few heavy lifts over the years.’ {e-mail to ANR&P 17.May.11}

**Quonset comment**

David Preston, spokesperson for the QDC, would say only this: ‘We would welcome any assistance that might be available to help the Port of Davisville and the Quonset Business Park continue to grow. With 8,800 people working at 168 companies and the 8th largest auto importer in North America, a marketing effort could only help us build on our existing success.’ {e-mail to ANR&P 19.May.11}

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**QUEBEC/MARITIMES**

**CN: TRAILERS TO CONTAINERS**

11 May, Montreal. ‘YES, [CN] SEES A GREATER MOVE TO 53-FOOT DOUBLE-STACK INTERMODAL CONTAINERS. This has been a trend that has been ongoing for years. We are not moving trailers in domestic service in Canada. We may have been repositioning a chassis [to or from Halifax] and it appeared to look like a trailer. We do move some UPS trailers south of Chicago.’ {Julie Senecal, CN spokesperson, in e-mail to ANR&P correspondent Tom Peters}

**UPS buys containers**

Senecal reported in the context of the statement by UPS spokesman Norman Black that his company has for the past year begun shifting to the larger equipment and away from the 45-foot and 48-foot trailers it has traditionally used to transport its customers' intermodal traffic. UPS placed a multi-year order for 53-foot containers directly with an unidentified container manufacturer [probably Chinese], to facilitate what the spokesperson called an "efficiency move" on the company's part. For decades, UPS has been the country's largest individual user of intermodal services. It has also been by virtually every account, the railroads' single most demanding customer. {Mark Solomon in DC Velocity 4.May.11}
More traffic in 53-footers
On 12 May the Intermodal Association of North America (IANA) *Intermodal Market Trends & Statistics* reported that for 1Q11, international volume grew for the fifth-straight quarter at 9.6% and overall domestic intermodal volume grew 8.4%. ‘Most notable is that 53-foot trailer loads posted a substantial 21.7% gain, the best performance for this category since Q1 2005. Rapidly rising diesel fuel prices may have helped shift some over-the-road volume to rail during the quarter.’ {IANA press release 13.May.11}

### RAIL SHIPPERS

Described in this issue.

*Our Directory of Rail Freight Facilities in New England has more information on the companies denoted with their directory number.*

Filkins (HRRC, Massachusetts) Line embargoed.

Global (ST, Massachusetts) Will rail in ethanol.


Grimmel (ST, Maine) Complaints about service.

Woodland Pulp (ST, Maine) Oil trucked to plant.

### PEOPLE

Mike Coates, who supported Vermont rail and served on the Vermont Rail Council, died this month. Mike wrote an op-ed piece as the chair of the Council’s rail infrastructure subcommittee, published in 09#08A.
Pricing
Subscriptions cost $395 for professionals, $125 per year for students, young and old. (Subtract $30/year for e-mail). Introductory prices available. The e-bulletin, sent by e-mail at least weekly between issues, is free of charge to all subscribers.

Advertising
Subscribers may purchase half-page ads for $100 per issue. Non-subscribers, $200.

Purpose
Atlantic Northeast Rails & Ports, née Maine RailWatch (1994-1997) and later Atlantic RailWatch (1998-1999), is dedicated to the preservation and extension of the regional rail network. The editor believes that publishing news on railroads and ports spotlights needed action to preserve the rail network. The publication also imbues the region with a sense of an interdependent community, employing the network to move rail and port traffic. ‘No railroad is an island, entire onto itself.’