Sightings
As always, this list, compiled from rail observer sightings, does not contain every oil train that moved, and may list one train more than once. Some counts come from videos; all counts may well contain errors:

NBSR
7 November. Eastbound out of McAdam Yard at 12h05AT with three units and 60 cars: 7 empty centerbeams, 20 empty paper boxcars, 5 LP gas tank cars, and 28 loads of crude oil.

17 November. Eastbound from MacAdam at 22h05AT with three units and 77 cars: clay slurry, empty boxcars, empty WC log cars, empty beer boxcars, and LP tank cars. No oil.

CN
11 November. CN 474, “almost daily” from Joffre PQ to Moncton, had two units leading 66 cars: one loaded centerbeam, 2 white tank cars, 21 black tanks in four cuts, 21 covered hoppers, 11 autoracks in four cuts, and 5 boxcars.

MMA/CN
10 November. The railroad finally moved the crude oil train sitting in Farnham [see 13#09B Quebec] back to Montreal for CN to further it to Saint John as U702.

12 November. Three units led the 85-car unit train U702 into Saint John this day, moving at well below track speed. {RailsNB}

14 November, DC. THE AAR URGED USDOT TO BACK RETROFITTING ALL TANK CARS TRANSPORTING FLAMMABLE LIQUIDS or phasing them out, and building new cars to more stringent standards, in comments filed with the Pipeline and Hazardous Materials Safety Administration. The AAR estimates that roughly 92,000 tank cars are currently moving flammable liquids, with approximately 78,000 of those [the DOT-111s] requiring retrofit or phase out based on its proposal. Another 14,000 newer tank cars that now comply with existing industry safety standards will also require certain retrofit modifications under AAR’s four-part proposal:

· increase federal tank car design standards for new cars to include an outer steel jacket around the tank car and thermal protection, full-height head shields, and high-flow capacity pressure relief valves;
· require additional safety upgrades to those tank cars built since October 2011, when the rail industry instituted its latest design standards that today exceed federal requirements, including installation of high-flow-capacity relief valves and design modifications to prevent bottom outlets from opening in the case of an accident;
· aggressively phase out older-model tank cars used to move flammable liquids that are not retrofitted to meet new federal requirements, and
· eliminate the current option for rail shippers to classify a flammable liquid with a flash point between 100 and 140 degrees Fahrenheit as a combustible liquid.

'Freight railroads understand the rail supply marketplace is seeing an increased demand for tank cars needed to move more flammable liquids, such as crude and ethanol,' wrote CEO Ed Hamberger. 'We believe our suggested
approach to improving tank car safety allows railroads to continue to serve their customers, while taking rail tank car safety to the next level. We look forward to working with PHMSA, rail customers and the rail supply community as this rulemaking process moves ahead.' {AAR press release}

**CRUDE OIL: ANOTHER BAKKEN EXAMPLE**

8 November, Aliceville, Alabama. **GWI PROVIDED INFORMATION QUICKLY AND THOROUGHLY AFTER AN EXPLOSION** of crude oil cars here. Three units were leading 92 cars, 90 of which were T-108 tank cars containing Bakken crude moving from Mississippi to Florida on the GWI railroad Alabama and Gulf Coast. When 25 derailed, some exploded.

**Immediate public response**
The derailment occurred about 01h00. By 04h30 Michael Williams, GWI communications director, had posted a statement on the website. {GWI website}

**Further information**
Don Hartley, regional coordinator for the Alabama Emergency Management Agency, said the train's journey started in North Dakota. Three cars had a "'bleve' - where pressure builds up and blows a hole." That started the fire, he said. {Edward McAllister of Reuters in Yahoo News Canada 8.Nov.13}

[The bleve was not reported by GWI, which as of 08h40 on 10 November had no additional updates after 5PM on 8 November.]

**Praise for GWI information**
Chris Parker, director of the Vermont Rail Action Network, wrote on 9 November:

[GWI statements] are a model of how to handle a bad situation. Excellent, informative including all the relevant details, factual, non-speculative;... the thanks to emergency personnel caught my attention.

I would suggest that this kind of communication is something that would be valuable for New England railroads to think about ahead of time. The consequences of communication mistakes are now being played out on the MMA; however they are not the only operator with minimal PR expertise that handles hazardous loads and faces this kind of risk. {e-mail to ANR&P}

**MMA BANKRUPTCY: PRE-FILING SALE AGREEMENTS**

28 October, Portland. **MMA HAD AGREED WITH CERTAIN EMPLOYEES FOR SALARIES UPON SALE OF THE RAILROAD**, according to a filing by Trustee Robert Keach this day:

**Two kinds of agreements**
'Under the Employee Retention Agreements, the respective employee was obligated to provide continued services to MMA to help with operations and management of MMA's business during a potential sale of the company. In exchange for these services, the Employee Retention Agreements provided that MMA would pay the employee half of their existing annual salary if the employee was offered employment with the purchaser of the company. In the event that the employee was not offered employment with the purchaser, the Employee Retention Agreements provide that the MMA would pay the employee a sum equal to the employee’s existing annual salary....

'Active' retention agreements apply to employees still active with the railroad, listed in an exhibit attached to the filing. The 23 names included Bob Grindrod, president; Bob Campbell, manager of signals; Jim Speed in marketing; Robert Cote in engineering; Joe McGonigle, head of sales and marketing; and Gaynor Ryan, head of human resources.

'Inactive' retention agreements apply to employees no longer active with the railroad, listed in an exhibit
attached to the filing. The nine names included Gabriel Tessier and Bob Thomas, each did marketing for the railroad; and Lynne Labonte manager, former manager of customer service center and dispatch.

[I chose from the list only names of people with whom I had spoken. Editor]

Agreements unnecessary
'The annual salaries for both inactive and active employees range from approximately $48,800 to $171,900. The total potential cost associated with the Employee Retention Agreements is approximately $2.4 million dollars. 'Given that the sale did not occur, the Employee Retention Agreements are unnecessary and may, in fact, be ineffective or unenforceable. Indeed, the inactive employees no longer provide these services. As to the remainder, if retention or incentive agreements are required, the Trustee must and will propose such agreements in accordance with section 503 of the Bankruptcy Code. Accordingly, to the extent enforceable, the obligations under the Employee Retention Agreements constitute an undue burden to the estate while providing no benefit. Therefore, as a precaution, the Trustee has determined that rejecting the Employee Retention Agreements is in the best interests of MMA and its estate.' {Richter website}

PW: CONSULTANT HIRED*
1 November, Worcester. 'P&W RETAINED TÜV RHEINLAND RAIL SCIENCES, INC., a nationally recognized industry leader in railroad consulting services, to perform a comprehensive review of P&W’s operations and assist in developing solutions to increase performance and efficiency. Their review, occurring from January to October, identified opportunities for P&W to maintain and improve service, increase revenue, and reduce operating costs. We are currently in the process of evaluating the recommendations and proposals.' {e-mail to ANR&P from spokesperson Charlie Rennick}

More on TUV
On 11 August 2010, TUV Rheinland, the worldwide leader in global market access, acquired Rail Sciences, Inc. (RSI), a premier rail industry consulting firm and train dynamics specialist headquartered in Atlanta with an advanced testing and metallurgical analysis laboratory in Omaha.

Rail Sciences Inc. was founded in 1987 to provide the highest level of analytical consulting services to the rail industry. Rail Sciences provides specialized consulting in derailment investigations, track/train dynamics, operations planning and analysis, and testing and instrumentation.

TUV Rheinland delivers premier independent testing, assessment, and certification services to help companies gain access into global markets. Boasting an international network across six continents, the company’s in-country experts ease the path to compliance with cost-effective pricing and quick turnaround times. The $1.5 billion corporation is comprised of an international network of more than 13,300 employees in 61 countries and serves most industry sectors and markets worldwide. {company announcement}

YARMOUTH-PORTLAND FERRY*
12 November THE 2014 FERRY SERVICE WILL RECEIVE GOVERNMENT SUBSIDIES FROM MAINE, NOVA SCOTIA, AND OTTAWA, according to announcements from various government officials. An agreement is now signed between the province and STM Quest, a joint venture of Quest Navigation of Eliot, Maine, and ST Marine of Singapore. STM Quest will engage a ship completed in Singapore in 2010 to be named the Nova Star. Moving her from there to the Gulf of Maine will require a million dollars of fuel.

Nova Scotia subsidy loan. The province will supply $10.5 million in startup costs and $1.5 million over seven years for an operating subsidy. If the ferry operates for seven years, and invests $3 million in the eighth year as needed, it need not pay back the loan.

Canadian federal subsidy. Ottawa has approved a $2.6 million project to improve the ferry terminal in
Yarmouth.

Maine subsidy. Governor Lepage has promised a $5 million letter of credit. {Tom Bell in Portland Press Herald 13.Nov.13}

LOGISTEC 3Q13
12 November, Montreal. **LOGISTEC DECLARED ITS BEST-EVER OPERATING PERFORMANCE.** 'Revenue totalled $88.7 million, an increase of $10.3 million or 13.1% over the same period of 2012. The marine services segment's revenue grew by $12.0 million or 33.6% to $47.9 million for the third quarter of 2013, whereas the environmental services segment's revenue amounted to $41.6 million, down $1.0 million from the third quarter of 2012. The growth in the marine services segment reflected an overall increase in cargo volumes handled in all regions.' {Marketwired}

PAN AM: NEW OFFICE CAR*
11 November, Carmel, Maine. **THE PAN AM BUSINESS TRAIN HAS ADDED A DOME CAR**, as shown on an Armistice Day trip. It is marked WABASH, indicating it was originally built for the Wabash Railroad which operated in the Midwest.

On 13 November the train was photographed eastbound in Pittstown, New York. {NERAIL photo site}
QUEBEC

MMA: TRACK TO TAFISA
14 November, Lac Megantic. **THE TOWN WILL OWN AND HAVE JURISDICTION OVER THE REBUILT SPUR TO THE INDUSTRIAL PARK.** Workers will enable the link to open in the coming week. Municipal employee Louis Longchamps, Lac-Mégantic will allow only “dry goods” on the right-of-way.

“We know that not everyone will be easy with the return of trains,” said Pascale Halle, the head of the local Chamber of Commerce. “I hesitate about the social acceptance. The population is still in a state of shock.”

Halle began lobbying the government only weeks after the derailment to rebuild the tracks, as nearly half of the local economy relies on factories served by railroads. {Justin Giovannetti in Toronto Globe and Mail 14.Nov.13}

“The week after next, [MTQ] will approve the track and in the third week, beginning of December, an authorization will be given to permit MMA or another company,” estimated Beland Audet, director-general of Logi-Bel. The director-general of Tafisa, Louis Brassard, also thought the beginning of December was possible. {Camille Dauphinius-Pelletier in La Tribune 16.Nov.13 (ANR&P translation)}

Logi-Bel
This company transloads lumber at its facility on Rue Villeneuve in Lac-Mégantic. Rene Bernard, Fontaine, Sartigan, and other lumber originated out of Lac-Mégantic and head south via the WACR to NECR and CSXT. Its spur extends inside its 50,000SF warehouse. {coverage by Fritz Gerhardt in e-mail to ANR&P 18.Nov.13; company website}

MMA: ABANDONED TRAIN
[See Regional for delivery of unit crude train from Farnham to Saint John.]

MAINE

MAINE: BOND ISSUE PASSES*
5 November. **MAINE VOTERS APPROVED A $100 MILLION BOND FOR TRANSPORTATION.** It will pay for (according to a sheet of unknown origin) [see 13#08B]:

**IRAP**
$1.5 million for the Industrial Rail Access Program.

**Track to International Marine Terminal**
$9 million to extend of rail to the IMT. {various news sources}

Still no deal
Despite assurances that voters would have a deal in hand before 5 November, MDOT, Phin Sprague, and Pan Am have not yet reached a deal, said MDOT spokesperson Ted Talbot on 7 November. “Everyone is on the same page” and wants to complete the deal, he reported. {ANR&P discussion}

PORTLAND/PAN AM: EIMSKIP SERVICE*
8 November. **EIMSKIP’S LARUS ISFELD PRONOUNCED HIMSELF “REALLY HAPPY” WITH THE PORTLAND OPERATION.**

As for the lack of direct rail and the state of negotiations to extend Pan Am track to the International Marine Terminal [see above], Isfeld said: “I’m not really aware of what is happening in negotiations. I am not involved in the negotiations between those two” (Pan Am and MDOT).
He said he was “unaware” that TIRR was handling containers for Eimskip [see below]. {ANR&P discussion}

**MERR-AMTRAK: SERVICE TO BOSTON***

30 October, Rockland. **MERR WILL OFFER PASSENGER SERVICE TO BOSTON IN SUMMER 2014** on Fridays, Saturdays and Sundays from July 4 to Columbus Day, at an estimated adult fare of $85. The *Mid-Coast Limited* will depart Rockland at 15h20, stop in Wiscasset and Newcastle, and arrive in Brunswick in time for the 17h50 departure for Boston, arrive 21h15. Returning, the *Downeaster* will depart Boston at 09h05, arrive Brunswick at 12h25. The *Mid-Coast Limited* will leave Brunswick at 12h50 and arrive Rockland at 14h40. {railroad website}

**Effect on freight contract?**

MDOT extended MERR's contract to use the line between Rockland and Brunswick to the end of 2014, in part to ascertain Amtrak ridership to Brunswick. The combined MERR-*Downeaster* run will increase that ridership, but results would not show until late October.

Would that affect MDOT's possible RFP for the line next year? The department's Nate Moulton wrote that under the contract, MDOT could give MERR another extension, or go to an RFP: 'If an RFP were issued it would have to be much sooner than Columbus Day.' {e-mail to ANR&P 8.Nov.13}

**TIRR: RAIL TRANSLOAD***

5 November, South Portland. **TIRR IS HANDLING CONTAINERS FOR EIMSKIP**, said principal Roger Hale Junior. Initially inbound containers which needed rail transport were drayed to Sprague's Portland terminal [see 13#09A] for loading. A deal is needed to extend Pan Am track to the International Marine Terminal [see 13#08B] which despite MDOT assurances did not happen by 5 November, the day Maine voters passed the bond issue to fund the extension.

Hale said that Sprague found it lacked sufficient room to handle the containers well, and asked him if he could do so. Hale is now sending out spine cars with containers, at the rate of about four to five a week.

**Other traffic**

Because rail service on the Madison branch is suspended [see 13#09B – the AAR website has no embargo for
the Madison branch as of 5 November 2013] and hence Cousineau cannot get inbound plate steel, TIRR is receiving it, and sending it to ARC Enterprises in Kingfield and to Casco Bay Steel Structures.\(^1\)

Hale uses the two gondolas TIRR owns to rail scrap from his own shipyard to Schnitzer in Everett. And he sends crushed wallboard to the South.

Finally, the biodiesel continues at a level pace [see 13#02B].

**A viable transload**

Hale affirmed that transloading is “originally what the facility here did. That was our intention, we always wanted to transload material. The shipyard construction has added benefits.”

Using the TIRR trackmobile, Hale can move cars spotted by Pan Am in Rigby Yard to his terminal.

**Domestic intermodal traffic wanted**

Hale would like to do more inbound container business, for example for Eimskip which has as yet no rail-hauled freight going overseas. That traffic may disappear once the IMT gets direct rail, as Pan Am serves the Sprague terminal in Portland “every day” and would need only to continue along the waterfront.

What about other container traffic? Maine shippers have not supported a second intermodal terminal after Auburn; Pan Am in Waterville and MMA in Presque Isle could not sustain an offering. However, Hale is ready for domestic intermodal business and “would like to pursue it.” \(\{ANR&P\) discussion\}

**PAN AM: HAPPY PORTLAND CUSTOMERS**

**BLUE LINX**

This former Georgia Pacific building materials facility received two boxcars on 24 October; one remained there on 30 October. A call to the facility was referred to corporate headquarters in Atlanta, from which a call was not returned by publication. \(\{ANR&P\) observations\}

**PLASMINE**

6 November, Portland. **PLASMINE IS GETTING GOOD SERVICE FROM PAN AM**, said Scot Gurney at the facility, which both receives raw material and rails out plasmine rosin sizing. “Routinely, we have from one to three cars here.”

Over the past five years, service has improved “considerably. The railroad is treating us fairly well.” Plasmine rails as far as the West coast. \(\{ANR&P\) discussion\}

**More about Plasmine**

Plasmine Technology, Inc. was founded in 1990 with a single business objective, to provide the best sizing products and technical support to the paper industry. Plasmine is a wholly-owned subsidiary of Harima Chemicals of Osaka, Japan and is one of four major suppliers of rosin-based internal sizing additives to the North American paper

\(^1\) Casco Bay once had direct rail to its site at 75 Spring Hill Road in Saco, as the Google aerial shows. Later, it used a team track in the Saco Industrial Park. \(\{Rail Freight Facilities in New England 2006\} \)
industry. The corporate office is located in Pensacola, Florida. There are two manufacturing plants in the United States: Bay Minette Alabama and Portland Maine. Two distribution networks have been established in the Oregon/Washington and Wisconsin areas.

**TURNER'S ISLAND RAILROAD**

[See other article.]

**NEPW LOGISTICS**

7 November, North Deering. *PAN AM IS PROVIDING 'GOOD AND CONSISTENT SERVICE' TO BOTH NEPW LOCATIONS*, said owner Drew Gilman, inbound and outbound.

**North Deering**

NEPW operates two adjacent warehouses, '90 Quarry Road and 118 Quarry Road...more commonly known as "Rocky I" and "Rocky II". These are the warehouses owned by JB Brown, formerly leased to Fore River, now leased to NEPW. total square footage 175,000.

'We have done quite a bit of inbound and outbound rail for all the major mills in Maine and some Canadian mills. We work with 5 or 6 paper manufacturers there. And then 1/3 of the facility is racked storage for a variety of non-paper customers, although all of that business is truck-in, truck-out.'

**Scarborough**

'In Scarborough, at the former Northeast Paper Services, we also store (and convert) paper for most of the Maine mills and some Canadian mills. Again, an active rail spur and a lot of daily volume in and out. 140,000SF.' {e-mail to ANR&P 7.Nov.13}

**SLR: DISCONTINUING PORTLAND SERVICE**

8 November, DC. *THOUGH IT STILL HAS ONE CUSTOMER, THE RAILROAD WOULD LIKE TO DISCONTINUE ITS SERVICE TO PORTLAND*, according to a filing for a Petition for Exemption at the STB this day.

**The line**

SLR wants to end 'service over the line of railroad between the end of the line at M.P. 1.74 near Deering, Cumberland County, Maine, and M.P 25.97 at the town line between New Gloucester, Cumberland County, Maine and Auburn, Androscoggin County, Maine, a total distance of 24.23 miles....'
The line once ran into downtown Portland, but a fire in the bridge over the Back Cove in 1984 caused the then Grand Trunk (owned by CN) to pull back to the East Deering section of Portland. SLR retains the stub south of Danville Junction, where it interchanges with Pan Am.

SLR sold the stretch to MDOT in two segments: North Deering to Yarmouth in 2007 and Yarmouth to Auburn in 2010 [see 10#10B].

**Customers**

In the late 1990s and early 2000s, SLR had three East Deering customers and served them three times a week.² By late 2006, the oil transload closed and Nissen moved its operation, leaving only B&M Baked Beans. That service frequency declined because the traffic declined. SLR now forecasts less than one carload per month. [The number on the filing is redacted, but the term is shown as [] carload per month, not 'carloads' – editor.] B&M did not return a phone call seeking comment by publication time.

**Costs**

SLR said it did not have specific costs for the branch, but used an estimate from other filings of $6500 per mile per year, and crew costs of $12,560 annually.

Crew costs were stated in Exhibit B for two-man crew:

<table>
<thead>
<tr>
<th>Running Time to and from Customer</th>
<th>6.0 hours (3 each way)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Switching and Administrative Time</td>
<td>2.0 hours</td>
</tr>
<tr>
<td>Total Time per trip</td>
<td>8.0 hours</td>
</tr>
<tr>
<td>Crew Cost</td>
<td>$502.23</td>
</tr>
<tr>
<td>Crew Cost for Base Year (25 trips)</td>
<td>$12,555.75</td>
</tr>
</tbody>
</table>
'Thus, the revenue from the Line barely covers the crew costs [the revenue was redacted, but must therefore be about $13,000/year – editor], and certainly does not cover the estimated maintenance costs and the additional costs of operating rail service (including FRA-mandated track, signal and bridge inspections, locomotive depreciation, fuel and equipment maintenance and off branch costs). Thus, continued operation of the Line would create a burden on SLR and on interstate commerce.'

Despite the sale of the line, 'traffic has continued to fall and SLR cannot maintain and operate the Line profitably. SLR now seeks an exemption to discontinue service over the Line.'

**But not abandoning the line**

'As noted above, B&M Beans already handles much of its traffic by truck, and SLR believes that there is sufficient truck availability to handle the additional volume that is currently being handled by rail.

'By electing discontinuance instead of abandonment, if sufficient volumes of traffic would be generated by either B&M Beans or new customers that would seek to locate on the Line, then SLR would have the ability to restore service over the Line.

'Additionally, because SLR is only seeking discontinuance authority, the tracks and structures (owned by the State) will be left in place, and remain available for any potential passenger service should the State determine that it is the appropriate time to start such service.' {STB website, filings page, AB}

{A classified ad announcing this was published on 2 October in the Lewiston Sun-Journal and Portland Press Herald. Apparently no one saw it! One wonders why bother with the publication....Editor]

**MDOT comment**

Nate Moulton, rail administrator for the department, wrote on 13 November that 'we will not' oppose the discontinuance. {e-mail to ANR&P}

**Jacobson comment**

Matt Jacobson, president of the SLR in the late 1990s, said on 13 November that he once suggested to Pan Am that they share one line from Yarmouth Junction to Danville Junction, leaving only the stub from Yarmouth into Portland to operate alone. The two railroads did not agree.

Now that the SLR plans to leave the entire line, he was not surprised. The “oils move” which SLR handled from East Deering for mills [see 01#11A Regional] and NHCR [see 00#20] in New Hampshire made service to the other customers in Portland economical. “When that went away, it was hard to do the rest of it.” {ANR&P discussion}

**PORTLAND: INDUSTRY EKES OUT VICTORY**

5 November, South Portland. THE ORDINANCE PREVENTING PETROLEUM PRODUCT EXPORT [see 13#10A] from the waterfront was defeated by 192 votes: 4,453 votes against the ordinance, 4,261 in favor. Forty-five percent of the city’s registered voters cast ballots.

Jamie Py, president of the Maine Energy Marketers Association, was ecstatic after learning the election results. Now, he said, it’s time for South Portland residents and businesses to have a “real conversation” about the future of the city’s working waterfront.

Mayor Tom Blake said he is poised to initiate a process on 6 November to write a new law to prevent tar sands crude from flowing through the city’s six oil terminals. The effort would begin with a 180-day moratorium on any project to reverse the flow of the 236-mile oil pipeline that connects South Portland and Montreal, which has been owned since the 1940s by Portland Pipe Line Corporation.

**Just too broad?**

Attorneys for the companies objected to the ordinance’s wording, particularly phrases that would restrict expansion or enlargement of the facilities, which they argued would trigger the demise of their clients’ massive

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3 The Berlin mill itself, which closed in 2006 [see 06#07B] was, said Jacobson, “by far our largest customer.”
businesses. Without the ability to maintain, update and alter equipment, they said, the industry would wither, taking with it millions of dollars in municipal tax revenue and countless jobs. {Matt Byrne in Portland Press Herald 6.Nov.13}

Mini-editorial
The backers wrote the draft ordinance too cutely, addressing far more than just crude oil export. While the drafters argued correctly that the language could be seen (and probably would be in court) as not limiting current use, a casual glance at the language leads one to conclude that any new use, such as an aquarium, would also be banned.

If one wants all citizens to vote on ordinance language, it should be simple and to the point. Editor

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**MASSACHUSETTS**

**GU v GRAFTON: NO THREAT?**
7 November, DC. *THE TOWN OF GRAFTON ASSERTED IT HAD MADE NO THREAT TO FILE A STATE LAWSUIT* attacking GU's enlarging its North Grafton Yard, in its response to GU's filing a request at the STB to declare the work at the yard pre-empted [see 13#10B].

The Town agreed that it had questioned GU's work, but only 'requested' [emphasis in original] information to which, under STB rulings, it was entitled. On 18 October Town counsel informed GU that it was taking no action, 'but wanted to make sure there was no threat to the aquifer....Nonetheless [on 23 October] 'G&U filed the instant petition.'

Grafton argued that the Town's requesting information 'is not a valid basis for a Petition for Declaratory Judgement. Therefore the instant Petition should be dismissed as moot.' {STB website, filings page, FD 35779}

**PAN AM: ETHANOL BILL UPDATE**
24 October, Boston. *THE GENERAL COURT HAS STILL NOT TAKEN UP THE GUBERNATORIAL VETO* of the language which would have limited ethanol storage on the Revere waterfront. Governor Patrick proposed instead a moratorium [see 13#07A].

Charles Ticotsky, government affairs specialist for the Metropolitan Area Planning Council, explained in August [see 13#07B] that neither the moratorium nor the vetoed language was addressed by the General Court, and said again on 24 October, still no action. {e-mail to ANR&P from correspondent Frank Demasi}

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**NEW HAMPSHIRE**

**NHDOT/MBRX**
14 November, Concord. *NHDOT POSTED ANSWERS TO 26 QUESTIONS ON THE RFP*. Some interesting points:

**Car storage**

Q2: Please clarify the statement, "No car storage, other than that as required to provide service on the Line, will be permitted." Often times, customers will order multiple cars that cannot always be unloaded immediately and need to be placed on demurrage at another location by the rail carrier until unloading is permissible. Is this acceptable? Also, long-term car storage is prevalent in the railroad industry as a means to derive revenue from light density lines. This practice is generally considered part of a railroad's service, but seems to not be allowed by the RFP.

A2: The restriction on car storage is on main line storage as car storage makes track inspection, routine maintenance, and seasonal recreational use impossible. Should any demurrage cars need temporary storage, the 1,050 foot passing siding at MP N18.9 should offer ample accommodation. Per this RFP, no long term car storage will be allowed and short-term car storage, needed to provide service on the line, will require that cars be stored on the siding.
Q20: Why does not the state permit car storage? Especially on the inactive portion of the line? Aren’t other state-owned lines in NH allowed to have car storage?

A20: Though car storage on other lines has been allowed, the State does not want to allow car storage on this line for the reasons provided in Answer A2.

[Note: NHCR, which did a track tour, stores cars on the tracks it leases from NHDOT. One would think that NHDOT would permit storage on the track beyond the Granite State pit, which is unused. Editor]

Car storage and recreational use. Peter Leisman, MBRX owner, noted: 'The only recreational use now is during the winter as I have for 20+ years released the corridor for snowmobile use....if the [operator] didn't release the corridor as I do, they could do anything they wanted to (my opinion). In the past, I have received requests for car storage but opted against because of a number of issues (ie. Wilton Scenic RR).’ {e-mail to ANR&P 18.Nov.13}

Track maintenance
Q3: We request reconsideration of requirement to maintain to Track Class 1 for Out of Service and Non Active track segments.

A3: Subject to contract negotiations with the State, consideration may be given to delineate active and inactive track segments for maintenance purposes.

Confidentiality of submissions
Q13: Section 5.6.A asks for several forms of financial information. As a Private entity we are concerned with disclosure of our Financial Information. Will alternate methods of providing that info to the bureau be entertained?

A13: Alternative methods will not be entertained. Per Section 7, Submittal Information & Details, proposals will only be available for public inspection pursuant to NH RSA 91:A.

Q19: What were the gross revenues associated with the carload information provided on page 3?
A19: The gross revenues associated with the carload information provided is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Carload Count</th>
<th>Gross Revenue</th>
<th>User Fee Paid to State</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>2,925</td>
<td>$219,375.00</td>
<td>$10,968.75</td>
</tr>
<tr>
<td>2006</td>
<td>2,913</td>
<td>$238,475.00</td>
<td>$11,923.75</td>
</tr>
<tr>
<td>2007</td>
<td>2,880</td>
<td>$236,000.00</td>
<td>$11,800.00</td>
</tr>
<tr>
<td>2008</td>
<td>2,370</td>
<td>$201,450.00</td>
<td>$10,072.50</td>
</tr>
<tr>
<td>2009</td>
<td>1,130</td>
<td>$111,350.00</td>
<td>$5,567.50</td>
</tr>
</tbody>
</table>

Right to terminate contract if interference from Pan Am

Q24: Section 3 (Scope of Services: Operating Requirements) includes the following: "Note: 60 days is the minimum service level. If there are no customers, should the existing customer decide to use other forms of transportation or cease to exist, the Operator is responsible for finding other business to achieve the minimum required level of operation, as referenced above, or the Operating Agreement may be terminated by the State."
- What if for some other reason no traffic is operated for a total of 60 days?
- What if service is provided for 59 days and then no other day that year, due to a reason other than the customer decided 'to use other forms of transportation,' or 'ceased to exist'?

For example, suppose the customer decided only to furnish loads for only 59 days. That possibility is not one of those addressed by #3.
- What if PanAm, the connecting railroad, decides to arbitrarily not permit the operator to enter its track to reach the processing facility after 59 days? As the RFP notes, the existing customer requires service between a quarry on the state line and a processing facility on Pan Am, so the operator could not provide service on the 60th day.

A24: Per the terms of the Operating Agreement, draft attached to RFP for review, the State may terminate the agreement if less than 60 days of service is provided, for any reason. If reasons other than those explicitly listed in the
RFP and negotiated Operating Agreement were cited by the railroad as the reason they are unable to meet the minimum number of operating days, the State would review the details of these reasons.

Proposals are due on 21 November at NHDOT. {NHDOT rail & transit website}

**Adverse discontinuance – mini-editorial**
If NHDOT awards the Hillsboro Branch to another operator, the STB will need to approve first, MBRX relinquishing its modified certificate of convenience and necessity awarded to MBRX by the Interstate Commerce Commission, the predecessor to the STB. The new operator would then apply for its own certificate.

If MBRX does not voluntarily leave, NHDOT may seek an adverse discontinuance even though the only customer, Granite State, is more than satisfied with the operator. The STB has to my knowledge never addressed an adverse discontinuance proceeding where the only customer wants to retain the existing operator.

When Pan Am applied for, and won, an adverse discontinuance against NEGS [see 10#05A], not one customer filed a pro-NEGS comment with the STB, perhaps because all traffic for the customer would be eventually handled by Pan Am. Editor

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**VERMONT**

**VRS: LOSS OF CUSTOMER**

8 November, Brandon, Vermont. *THE GOLD STAR FEED MILL HERE CLOSED THIS WEEK*. Andrew Dugan, Gold Star general manager, said several factors went into the decision to close the mill but declined to offer specifics. He said the Gold Star brand will continue to have a presence in the area with its feed manufactured by another supplier.

Stephen Beck, Brandon economic development officer, hoped the Union Street property can find a new use. With its storage silos and rail siding, Beck said a biomass or pellet facility could be a logical fit. {Bruce Edwards in Rutland Herald 14.Nov.13}

**From Blue Seal to Kent to Gold Star to closed**

Kent Feeds bought Blue Seal Feeds in 1988. In the year 2000, Blue Seal Feeds had four locations [see 00#19]: Richford VT, Augusta ME, Bow NH, Brandon VT. In 2008 Blue Seal bought New England Feeds in Auburn ME; closed it in 2009 [see 09#04A]; and Nezinscot Farm took it over in 2010.

In 2010 Kent, Blue Seal, and Evergreen Mills were combined into the Kent Nutrition Group which operates several plants throughout the Midwest, Southwest and Northeast; the brands were retained, though. A subsidiary of the Muscatine Foods Corporation, The Kent Nutrition Group remains part of a family-owned network of companies including Grain Processing Corporation of Muscatine, Iowa, and Precision Foods of St. Louis, Missouri.

In October 2012, Kent spun off four mills in the northeast: the former Blue Seal mills in Brandon, Augusta, and Adams Center and Sangerfield, New York.

Andy Dugan, who contributed his Sangerfield Grain [uncertain its relation to Blue Seal] and already worked for Kent, became general manager of the new entity, Gold Star Feed and Grains. J.D. Heiskell & Company (JDHCo) became operating partner for the venture and contributed management and capital.

JDHCo is a privately-held, professionally managed commodity trading and livestock feed manufacturing enterprise conducting business across the breadth of the continental United States, Mexico, and the Pacific Rim. Founded in 1886 and continuously owned by the Heiskell and Hillman families, the company was recently identified as number 75 of the top 250 privately-held companies in the United States by Forbes magazine (December 2012 issue). {Kent and JDHCo websites}

**Traffic**

An official of J.D. Heiskell who declined to provide his name refused to comment either on lost VRS traffic
numbers, or on why Gold Star did not include the Blue Seal-Kent Nutrition mill in Richford, Vermont as part of its holdings. \{ANR&P discussion 15.Nov.13\}

Observers who have driven by the mill often see no cars there, sometimes two. Assuming roughly two cars a month, the mill would only have 24 carloads a year. \{e-mails to ANR&P\}

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**MARITIMES**

**HALIFAX: FAST CRANES**

late October. **THE TWO NEW SUPER POST-PANAMAX CRANES STARTED WORKING AT HALTERM** [see 12#06A], said Ashley Dinning, CEO. Now, 'we can commit with [4 total] super post-Panamax cranes in a contract to 140 moves per hour' [or 35/hour each].

**Fast compared to others?**

Dinning wrote that with the cranes and “the highly trained and motivated workforce...we will be market leaders in ship-to-shore productivity. Working with...CN, we have average dwell time for containers moving to the (US) Midwest down to nine hours. This compares to 72 hours in New York.' \{e-mail to ANR&P correspondent Tom Peters 28.Oct. 13\}

- Baltimore's new super post-Panamax cranes average about 37 lifts per hour each. \{Port of Baltimore spokesperson Colby Haines e-mail to Peters 4.Nov.13\}
- At Prince Rupert’s Fairview Cove Terminal super post-Panamax cranes do 31 to 32 moves per hour. \{Mark Schepp, senior vice-president Maher Terminals, in Canadian Sailings 28.Oct. 13\}

**What about Melford?**

Richie Mann of Maher-Melford Terminal wrote: “Given the experiences of the Maher operations in Prince Rupert and the fact that Melford will have a larger footprint and significantly more on-dock rail, Maher forecasts Melford will surpass the performance at Rupert. That being said, Melford should easily match or exceed the output of any terminal in the competitive region.' \{e-mail to Peters 5.Nov.13\}

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**RAIL FREIGHT FACILITIES**

**Described in this issue.**

- ARC Enterprises (TIRR, Maine) New customer after Pan Am ends service.
- B&M Baked Beans (SLR, Maine) Losing service?
- Blue Linx (Pan Am, Maine)
- Eimskip (TIRR-Pan Am, Maine) New intermodal service.
- Gold Star (VRS, Vermont) Closed Brandon mill.
- Logi-bel (MMA, Quebec) Rail service to resume.
- NEPW Logistics (Pan A,m, Maine) Happy with service.
- Plasmine (Pan A,m, Maine) Happy with service.
- Tafisa (MMA, Quebec) Rail service to resume.

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**PEOPLE, EVENTS**

**Arthur Fournier** died on 16 November aged 82. As son Brian Fournier tells it, his father started with a sunken wooden tug that was at the bottom of the Mystic River in Massachusetts. He bought the tug for $1, raised it, installed an engine from a wrecked Greyhound bus, and soon he was in business, pushing sand and gravel scows around Boston Harbor.

Arthur Fournier sold his Portland Tugboat to McAllister Towing. Brian stayed on as president of McAllister in Maine, which works Portland harbor.
Ted Vozzella died after a tragic fall on 24 September at the age of 43, leaving 5 children. Working for Municipal Road/USA Hauling and Recycling, and then as his own company Rail Solutions, Ted was instrumental in the creation of many construction and demolition projects in Connecticut and Massachusetts.

EVENTS

Maine Rail Group is pleased to announce its first Maine Rail Conference set for April 12, 2014 at Owls Head Transportation Museum. Railroads and related interests - freight, passenger, tourist (including narrow gauge), suppliers and consultants - from Maine and elsewhere in this region are invited to participate. Morning and afternoon program speakers will be featured. OHTM will promote the event with Museum access, food concessions, and advertising. Persons of any age with general interests in railroading, as well as professionals in rail business are invited to gather next April to display their services and to take the pulse of railroading in this region. View the Maine Rail Group website for more details or contact Russ Barber (207)-338-6886.

The Massachusetts Department of Transportation and the Ports of Massachusetts Compact will present Draft Recommendations from the Ports of Massachusetts Strategic Plan, meant to guide future investments, policy, initiatives, and planning of the Commonwealth ports. After a meeting in Boston on 18 November, the presenters will host a public meeting on 25 November in New Bedford at the New Bedford Free Public Library. The list of ports also includes Boston, Gloucester, and Salem, according to MassDOT.

The New Bedford meeting gives residents a chance to weigh in on the future of the Fall River State Pier South Basin Improvements, as well as the Port of New Bedford.