Formal issue 14#03B 7 April 2014

*Article unchanged from e-bulletin. **Blue type in article: changes from e-bulletin. Blue header & table of contents: new article

**REGIONAL

EPA locomotive emissions: Lauded presentation. Local notes. Tables.
CMQR: Update on CTA and TC filings.*
Jake Awards: Won by 12 of the region's railroads.
Crude oil: CN sightings.

**NEW YORK

CP: Global Partners on new Albany crude traffic.*
NYNJ/NYA: Cross-harbor traffic up, due to domestic scrap shipments.* Photo.

**QUÉBEC

[No report.]

**CONNECTICUT

Bridgeport: Update on harbor, free-trade-zone.*

**MAINE


** MASSACHUSETTS

CSXT: Possible railcar manufacturer in Springfield.*
GU v Upton: Residents claim Dana, not GU, is operating transload.*
GU v Grafton: The Town doubts GU has the wherewith-all to operate the propane terminal.*
Pan Am: Westford, MassDEP want notice after derailments.*
Pan Am: FRA fines for Westford gage violation.

**TANK CAR MANUFACTURE

Tank car manufacture: Bigda says will produce first cars 3Q14.*

**NEW HAMPSHIRE

Pan Am: Sea-3 hearing continues. New alignment very unlikely.* Map.
Pan Am: More on Sea-3.*
Pan Am: Greenland hearing.*
Pan Am: Newington can regulate Sea-3 rail.

**RHODE ISLAND

[No report.]

**VERMONT

[No report.]

**MARITIMES


**RAIL SHIPPERS/RECEIVERS

A cross-reference to companies mentioned here.

**PEOPLE, POSITIONS, EVENTS

Jennifer Cox, Bob Sullivan, Timothy Mellon.

**FROM THE PUBLISHER

Future Reporting has become awaiting the return of phone calls or e-mails. Some nice stories should emerge for next issue.

- Chop Hardenbergh Next formal issue 21 April
REGIONAL

EPA LOCOMOTIVE RULE

25 March, P&W engine house, Worcester. A PRESENTATION ON LOCOMOTIVE EMISSION RULES by Abby Swaine of EPA New England brought out some interesting local information. PW, which has always generously hosted heavy equipment exhibits at its Worcester terminal as part of the New England Railroad Club’s Expo, did so again this year, and in addition provided space for the Swaine seminar and a second on ultra-sound bearing testing.

Local idling

Two states, Rhode Island and Massachusetts, have limits on locomotive idling. Because these rules are part of Clean Air Act state implementation plans, they are enforceable by EPA. [See series of articles, based on Swaine information, in 11#06A.]

Local complaints

Swaine has “volunteered to be the clearing house” for complaints about local train operation. “I call the railroad first.” With that information, Swaine contacts the caller to explain “how the railroad works, and how locomotives work. Oftentimes the caller is fascinated to learn that information. Sometimes just understanding helps a lot.”

When complaints build up enough to consider the railroad area a “hot spot” (Swaine term), she will contact the railroad to request a change, such as “a speed-up of operations, a different location for a crew change, better maintenance of the locomotive,” and other steps which ameliorate the emissions.

Calls to EPA about locomotive emissions have increased, in part because the freight system has more

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<table>
<thead>
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<th>Year of Original Manufacture</th>
<th>Original Locomotive Tier</th>
<th>Minimum Tier for Remanufacture</th>
<th>Minimum Tier for Refurbishment Through 2014</th>
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*Don’t have to meet any standards for a simple remanufacture, but have to meet Tier 0+ for a repower (new engine).
traffic, in part because the system has become “choppy and congested,” and in part because the number of people living near the tracks has increased.

People are surprised to find they are living near revived or newly-busy rail facilities. Some 28 locations in three states (mostly Massachusetts [see e.g. 11#06A]) have received attention in recent years.

Swaine said she would expect a Tier 4 locomotive burning “new fuel” to offend neighbors the least. She added that a locomotive with automatic engine start-stop does not necessarily make people happy, as “you never know when it will come back on.” Residents experience locomotives as an acute problem whereas trucks produce an omnipresent noise, and therefore are not noticed nearly as much.

**Inspections: Class II and Class III coming**

EPA does regular inspections, with notice, of railroad compliance with the locomotive emission rules, but only for Class Is at this point. (Class IIs and non-exempt Class IIs are on the radar for regular inspections as the rule plays out.)

Following up complaints, however, EPA may unannounced inspect any railroad, not based on one complaint but on a series of complaints on location, especially if it is a pollutant “hot spot” or an environmental justice area.

EPA does its own inspections, with help as needed from outside contractors. Swaine noted after her presentation: ‘Contracting personnel may accompany EPA staff on inspections. Generally contractors are used more for researching issues prior to inspections.’

‘EPA re-bids contracts regularly. Currently, it has Eastern Research Group under contract for assistance.’

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1Many senior staffers are taking early retirement buyout packages, offered not only to help balance EPA’s budget, but to enable the agency to hire more junior staff with updated skill sets. Among the priority areas for hiring are inspectors and engineers who can help implement the air programs (such as engine rules) that address pollutants implicated in climate change.
Valuable presentation
As a way of understanding the locomotive emission regulations, railroaders present found it extremely valuable. Wrote one: 'There are so many in the industry that need to see your presentation. I have heard so many different interpretations of the Tier regulations from others in the industry. You were able to set all in the audience straight.' {ANR&P coverage}

CMQR: CANADIAN AGENCY ACTIVITY*

NOTE: In order to close on its purchase of the MMA assets in Canada, CMQR requires a Certificate of Fitness from the Canadian Transportation Agency (CTA) and acceptance of its Safety Management System by Transport Canada (CT). As of 28 March, it had neither.

In addition, to ensure it can operate profitably CMQR may well want to revise the MMA agreement with Lac Megantic about movement of crude oil through the municipality [see 14#03A Quebec].

CTA
CMQR filed for a Certificate of Fitness on 24 March [see 14#02B]. Jacqueline Bannister, CTA spokesperson, wrote that the agency 'is currently reviewing the file.'

Extension of MMA certificate of fitness. Bannister also wrote, on 28 March: 'In order to continue to provide services to its customers until the sale of the railway and its assets is completed, [in mid-March – see 14#03A] MMA/MMAC filed for an extension to June 1, 2014.

'Based on the information submitted, the Agency finds that MMA/MMAC has demonstrated that there is adequate third party liability insurance coverage, including self-insurance, for the proposed railway operations.

'During its review, the Agency found that MMA/MMAC continues to have a self-insured retention amount of $250,000 in its liability insurance policy and continues to hold $25,000,000 in third-party liability insurance coverage. The railway is still forecasting shipping reduced volumes and distances of dangerous goods, when compared to pre-Lac-Mégantic derailment figures, and will still not be moving crude oil.

'Transport Canada has informed the Agency that MMA/MMAC has been subject to several inspections since July 6, 2013 and, specifically, since January 30, 2014. MMA/MMAC remains subject to a number of notices and orders. To Transport Canada’s knowledge, MMA/MMAC is operating in compliance with the conditions set out in those notices and orders.

'Therefore, the Agency has amended the date of effect of the suspension of MMA/MMAC’s Certificate of Fitness to June 1, 2014.' {e-mail to media 28.Mar.14}

TC
The agency has provide this information in response to ANR&P inquiries:

'Central Maine & Quebec Railway submitted its SMS information to Transport Canada on March 10, 2014. As per the Railway Safety Management System Regulations, the company must wait at least 60 days after submission before it begins operations. Transport Canada is still reviewing the SMS to ensure that all prescribed requirements have been met in accordance with the Railway Safety Management System Regulations.

'Transport Canada has never waived or modified that requirement.'

'Transport Canada is currently reviewing the company’s Safety Management System submission…to verify its compliance with the Railway Safety Management System Regulations. Please note that Transport Canada’s review of a company’s Safety Management System submission is not an approval-seeking exercise.

'Transport Canada will be in a better position to comment once the review is complete.' {e-mails to ANR&P 25 & 28.Mar.14 from Roxane Marchand, TC media relations advisor; from Karine Martel 24.Mar.14}

Note: TC has not explicitly stated whether it will notify ANR&P after the review is complete, and if so, how
much of the result of the review it will divulge. The agency advised that 'a railway company’s Safety Management System (SMS) is third-party information.' Editor

**THE JAKE AWARDS***

Under the aegis of the American Short Line and Regional Railroad Association, awards each year recognize safe operation:

**Jake Awards with Distinction won by region's railroads**

Awarded to any member railroad with no FRA reportable injuries for the previous year.

- Bay Colony
- Brookhaven Rail
- Clarendon & Pittsford
- Connecticut Southern
- Fore River Transportation
- Grafton & Upton
- Naugatuck
- New England Central
- New England Southern
- New Hampshire Central
- St. Lawrence & Atlantic

**Jake Award**

Awarded to any member railroad that finished the calendar year with an FRA frequency rate less than or equal to the industry average:

Springfield Terminal (subsidiary of Pan Am Railways) {ASLRRA}

**CRUDE OIL ++**

**CN sighting**

28 March, enroute to Saint John. Train 406 “long...mostly all oil tanks.” Four units.

29 March, to Saint John. Train 406 had only a few oil tanks.

29 March, return from Saint John. Train 406 had four units, 8 boxcars, two cuts of tank cars (16 and 70), 2 tall gondolas, and 1 covered hopper. {RailsNB}

**NEW YORK**

**NYNJ/NYA: INTERCHANGE TRAFFIC UP***

31 March, New York-New Jersey. **CROSS-HARBOR TRAFFIC HAS PICKED UP CONSIDERABLY,** according to several officials.

**NYSDOT**

Jack Madden from NYSDOT said he was detailed to look at improving the Greenville Yard. Asked why a New York guy would look at a New Jersey location, he reported that FHWA, which is funding the Port Authority of New York and New Jersey work on the cross-harbor float bridge, has its Region I offices next to NYSDOT. FHWA asked the DOT to help out, which resulted in Madden travelling to Greenville Yard.

He noted that the NYNJ traffic increased substantially between 2012 and 2013, and thus far this year NYNJ exceeds the 2013 car count.

Tom Egan, who formerly worked with NYA and is also assisting on the Greenville Yard project, estimated that about 25% of the cross-harbor traffic is local to points in Brooklyn served by NYNJ, and the balance NYA interchange. {ANR&P discussions at New England Railroad Club Expo 25 March in Worcester}
NYA
James Bonner, who handles marketing for NYA, agreed, writing on 31 March: 'Some shifts in the domestic versus foreign scrap steel market, particularly destined to NS destinations, as well as other incremental gains, have increased volumes considerably year-over-year. [See same shift for BCLR in 14#02A.]

'With the current market, we’re roughly 50% inbound and 50% outbound [interchange to NYNJ]. Absent scrap steel favorability, history is roughly 75% inbound and 25% outbound.'

The scrap move
NYA lifts scrap from yards in Brooklyn, Nassau, and Suffolk. Sims Metal Management has a yard just outside NYA's Blissville Yard in Long Island City, and a yard on the waterfront in Brooklyn served – if needed – by NYNJ.

Sims Long Island City yard has no track to it; Bonner said at this point the scrap is moved out by water. {e-mails to ANR&P 1.Apr.14}
CP: GLOBAL PARTNERS*
31 March, Waltham.  *GLOBAL PARTNERS’ OFFICIALS REMARKED ON SEVERAL POINTS* during the earnings call this day, covering 4Q13 and FY13.

**Newer tank cars**
President Eric Slifka, in opening remarks, said: “Today 90% of our fleet of rail cars is comprised of the newer CPC 1232 design cars, and we fully expect the balance of the cars in our crude fleet to be compliant with that standard by the end of the year. Moreover, we continue to work closely with our employees, customers and railroads, as well as federal and state agencies and local communities to ensure the safe, reliable handling of products throughout our network.”

**Albany expansion**
“At our terminal in Albany, New York, we are seeking to handle biodiesel and a broader slate of crudes. In Oregon, we are seeking to simultaneously operate our facility for both ethanol manufacturing and crude transloading. Neither of the projects affects the volumes currently being put through these facilities. We remain committed to continuing to work cooperatively with state and municipal officials and communities to provide information related to these projects.”

**Moving to longer-term contracts?**
Cory Garcia of Raymond James asked: “[H]ave you guys seen or hear much of a push, an incremental push from producers looking to lock into sort of longer term contract deals? Have we seen a shift in sentiment, or are guys still stepping back, saying we want to have the flexibility, maybe we’re not looking into the longer term commitments on the loading side of things?"

Mark Romaine, chief operating officer, responded: “I wouldn’t say we’re seeing a significant shift in the mindset. Obviously, I think everybody is getting more—from a producer standpoint, everybody seems to understand the benefit of the flexibility of crude by rail, and I think on a long-term basis when you look at the efficiencies and the opportunities that that can create, you’re going to want to set yourself up for—to take advantage of some sort of flexibility, and that’s really the key benefit that rail offers.”

**Sourcing in Canada versus Bakken**
James Jampel of Hite Hedge Asset Management asked: “How should we think about the difference between a potential crude by rail initiative in Canada versus that which you already have going on in the Bakken?”

Romaine responded: “I think Canada is a little bit different beast than North Dakota. In North Dakota in the Bakken region, you have effectively one fungible grade, so really in North Dakota when I look at that, I say okay, it’s not the fact—it’s not where you are in North Dakota. We’re seeing a lot of build-out in terms of the gathering infrastructure in North Dakota, so when you look at one rail terminal versus the next – I mean, sure, there may be some minor differences in the cost to get the product to the rail terminal, but for us it’s more about where you can with that barrel and the flexibility that you can build into that that we think will have the long-term sustainability.

“In Canada, it’s a little bit different. You’ve got a lot of different product grades, you’ve got a much wider geographic expanse, and so it’s important when you look at Canada to—location is important when you look at Canada, and where you set up your rail terminals or otherwise, it’s because you’re accessing multiple different grades. Those grades may belong in different markets. They may be better suited for one market versus the next, so I think where you put your stake in the ground in Canada is a little bit different than the thought process in North Dakota.”

**Need to slow train speeds**
Jampel also asked: “Have any of the slowdowns or reroutes that we’ve read about in the news regarding crude by rail, have those impacted the turnaround time on your cars yet?”
Romaine responded: [I]f you’re talking about the noise around rail carriers having to slow down through certain areas...[w]e haven’t seen an impact from that yet....I think when you look forward at trains having to slow down through certain communities, I don’t think you’re going to see a meaningful impact on turn times as a result of that. In fact, some of the areas that we travel through are already well below what the kind of prescribed speeds are being talked about.” {SA transcripts in Seeking Alpha}

**CONNECTICUT**

**BRIDGEPORT: POSSIBLE FTZ USE**

19 March, Newington. *AN UPDATE ON ACTIVITIES AT THE PORT* was provided by Martha Klimas, executive director of the Bridgeport Port Authority, to this month's Connecticut Maritime Commission meeting.

**Foreign Trade Zone**
The Port Authority is the Grantee of Foreign Trade Zone No. 76, a federal designation that allows certain import and export activities to be conducted at a reduced federal tariff, within 60 miles of the “Port of Entry”. For Bridgeport, this area covers all of Fairfield, most of Litchfield and parts of New Haven Counties.

Once a site and activity is authorized by the Foreign Trade Zones Board and the site is activated by U.S. Customs and Border Patrol, a company can import goods into the Zone and not pay any federal tariffs until the goods are moved from the Zone into the United States. This gives users several monetary advantages including deferred, reduced, or elimination of federal tariffs, increased cash flow control, and most importantly, a more competitive edge when bidding on certain projects that may involve import of certain parts/equipment.

**Potential users.** Klimas reported that BPA is currently working with two potential users of Foreign Trade Zone benefits.

  Company 1 is a start-up textile business, who is presently seeking rulings from Customs on some of the textiles proposed. Company 1 has not decided on a location, but is considering Bridgeport. One drawback is lack of appropriate manpower in Connecticut.

  Company 2 is already located in Connecticut, with several facilities located in Fairfield County. Discussions with Company 2 are preliminary. BPA awaits draft application forms before Customs will conduct an initial site visit. Drafts also go to the FTZ Board for their comments on activities proposed.

**History.** In response to later questions, Klimas wrote: 'The BPA became the Grantee of FTZ No. 76 in 2001. FTZ activities have included numerous “zone to zone” transfers of goods – not necessarily directly involving the physical port facilities itself. Presently there are no activities within FTZ 76, involving the physical port or otherwise.

  'The last user in FTZ No. 76 with FTZ authority was Derecktor Shipyards. FTZ authority allowed the ship builder to bring in certain equipment/materials usually with duties deferred and sometimes (in the case of foreign-flag vessels) potentially eliminated. FTZ authority allows a US-based shipyard to bid/price in an international market on the same level as overseas competitors.'

**Breakwater: New Haven too**
The US Army Corps of Engineers received disaster relief monies to repair/rebuild both Bridgeport and New Haven breakwaters. A bid announcement is imminent, for both Bridgeport and New Haven as one contract; estimated cost $12 million.

At Bridgeport’s request, the Corps held an informal information meeting in January 2014. Port Users invited to the meeting included Bloom Shellfish, Port Jefferson Ferry, fuel terminals including Harbortview and Sprague, United Illuminating, PSEG, ConnDOT, DEEP, the Harbormaster, Bridgeport Police Marine Unit, Bridgeport Fire Department, Bridgeport Public Works, City Engineer, Bridgeport Sustainability Office.

The Corps expects to award the contract in April 2014, with work starting shortly thereafter.
Bridgeport Shipyard Facility
Bankruptcy activities at the former Derecktor shipyard are just about complete. The drydock was sold to Weeks Marine for $2.57 million; the travel lift was sold to May Shipyard for $1.6 million.

Numerous entities have approached the Port Authority requesting to lease the property, not all in marine or water-dependent use. DECD has also proposed some potential tenants for the site. The city is considering economic value of all formal proposals.

Klimas later wrote: 'Derecktor’s lease was extinguished though a court process.' BPA, owner of the property, took possession. Derecktor Connecticut filed bankruptcy approximately two weeks later; Derecktor New York filed bankruptcy about six weeks after the Connecticut filing.'

Former Cilco terminal
The Bridgeport-Port Jefferson Steamboat Company (BPJS) has purchased the majority of the site formerly known as Cilco Terminal (it once handled refrigerated product inbound – see 12#04A) and has renamed it Barnum Landing.

Located on the east side of Bridgeport Harbor on the southern end of Seaview Avenue, BPJS intends to move its traditional ferry operation to this facility. The City of Bridgeport and Bridgeport Port Authority support the relocation to Barnum Landing; it will reduce ferry transit times by five to ten minutes, and offers a direct connection for I-95. {pdf of Klimas presentation; e-mail to ANR&P from Klimas 31.Mar.14}

MAINE

MDOT: PASSENGER RAIL PRIORITIES?
9 April, Augusta. THE SECOND MEETING OF THE MAINE PASSENGER RAIL ADVISORY COUNCIL WILL OCCUR HERE. Sue Moreau, head of MDOT multi-modal planning, and Patricia Quinn, NNEPRA executive director, co-chair the advisory group.

The 13-member Council will help the state establish criteria for prioritizing possible routes, said Moreau, and help the state develop proposals for federal funding based in part on the economic development opportunities that rail can provide for communities. “If you want to attract federal dollars, you have to have a good plan.”

State officials also hope that committee members – who include municipal leaders, business leaders and current and former legislators – will become so knowledgeable in the arcane world of federal rail funding that they can explain to their constituent groups how the priority list was developed.

The new advisory group was developed in response to a 2013 bill to created a legislative task force on passenger rail. The bill was defeated; MDOT agreed to create an advisory group to report to MDOT and NNEPRA.

MAINE PASSENGER RAIL ADVISORY COUNCIL
Co-chairs: Moreau, Quinn [see article]
Members
David Marshall, Portland City Council member
Sean Mahoney, CLF executive vice-president
Rep. Michael Carey, D-Lewiston
James Doar, Bethel town manager
William Giroux, Bath assistant city manager
Nick Mavodones, Portland City Council member
Matt Jacobson, NNEPRA board member
Dusty Fisher, former Brewer Democratic lawmaker
Donald Pilon, Saco mayor
Nelson Durgin: Bangor city councilor
Andy Sturgeon, James Sewall director of bus. dev.
Andrew Hyland, vice chair TrainRiders/Northeast

Next steps
Quinn said the group will begin by learning about the state’s passenger and freight rail system and how they are funded. On the 9th, the SLR will make a presentation. The meeting is open to the public. {Tom Bell in Portland
PORTLAND-PAN AM: LOGGERHEADS

4 April. **MDOT AND PHIN SPRAGUE CANNOT YET AGREE ON THE PRICE** which the state will pay to purchase some of Sprague's property off Commercial Street for the expansion of the International Marine Terminal [see maps in 14#02A and 13#03B].

**Parcels involved**

Phin owns a wide area, having bought 7 parcels [see 13#03B]; five from Pan Am, one from Unitil, and one from Casco Wharf. They can be “parcelled” out as follows [see map]:

**State will buy**

5 acres: Phin bought these from Unitil/Energy USA.² Phin leased them back, and the lease will continue.

13 (?) acres: Phin bought 15 acres from Pan Am. He will sell roughly 13 for:

- Rail terminal. MDOT will build the rail terminal here.
- IMT expansion. The container chassis terminal will exist here.

**Phil will retain for boatyard**

This was part of the 15 acres, and Phin will retain this area which already contains a Rubb building.

**The negotiating**

Phin said the state is taking about 18 acres by eminent domain. However, the state is offering less for the land than what it will cost for him to acquire additional land [from Pan Am, presumably – editor] for his boatyard.

² Energy USA Propane, a tenant of Unitil, is the receiver of the product Pan Am delivers here. A Unitil spokesperson said the Unitil gate facility serves to step down the pipeline gas pressure for local delivery. It uses no propane. *(ANR&P discussion 4.Apr.14)*
“My only issue is that I get paid fairly for the land they take,” he said. “They’d have to pay Portland rates for the land. And land on the Portland waterfront is expensive.” {Randy Billings in Portland Press Herald 4.Apr.14}

**MASSACHUSETTS**

**CSXT: POSSIBLE NEW CAR MANUFACTURER***

17 March, Indian Orchard. CHANGCHUN RAILWAY VEHICLES COMPANY HAS AN OPTION TO BUY A 40-ACRE SITE HERE, formerly occupied by Westinghouse, and then by Sulco, a warehousing and transportation outfit [see 03#10B]

Changchun, the largest transit car builder in the world, was prompted by the October 2013 RFP issued by MBTA for new Orange Line and Red Line cars. Even if it does not win the MBTA contract, Changchun officials said, it may well locate at the site to compete for other contracts in North America. Established in 1954, it has manufactured more than 30 thousand various railway vehicles. The company products were exported to Brazil, Argentina, Saudi Arabia, Thailand, New Zealand and Hong Kong.

In a news release, representatives announced selection of Springfield for its rich manufacturing heritage, plans to develop a site, and the start of ongoing conversations with state, city, local, and community officials.

Sources close to the development said the factory could require a $30 million investment and have 150 to 300 employees.

**Meeting on 18th**

On 18 March, Changchun met with potential contractors and later met with Mayor Domenic Sarno and U.S. Representative Richard E. Neal (D-Springfield).

Other manufacturers bidding for the MBTA work have also approached the city with designs on other sites, said Kevin Kennedy, Springfield chief development officer.

Lu Xiwei, Changchun president, said after the meetings the company has looked at 50 sites around Massachusetts. The Springfield site stood out because of its 40-acres size, because it is clear of buildings and because it has access to highway and rail networks.

Hats Kageyama, a consultant for Changchun, said that the transportation network could allow Changchun to do railroad cars for cities up and down the East Coast and into Canada. {Jim Kinney in Springfield Republican 17&19.Mar.14}

**History**

Following the departure of Westinghouse and then Sulco, in 2012 Ameristar casino company bought the site for

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3On 22 October ‘the MBTA on Tuesday issued Requests for Proposals for the $1.3 billion procurement to replace the 44-year old Red Line cars and 32-year old Orange Line cars. The project will deliver at least 226 vehicles; 152 Orange Line cars, replacing the entire fleet of 120, and 74 Red Line cars with an option to increase the fleet to 132. The new cars will provide improved reliability, accessibility and energy efficiency. New car features include increased capacity and additional seating, wider and electrically operated doors, four accessible areas per car, LED lighting, modern HVAC systems and advanced passenger information and announcement systems. The MBTA expects to award a contract for the cars by winter 2014-15, with the condition that the final assembly of the cars will take place in Massachusetts, providing further investment in the Commonwealth. Following required extensive pilot train testing, Orange Line car delivery is scheduled to begin in winter 2018-19 and Red Line car delivery in fall 2019. {MBTA press release 22.Oct.13}
$16 million.

Springfield has a long history of railcar manufacturing, dating back to 1845 with the founding of the Wason Manufacturing Company, which eventually specialized in streetcar and transit production. It was acquired by the J.G. Brill Company in 1906 and closed in 1932. A number of Wason-built passenger coaches and trolleys have been preserved at rail museums nationwide. {Wayne Laepple in Trains newswire 24.Mar.14}

**Rail access**
The site, served by CSXT, lies at the end of one branch of the Athol Industrial Track. At this point it has no rail lines into it. *Editor*

**GU v UPTON: GU-OPERATED?**

27 March, DC. THE SEVEN RESIDENTS REQUESTED PERMISSION TO FILE ADDITIONAL INFORMATION in their proceeding against GU. The residents, all of the Town of Upton, claim that the Upton transload is not railroad-operated, and therefore does not qualify for pre-emption [see 13#03A, 13#05A].

**December spill**
On 18 December 2013, a release of styrene occurred at the GU facility on 25 Maple Avenue in Upton. The Spill occurred during rail-to-truck transloading to a Dana road tanker vehicle. The Massachusetts Department of Environmental Protection (MassDEP) served Dana Container, Inc. ("DCI") with a Notice of Responsibility form.

On 17 February 2014, MassDEP received 'documentation...prepared on DCI letterhead with an address of 25 Maple Avenue, authored by DCI Regional Manager Michael Polselli, acknowledging DCI's liability with regard to Certifications of Person Undertaking Response Actions in reference to the transloading Spill.'

'G&U and Dana representatives have previously submitted several Verified Statements that expressly state, in no uncertain terms, that it is GU Railcare that performs transloading at the G&U Upton facility.'

**Dana apparently transloading**
'Petitioners have alleged that GU Railcare was set up as a sham in order to gain STB preemption and to disguise Dana's larger independent business operations at the Facility. G&U and Dana representatives repeatedly claimed in their sworn statements that GU Railcare, a newly (then) created special purpose Dana company, was established to perform the transloading at the Facility under the control of the G&U.

'In fact, Ronald Dana specifically stated that "It [Dana Container, Inc.] does not perform any services at the Upton railyard." G&U Reply, Ronald Dana VS, p.2.

'The recently-released MassDEP documents related to the Spill make it clear that DCI, not GU Railcare or the G&U, is in control of at least some of the transloading operations at the Facility.'

[The documents attached to the seven resident's petition show that Polselli identified himself to MassDEP as an employee of GU. They also state the GU owner Jon Delli Priscoli met at the site with 'Mike Polselli of Dana' and MassDEP. Jon Delli said Clean Harbors was enroute. {Exhibit 2}] {STB web site, filings page, Finance Docket No. 35652}

**GU response**
The railroad released a statement:

'The G&U and its legal counsel are still reviewing the Petition to Supplement the Reply filed by the Upton Petitioners with the federal Surface Transportation Board (STB). The G&U will be filing a full response with the STB after completion of its review.

'For now, G&U owner Jon Delli Priscoli would state that, "The Railroad has no contractual relationship(s) with Dana Container, Inc." The Railroad's initial review as of this date, indicates that only
Grafton Upton Railcare, as the transloading agent for the G&U, was and is involved.

'The G&U received and accepted the original Notice of Responsibility under MGL c. 21E, 310 CMR 40.0000 from the Massachusetts Department of Environmental Protection (DEP). All paperwork that the G&U received from DEP is in the name of the Grafton & Upton Railroad, and DEP is satisfied with the response and remediation efforts.' {text from GU spokesperson Doug Pizzi}

GU v GRAFTON: STB NOTES

20 March, DC. **THE TOWN OF GRAFTON FILED ITS REPLY TO GU'S ADDITIONAL INFORMATION** filed on 28 February. It continues to demand that GU produce evidence, rather than only statements, of its financial capability. The Town appears to believe that GU will have to contract out its proposed propane facility, and therefore lose the federal pre-emption which would apply to a rail facility.

**Financial support**
The Town argued that Delli Priscoli does not have adequate assets; they are actually highly leveraged.

**Operating plans**
The Town doubts GU's plan to hire only two to four workers. {STB website, filings page, Finance Docket No. 35752}

**GU response**
In a statement issued to media, GU spokesperson Doug Pizzi wrote about the financing: 'Specifically, the town completely omits some properties, undervalues properties it does list, undervalues business income from those properties and undervalues Mr. Delli Priscoli’s equity position in those properties....'

'Mr. Delli Priscoli added that he expects a favorable decision from the STB in the near future. The propane transfer facility the G&U proposes is designed and engineered with every possible safety system and control. The G&U will complete the construction and operate the facility, with the safety of the public as its first concern, just as it has done in the rail yards in Upton and Hopedale.' {text of statement}

On 1 April, GU requested of the STB that it permit GU to file corrections to the “facts” filed by the Town:

'The essence of the Town's argument is that G&U will be unable to finance the construction of the propane transloading facility on its own, because the assets of Jon Delli Priscoli, the owner of G&U and several other businesses, are allegedly "heavily leveraged". The Town has based its contentions upon information that it has apparently found on the Internet or through public document searches....[T]he information relating to G&U and Mr. Delli Priscoli’s finances is incomplete and inaccurate, and the Town has either misunderstood or misinterpreted such information.' {STB website, filings page, Finance Docket No. 35752}

**Mini-editorial**
I believe that the Board will not dally here. The commissioners will quickly decide they need not delve into the leveraging of non-railroad properties, or decide how many workers should operate a propane terminal. They will rule that the facility is railroad-owned and railroad-operated, and thus not subject to town purview.

**PAN AM: NOTICE OF DERAILMENT**
12 March, Boston. **THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION SENT THE RAILROAD A NOTICE** that it must perform certain acts after a derailment.

Pan Am is legally responsible to perform an assessment of the derailment site, to evaluate conditions including the potential for any imminent hazard or substantial migration of released substances. 'By taking prompt action, you may significantly lower your assessment and cleanup costs and avoid, or reduce the amount of, certain permit and annual compliance fees...'
The railway company is held responsible not because of fault, but solely because of its status as 'owner, operator, generator, transporter or disposer.' Pan Am may be liable for all action costs, even if other parties are also deemed liable.

If the company does not take the required actions, MassDEP is authorized to have its contractors perform the work, at Pan Am's expense. {Katie Lannan in Lowell Sun 21.Mar.13}

[Whether Pan Am did take those steps was not clear from the notice, or the news articles at the time of the 19 February derailment (see 14#02B). Editor]

Congressional delegation requests a meeting
On 24 March, the two Massachusetts senators and US Representative Nikki Tsongas asked Pan Am President David Fink to meet them, the Westford state delegation, and town officials to discuss concerns. {Robert Mills in Lowell Sun 24.Mar.14}

PAN AM: FRA FINES FOR TRACK GAUGE
2 April, Westford. **FRA INSPECTORS FOUND A WIDE-GAUGE VIOLATION AFTER WALKING THE TRACKS** here, in the wake of the 19 February derailment.

On 26 March, Westford Town Manager Jodi Ross was informed about the fine. The day after the derailment, when Ross and Westford Fire Chief Joe Targ approached the scene off Bridge Street, Pan Am General Manager Luke McCaul told them to get off the tracks; according to Ross, even after the two identified themselves as Westford officials they were told they were trespassing. Police Chief Tom McEnaney then called to inform her he was contacted by Boston and Maine Railroad Police for reports of trespassers near the railcars.

Pan Am officials in February told The Sun they would conclude their investigation on what caused the accident some time in late February. The corporation has yet to comment or return multiple calls from The Sun.

Charlie Banks, a rail expert and president of R.L. Banks and Associates in Virginia, explained the widened gauge issue can be caused by many things, including weather or poor track maintenance. “Was this something that happened as a result of weather, or was it a failure on the part of one or more employees of Pan Am to follow their own rules?”

According to a 2004 issue of Journal of Wheel/Rail Interaction, the wide-gauge code is cited in nearly 30% of all track-related derailments.

The Pan Am violation generally carries a $5,000 fine, according to US Representative Nikki Tsongas Regional Director Jane Adams. {Samantha Allen in Lowell Sun 2.April.14}

Wide-gauge violation
FRA regulation Title 49 Section 213.53 limits gauge violations depending on the class of track [see box]. Pan Am track through Westford extends from milepost 305 to milepost 311. The derailment site lies at approximately milepost 309.

The Pan Am Employee Timetable #2 lists track speed at 40 miles per hour. However, the Pan Am Railways Temporary Speed Restriction Summary #089 for 30 March lists from milepost 305 to 307 at 25 miles per hour, and from milepost 307 to 313 at 10 miles per hour (class 1). The speed in the 9 December Summary

<table>
<thead>
<tr>
<th>Class of track</th>
<th>The gauge must be at least</th>
<th>But not more than</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excepted track</td>
<td>N/A</td>
<td>4½&quot;</td>
</tr>
<tr>
<td>Class 1 track</td>
<td>4½&quot;</td>
<td>4¹10/14&quot;</td>
</tr>
<tr>
<td>Class 2 and 3 track</td>
<td>4⁵/8&quot;</td>
<td>4³/10&quot;</td>
</tr>
<tr>
<td>Class 4 and 5 track</td>
<td>4⁵/8&quot;</td>
<td>4⁹³/4&quot;</td>
</tr>
</tbody>
</table>
was set at 25 miles per hour (class 2) at milepost 309.
    The table indicates the gauge must be not more than 4'10” or 4'9 3/4”.

Penalty
The civil penalty schedule for violations can be viewed in Appendix B to 49 CFR Part 213 Schedule of Civil Penalties. For section 213.53, a “violation” penalty is listed as $5000. For a “willful violation” the penalty is $7500. {editor}

Asked why the penalty was levelled in this case, FRA spokesperson Warren Flatau wrote: 'Safety is our highest

MORE ON VERTEX FD

From the company website

Vertex FD [fabrication and design] is a complete source for the practical design assistance and manufacture of large vacuum chambers, ASME pressure vessels, complex fabrications, and large scale forming/metal processing. We are ISO9001/2008, ASME and KGS certified. Our 56,000 square foot facility, with six high ceiling manufacturing bays, offers us the space and equipment needed to receive, segregate, manufacture, and ship our projects with no contamination problems.

Vertex’s administrative and management personnel have extensive experience and are completely dedicated to giving you superior customer service, and honest/open communication. The engineering support we also offer has proven to be a significant benefit to our customers. We can provide you with conceptual advise and practical manufacturing support. Vertex FD designs and draws using 3D models and 2D detail drawing format. We can also use your supplied drawings as well. Our substantial practical experience in a wide variety of projects makes us an ideal resource to help resolve your most difficult design, delivery, or manufacturing problem.

So, no matter what the size, complexity, and scope of your project, Vertex FD has the ability, the skill, and the interest to work with you to bring it to a successful conclusion.

Company Partners

Vertex FD’s partner facility in China was established in 2002, with a registered capital of over 16 million USD.

Since its foundation in 2002, our partner facility has developed into a high-technology company with advanced equipment capable of satisfying our customers’ needs and requirements.

Over the past 10 years, rapid growth has led to a partnership which is one of the most recognizable and reliable pressure vessels manufacturer in Mainland China.

158,000 square meter facility
12,000 square meters of office and residence
31,000 square meters of heavy vessels workshop
10,000 square meters of manufacturing
3,000 square meters of mechanics and machining
5,000 square meters of stainless steel workshop
With the support of nearly 1,000 employees, we are capable of achieving annual production capacity of at least 30,000 tons and annual production value of over 80 million USD – one of the highest within the industry.

Our International Partners hold Chinese A1, A2 manufacture licenses, is ASME and ISO9001/2008 Certified.

Along with our strong technical force, we are equipped with some of the most advanced technologies in the industry. Our company is able to custom-make pressure vessels according to your standards and requirements and ASME code.

Customers satisfaction is most important to us. With our quality assurance system and modern management system, we guarantee you a complete and credible business relationship with our company.
priority and the FRA does not hesitate to take appropriate enforcement actions-- including issuing fines-- whenever a serious violation of Federal regulations is identified.' {e-mail to ANR&P 3.Apr.14}

TANK CAR MANUFACTURE?*
25 March, Worcester. A TANK CAR MANUFACTURING FACILITY MAY COME HERE. Dan Bigda of Boxcar Services has merged with Vertex Technologies to accomplish this.

Found at the New England Railroad Club Expo held at the DCU Center, Bigda said he anticipates producing the first tank car in 3Q14, “right here” in Worcester.

Vertex
Two engineers with Vertex who accompanied Bigda explained that their company, located in Middleboro, produced “pressurized vessels” not for tank cars, but for other uses. The firm has never used rail, inbound or outbound, though it did consider using rail outbound when vessels needed to move long distances. {ANR&P discussion}

Previous announcement
On 13 February, Railway Age published the following:

'West Brookfield, Mass.-based freight car lessor Boxcar Services LLC has merged with Vertex Rail Technologies LLC to form Vertex Rail Manufacturing. Beginning in second-quarter 2014, Vertex Rail will manufacture tank cars, boxcars, and covered hoppers at facilities located in Worcester, Mass., and
Wilmington, N.C.

'Vertex Rail member Daniel Bigda says Vertex Rail will offer 31,800NCNI*-gallon, 29,000CI**-gallon, 25,500CI-gallon, and 23,500CI-gallon tank cars built to AAR CPC-1232 standards for crude oil and ethanol, as well as a 33,500-gallon pressure tank car.

'The Worcester facility has the capacity to produce up to 18 tank cars per week; the Wilmington plant is large enough to support production of up to 50 tank cars per week, plus, with new designs, Plate F 286K GRL boxcars, and covered hoppers of 3,300-and 5,000-cubic-foot capacity.

'Bigda says the company has orders to take production out to mid-2015. “Our plans are to expand rapidly in late 2014 so that by the beginning of 2015 we will have significantly more capacity to offer,” he says. “We have completed design drawings and are now developing our pilot line production facility that will, starting in Q2 2014, manufacture oil tank cars and will bring some much needed capacity to the market. As well, cars built prior to July 1974 that do not have AAR Interchange Rule 88 Rebuild or Extended Life Status will be retired.”

'Vertex Rail’s founders “are industry innovators in both the rail and vessel manufacturing industries that bring more than 100 years of combined industry, fabrication, design, and manufacturing experience to the company,” says Bigda.' {Bill Vantuono in Railway Age}

**Skepticism**

Some in the industry in the region view the Bigda proposal as something which would provide a major boost to the region and to railroads. They also evince some skepticism that such a major undertaking would actually occur here, based in part on the doubt that tank car refurbishing could succeed in the region [see 13#10A], and in part on the fact that plans Bigda had for the North Brookfield Railroad [see 12#10B] were never realized.

**Editor**

NEW HAMPSHIRE

**PAN AM: SEA-3 TRAFFIC HEARING***

24 March, Newington. *THE TOWN PLANNING BOARD CONTINUED ITS HEARING ON THE SAFETY OF THE PROPOSED PROPANE TERMINAL* here [see 14#03A].

**Grade crossing upgrades**

Portsmouth Deputy City Manager Dave Allen said his city would like six crossings upgraded, which would cost $400,000 each. But Planning Board Chair Denis Hebert cautioned the audience that the board has no authority to order anyone to upgrade their rail crossings, nor to order Sea-3 or Pan Am to pay for them.

John Robinson, NHDOT rail safety inspector/investigator and one of four speakers, said municipalities can request financial assistance from the state. “Most times it's a cooperative agreement" on who pays between the town or city, the railroad and the state. Moreover, Portsmouth is “exploring a federal program” that provides some funding.

Pan Am Executive Vice-president Cyndi Scarano said Pan Am has already scheduled a meeting with Greenland officials to "start the process" of seeing what crossing improvements would cost.

**Track inspections**

During questioning, Robinson, the lone track inspector for the state, acknowledged for the past 10 years he has focused on the Pan Am line hosting the *Downeaster.*

**Alternative alignment?**

State Senator Martha Fuller Clark (D, Portsmouth), asked board officials to look at running a new line into the Pease Tradeport, as an alternative to running through Portsmouth [see map].

But Scarano said she didn't know if Pan Am owned the line and Hebert downplayed the idea. It would
"be years in the making" and the cost huge, even if the corridor were still available. {Jeff McMenemy in seacoastonline.com 25.Mar.14}

[The New Hampshire General Assembly in 1999 (99#11) authorized a study of commuter rail to Portsmouth. Eventually a consultant listed reviving the Dover-Portsmouth track (see map based on a study) as one alternative. Nothing came of the work. Perhaps that is the alignment Fuller was suggesting.

An alignment using a more-recently abandoned section, at the end of the Newington Industrial Track, would still need to pass through Portsmouth, as the map shows. Editor]

**PAN AM: MORE ON SEA-3**

28 March, Portsmouth. *SHOULD PAN AM RELEASE ITS PRIVATE BRIDGE INSPECTION REPORTS?*

Pan Am officials on 24 March refused to do so, prompting Portsmouth Assistant Mayor Jim Splaine to say, “I see a lot of arrogance from them. They have a lot of walls protecting them; they can hide behind the federal laws. Because they deal with the Interstate Commerce Commission, they don't even have to talk to us.”

City Councilor Stefany Shaheen said, “I'm very troubled because one of our most important responsibilities is to ensure the safety of the community. Their unwillingness to disclose information is very troubling. I don't see that Portsmouth has much leverage, but I do think we have a very important role to play in terms of joining with other communities to urge Pan Am to be more transparent and to make sure our first responders can handle any emergencies.”

**No requirement to make public**

John Robinson, NHDOT railroad safety inspector and investigator, said the railroad does not have to release the bridge inspection reports under federal law. Asked if he was surprised that Pan Am refused to release them, Robinson said, “No, not at all. They're of the opinion those are private documents.”
Robinson said the most recent bridge inspection reports he's seen were from 2012, adding “generally nothing jumped out” when he read the reports.

**No federal track inspection yet**

Robinson said the track inspection requested by the New Hampshire congressional delegation [see 14#02B] has not been conducted yet – probably because “they were going to wait until the snow thawed. Doing an inspection when most of the track structure is obscured by snow isn't very effective.” {Jeff McMenemy in seacoastonline.com 30.Mar.14}

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**PAN AM: SEA-3 GREENLAND HEARING**

31 March, Greenland. *PAN AM OFFICIALS ATTENDED A PUBLIC MEETING HERE ABOUT THE SEA-3 TRAFFIC*. Town selectmen, Town Administrator Karen Anderson, and members of the community came prepared with questions for the railroad's Executive Vice-president Cynthia Scarano, General Counsel Rob Culliford, and Chief Engineer of Signals and Communication Timothy Kunzler.

Resident Laura Byergo of Caswell Drive mentioned in her heated comment the Westford derailment [see Massachusetts]. She personally called Westford's town manager, who said Pan Am did not notify town officials of the derailment at the time it happened. “We would like you to communicate with town officials.”

Selectman Kevin Forrest also mentioned Westford, saying the derailment and Pan Am's refusal to release the bridge inspection records “drives a level of distrust. These tracks run right through a number of neighborhoods and those are major concerns for us. What can Pan Am do to gain our trust?”

Scarano said NHDOT and FRA have confirmed “quite a few times” that they have inspected the bridge records in question. She would only say that “every regulation was followed” in the Westford incident.

As for Greenland's grade crossings, Scarano said the town can submit a formal request to the DOT and Pan Am for a diagnostic review that would confidently determine what kind of crossing signal upgrades would be needed. {Crystal Weyers in seacoastonline.com 1.April.14}

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**PAN AM: SOME REGULATION PERMITTED?**

30 March, Portsmouth. *THE NEWINGTON PLANNING BOARD CAN REGULATE PROPANE TRAFFIC* – at least to some extent it – according to Christopher Cole, the attorney representing “no propane.” In a letter to the editor published this day, he wrote *inter alia*:

'Sea-3 and Pan Am appear to have been very successful in raising the banner — or sword — of "federal preemption of local law" to discourage any meaningful discussion of broader health and safety concerns that might arise from increased rail activity. Attorneys for Sea-3 and Pan Am have asserted that the Interstate Commerce Commission Termination Act (ICCTA) limits the Newington Planning Board's jurisdiction and regulatory power only to the specific site on which Sea-3's activities will occur, and can consider no other off-site areas that relate to the rails.

'Sea-3's March 10 letter to the Newington Planning Board asserts that the "board's jurisdiction stops where Pan Am Railways' railroad operations begin" and that a group of Portsmouth abutters' request that the board require a meaningful study of the effects — for example, health and safety, environmental and traffic-related effects — would necessarily intrude on the jurisdiction of the federal Surface Transportation Board's (STB's) regulatory powers.

More nuanced than simple “pre-emption wins”

'Even the federal courts and the STB, however, have acknowledged that the legal analysis is considerably more nuanced than stating that "local regulation ends where rail operations begin."

'In *Boston & Maine Corporation v. Town of Ayer* (2003), the town of Ayer planning board and conservation commission attempted to impose 36 conditions, including pre-construction approval requirements, upon the issuance of a permit to Boston & Maine to engage in certain development activities on B&M land
within the town's aquifer protection district. The Ayer Board of Health also effectively barred the B&M project altogether when it deemed the project "noisome trade" under local ordinances. With this outright bar to development by the local board of health, together with the planning board's conditions precedent and subsequent, B&M asked a federal court for a declaration that Ayer's efforts were preempted by the ICCTA. The federal court described the parties' positions as follows: "The parties presented the case as a pure conflict between the strong federal interest in a uniform system of railroad regulation and the strong local interest in protecting water supplies. As the ensuing discussion shows, the law presents much more nuanced accommodations."

The federal court referred the matter to the STB for its consideration, and summarized the STB's decision [subsequent], in pertinent part, as follows: Effectively, the STB said the town may not flatly ban Guilford's efforts at developing the (B&M) site, as it did in its noisome trade determination, and that it may not impose pre-conditions to construction, but that it may impose reasonable and non-discriminatory environmental restrictions which do not unduly burden interstate commerce or unduly restrict the railroad from conducting its operations.

The STB did not hold that all state and local regulation of Guilford's activity was preempted. It held that state and local law are preempted in those instances in limited circumstances. It held that "preclearance requirements (including environmental requirements) are preempted because by their nature they unduly interfere with interstate commerce by giving the local body the ability to deny the carrier the right to construct facilities or conduct operations." The STB viewed pre-construction approval requirements as giving local authorities impermissible veto power over rail transportation issues.

Nonetheless, the STB found state and local regulation to be permissible "where it does not interfere with interstate rail operations, and localities retain certain police powers to protect public health and safety."

The court concluded that local regulation, like the Newington Site Plan Review Regulations, is subject to the same test: "whether the ... regulation is being applied to 'unduly restrict the railroad from conducting its operations, or unreasonably burden interstate commerce.'"

The court illustrated the task by quoting the STB's advice concerning the 36 conditions attached to the B&M permit by the town:

"Examples of solutions that appear to us to be reasonable include conditions requiring railroads to (1) share their plans with the community, when they are undertaking an activity for which another entity would require a permit; (2) use state or local best management practices when they construct railroad facilities; (3) implement appropriate precautionary measures at the railroad facility, so long as the measures are fairly applied; (4) provide representatives to meet periodically with citizen groups or local government entities to seek mutually acceptable ways to address local concerns; and (5) submit environmental monitoring or testing information to local government entities for an appropriate period of time after operations begin."

Conclusion

'This discussion seems a far cry from the facile assertion that "local regulation ends where railroad operations begin," and suggests that the Newington Planning Board may, and in the view of the abutters, really must , engage in a considerably more nuanced analysis of the situation than Sea-3 or Pan Am Railways have thus far suggested. Retention of expert consultants to engage in relevant studies of the situation would, it seems to me, hardly "unduly restrict the railroad from conducting its operations, or unreasonably burden interstate commerce."

'Respectfully (and I mean that), walking the rails, listening to the affected residents (which may, of course, include us all), communicating support for individual abutters' efforts and showing generalized support for residents in their effort to understand the changes that might be thrust upon them – these are all well and good, and Councilor Splaine in particular has been a steady supporter.

'But at a certain point, the city and its councilors need to determine whether federal law rigidly immunizes the railroad and actually requires us to simply accept whatever it is that Sea-3's proposal portends, including increased rail transport of propane through the city.' {seacoastonline.com 30.Mar.14}
MARITIMES

HALIFAX: CMA CGM

2 April. **FRENCH LINE CMA CGM IS INSERTING ITS OWN VESSEL INTO THE SHARED SERVICE** with Maersk Line on the service between Europe and Canada. CMA CGM said in a release it chartered the 2,700-TEU container vessel *Antje Wulff* to become one of four vessels in the Saint-Laurent service. The Eastbound T4A service starts in Montreal with calls in Halifax, Rotterdam, Bremerhaven, and Antwerp. {CMA CGM release 31.Mar. 2014}

“By bringing in our own chartered ship we have additional flexibility for various cargoes. We see opportunities for temperature-controlled shipments out of Halifax,” said CMA CGM’s Dirk Peters, as it will double that capacity over Halifax. {Bill Power in *Halifax Herald* 2.Apr. 2014}

NATURAL GAS EXPORTS*

3 April. **FOUR LNG EXPORT TERMINALS ARE UNDER DISCUSSION IN THE MARITIMES.**

[None have to do with rails, or new terminals in major ports, so I only summarize.]

The need
Gas coming out of the Marcellus shale play in Ohio and Pennsylvania is replacing natural gas coming out of the Sable Island Offshore play and dimming the future of Deep Panuke's possibility of supplying New England. More gas than needed is available, thus leading to export.

Easier through Canada
Since the United States requires case by case approval of terminals, the players plan to export through Canada, reversing the Maritimes and Northeast Pipeline.

Pieridae Energy (Canada) Limited has been developing a project to export up to 10 million metric tons per year (10 MMtpa = 1.5 Bcf/d) of LNG from a proposed LNG terminal in Goldboro, Nova Scotia. In July 2013, Pieridae signed a 20-year deal under which E.ON Global Commodities SE a subsidiary of the German
energy giant, will take 5 MMmt/y, or half the Goldboro project’s capacity
The other proposed terminals: Bear Head in Canso, Canaport in Saint John, and another near Goldboro.
{Rusty Braziel in rbnenergy.com 3.Apr.14}

RAIL FREIGHT FACILITIES

Described in this issue.
Energy USA Propane (Pan Am, Maine) In midst of money tussle.
Global Partners (CP, New York). Wants to expand slate of crudes handled here.
GU Propane (GU, Massachusetts) STB battle continues.
GU Railcare (GU, Massachusetts) Upton residents complain.
Sea-3 (Pan Am, New Hampshire) On-going NIMBY battle.

PEOPLE, EVENTS

Jennifer Cox, formerly manager of strategic investments for the Long Island Railroad, has become Norfolk Southern Railway’s commercial development agent for the New York region.
Bob Sullivan, CSXT spokesperson, is retiring.
Wyoming federal district court declined to dismiss the lawsuit filed by Timothy Mellon, principal owner of Pan Am Systems, against The International Group for Historic Aircraft Recovery (TIGHAR). His effort to recover the $1 million he donated to the group will go to jury trial on 25 August 2014 in Casper.
Atlantic Northeast Rails & Ports

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Coverage
The newsletter covers the operating freight railroads
and ports in New England, the Maritimes, and
eastern Québéc, as well as the government
environment they function within. Coverage includes
passenger rail and ships when relevant to freight
operations.

Frequency and the e-bulletin
ANR&P appears at least four times a month. We
send a formal issue twice a month, via post or e-mail.
Between the issues, we send out the e-bulletin, only
by e-mail. All information in the e-bulletin is
included, and often updated, in the issue.

Stories not updated for the issue are noted with
an asterisk. I urge readers to look at the issue's
updated stories (those without an asterisk).

Two asterisks indicate the story is updated with
the blue font showing what is updated.

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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.’

FORMAL E-ISSUE