REGIONAL ISSUES

Amtrak: Governors discuss regional rail.
GRS: BLE concern about outsourcing jobs.
SLR/PW: Conrail split affects bottom line.
FTR: RailTex, Rail America file at STB.

CONNECTICUT
ConnDOT: No news on rail grants.

MAINE
BML: Regains access for Belfast excursions.
MC: Agreement to reach east Augusta pending.
SLR: NEPW update on warehouses.

MASSACHUSETTS
GRS: Embargo at Westover Industrial Track.
FTR: Transportation bond bill passes; end of the run for CCCX?

NEW HAMPSHIRE
Commuter: Plaistow trackage needs.
SLR: Railroad Appeals Board hears Berlin argue that SLR should pay for new bridge clearance.
FTR: GRS close to sale of Portsmouth and Hampton branch sections. NHVT fate hanging.

RHODE ISLAND
[No report.]

VERMONT
Commuter: VTA to take over management.
GRS: Wells River deal in December?
Lamoille Valley: Coalition presentation to VRC.
TSRD: Bids due on sole customer.
VRS: More detail on WRCR.

MARITIMES/QUÉBEC
CBNS: Flyash to St.Lawrence Cement.
CFQ: Noranda operations on NBEC.
CN: CTA disputes with Scotia Terminals and Eagle Forest Products.
QCR: Province giving financial assistance.

ATLANTIC NORTHEAST PORTS
Boston: Traffic up. MSC outbound call cancelled.

FROM THE PUBLISHER

Late issue
If not one thing, then another. Friday, just as I was putting in the final edits, the power went out at my home office. My apologies.

Best story
The power outage had a silver lining: I was able to talk to several more people about the embargo at Westover Industrial Track, and round out the story.

- Chop Hardenbergh

Next issue: 3 December

REGIONAL ISSUES

AMTRAK
23 November, Boston. THE NEW ENGLAND GOVERNORS WILL MEET ON TRANSPORTATION at the invitation of Massachusetts Governor Paul Cellucci. According to Alan Stearns, MDOT’s director of policy analysis and...
communications, attendees will concentrate on Massport’s effort to build a third runway at Logan Airport, and will also spend time on regional passenger rail initiatives.

Maine will bring forward its “brainstorm” of running a train from New York to Maine via Worcester and Springfield [see 24 September issue] as a go to a more comprehensive look at passenger rail. Stearns, who is handling the regional coordination for MDOT, said the department would like New York at the table also, not only because it serves as a terminus for Amtrak’s New England routes, but also because through northern New York runs the current Ethan Allen to Rutland VT, and will run possibly next year the Amtrak service to Manchester VT [see 29 October issue].

In early December, a Coalition of Northeast Governors (CONEG) meeting will provide another time to discuss transportation initiatives. {ARW discussion 16 Nov. 99}

**SLR AND PW: CONRAIL SPLIT**

2 November. *TWO RAILROADS ANNOUNCED A NEGATIVE IMPACT* from the split-up of Conrail on 1 June. In results for the quarter ending 30 September:

**Providence & Worcester**

Operating revenues for the third quarter decreased by 6.8% to $6.0 million in 1999 from $6.4 million in 1998. Income from operations decreased to $206,000 in the third quarter of 1999 from $1.5 million in the third quarter of 1998. Approximately $260,000 of the reduction in operating revenue for the third quarter is attributable to delays and other service problems resulting from the split-up of the rail lines and operations of Consolidated Rail Corporation between CSX Corporation and Norfolk Southern Railroad which took place on June 1, 1999. Most of this lost revenue represents freight shipments diverted to truck. In addition, approximately $280,000 of the reduction in operating revenue results from two shippers who are phasing out their rail-freight served operations. These reductions were partially offset by increased traffic in some lower revenue commodities and increased intermodal container movements. {PW press release}

**St. Lawrence & Atlantic**

‘Traffic [including traffic for parent Emons’ Pennsylvania operations] for the quarter ended September 30, 1999 includes approximately 4,700 overhead carloads on SLQ delivered to SLR that are counted as revenue carloads for both SLR and SLQ. Excluding SLQ, which accounted for $943,000 of freight and haulage revenues in the first quarter of fiscal 2000, freight and haulage revenues decreased $70,000, or 2%, while traffic decreased approximately 700 carloads, or 6%. Freight and haulage revenues on SLR operations in New England decreased $181,000 and traffic decreased approximately 500 carloads, while freight and haulage revenues on Pennsylvania operations increased $111,000 although traffic decreased 200 carloads.

The 500-carload decrease in SLR traffic is attributable to approximately 400 carloads of one-time shipments of pipe and cement last year that did not recur this year, a decrease of over 250 overhead agricultural carloads as a result of a late harvest and car supply problems, and a decrease of 100 oil carloads for a customer that converted from oil to natural gas [see 12 November issue]. In addition, the congestion and service disruptions caused by NS’s and CSX’s implementation of the Conrail merger adversely affected SLR’s overall business as a result of service and car supply problems. These decreases were partially offset by 150 additional carloads attributable to two new on-line paper warehouses added over the past year.’ {Emons 10-Q report from SEC website ‘Edgar’ via ‘FreeEdgar’}

**RailTex as a comparison**

This short-line holding company, with many railroads outside the area affected by the Conrail split as well as three in the Atlantic Northeast (CSO, NECR, CBNS), reported that for October, 1999: ‘On a “Same Railroad” basis, carloadings increased by 7% to 53,559 in October 1999 from 50,029 in October 1998. The traffic gains were primarily a result of railroad equipment moves on the Ohio and Indiana properties and on the Missouri & Northern Arkansas Railroad. Spot coal moves in Indiana also contributed to the increase. {RailTex press release}

**GRS - BLE CONCERN**

The Guilford operating unions, the Brotherhood of Locomotive Engineers (BLE) and the United Transportation Union (UTU), are concerned about the railroad’s outsourcing of jobs. In addition to the BLE/UTU lawsuit [correcting past ARW stories that only UTU was involved] against GRS’ hiring an outside firm to switch Lincoln Pulp and Paper in Maine [see 12 November issue] and the future loss of jobs when Maine Coast begins switching east Augusta [see Maine], the unions may now face more job loss should GRS turn over switching the Westover Industrial Track to another operator [see Massachusetts].

Mike Twombly, BLE general chair, noted that Article I on Scope of the collective bargaining agreement between BLE and the GRS operating company, Springfield Terminal, reads:

*Engineers shall perform any and all services under the direct control of the Carrier required for the make up of trains and/or the movement of cars and trains over and through Carrier’s trackage and it is business of servicing industrial sidings, consistent with Article 9 of this Agreement, for which they are qualified. The operation of locomotives, remote control devices used to operate locomotives, and any other motive power used for the make up and/or movement of cars and trains will be considered work of the Engineers subject to this Agreement.*

Twombly said: “Guilford’s attempts to outsource such work, especially that work which is not ‘behind the gate’ (on private property) is an apparent attempt to circumvent the terms of the ST/BLE collective agreement of which it is signatory. Under the provisions of the Railway Labor Act, the Carrier cannot change rates of pay or working conditions without negotiating with the Organization. My members in Maine are very upset that the State would be using their tax dollars to assist Guilford in outsourcing work which is subject to the terms and conditions of the ST/BLE collective agreement.” {e-mail to ARW 17 Nov. 99}
FOR THE RECORD: REGIONAL


CONNECTICUT RAILROADS

ConnDOT GRANTS

STILL NO NEWS ON THE RAIL GRANTS. At the 4 November New England Railroad Club dinner in Boston, ConnDOT’s Harry Harris told the audience that the grants were held up because of the possibility that one applicant could receive all the funds [see 24 September]. He declined to explain further, but another source said not a railroad, but legislators and others were pushing ConnDOT to award all the funds to one applicant. No word on when a decision might come down. {ARW coverage and discussion 15.Nov.99}

MAINE RAILROADS

BELFAST & MOOSEHEAD LAKE
4 November, Belfast. PASSENGER RAIL WILL RETURN HERE under an agreement signed this day between the railroad and the city [see 24 September issue]. According to Terry St.Peter, BML will have use of part of the rail yard for passenger service for an indefinite term, as long as BML operates about five trips/month in-season. [Under the old lease, the railroad was required to carry a certain number of passengers per year.] The city will build a parking lot for rail passengers.

The railroad will continue to use the turntable and engine house. It will build a new structure for ticketing and passenger services on land near the turntable.

The city will obtain railroad-owned floats for public use in the harbor. The railroad may use one float to operate a boat for rail-sail trips. The city has already taken over the former station house, and leased it to a local theater group. {ARW discussion 16.Nov.99}

MAINE COAST
16 November, Rockland. THE FIRST MEETING OF AN ADVISORY PANEL TO LOOK AT A NEW RAIL STATION and ferry facility should take place in December, according to Rockland City Manager Tom Hall. In August, the city sent MDOT a list of names; the department notified Rockland last week that all names were accepted.

PerHall, Rockland has “one favored location” for the facility, at Atlantic Point which currently has rail service for transferring Dragon Cement product to a barge for delivery to Boston. The panel includes members from the neighborhood, as well as representatives of the port district, the harbor master, and lobstermen.

The facility will serve MDOT’s future passenger network of a passenger rail service to Rockland and a fast ferry service to Bar Harbor. {ARW discussion}

16 November, Augusta. MDOT AND THE RAILROAD ARE PROGRESSING on the effort to open access from west to east Augusta across the rail bridge. Rail customers in east Augusta currently receive service from GRS once a week via Waterville; Maine Coast could provide service five days a week, said Newt Hinckley, MC executive vice-president and general manager.

MDOT’s Everett Barnard, who works in the bridge maintenance division, recently called the bridge structurally sound; the tracks need some new ties, which have three-month lead time. He will order the ties when he receives the go-ahead from the commissioner’s office. {Dan McGillvray in Central Maine Morning Sentinel 13.Nov.99}

Negotiations
Talks on handling the repair costs as well as lease renewal [see 29 October issue] are progressing but not yet finished, MDOT’s Rob Elder said this day. {ARW discussion}

Link to Bangor
MDOT’s Regional Transportation Advisory Committee (RTAC) for Region 4 (Kennebec Valley) and Region 3 (Bangor) on 12 October agreed to form a Rail Passenger Corridor Committee to promote the need for a feasibility study on the restoration of a rail passenger link between Augusta and Bangor. If appropriate, the Committee should also advocate for service in that corridor. {MRG Inc./Downeast Rail newsletter 11.99}

[See Regional for union issues.]

SLR - MAINE
17 November, Mechanic Falls. AN UPDATE ON NEW ENGLAND PUBLIC WAREHOUSE was provided by principal Don Warming.

Mechanic Falls. NEPW recently acquired a second track parallel to the first (farther away from the building) which permits the warehousemen to unload double the number of cars, and requires less switching by the SLR. Warehousemen unload cars on the first track, and then unload cars on the second track through the car on the first track.

Despite the 1998 expansion of 30,000 SF, this and other NEPW facilities are full with paper business [see 6 February 1999 issue] so that Warming has not had a chance to get into food handling. He plans a second addition of 50,000SF which will permit him to expand into other commodities such as food. South Paris. NEPW continues to operate the two facilities here. Warming said that the decreased need for switching in Mechanic Falls freed up SLR crews to do more switching at South Paris.
Non-rail served. In October, NEPW opened a new facility in the former Bass Shoe building in North Jay. The proximity to International Paper, Otis Paper, and other mills means they don’t have to move product to South Paris or Mechanic Falls.

NEPW continues to operate a warehouse in Fairfield, on the GRS track, but strictly truck-served. It also has a heated facility in the Bates Mill in Lewiston for wet product, and it entered Portland again with a facility there. {ARW discussion}

MASSACHUSETTS RRs

GRS WESTOVER INDUSTRIAL TR.
22 October, Chicopee. THE RAILROAD EMBARGOED THIS TRACK, LEAVING SIX COMPANIES without rail access. The text of the embargo notice:

Embargo No. 4-99, effective 10-22-99, all traffic to, from or via the following consignees located on the Westover Industrial Track at Westover MA and Chicopee MA: Burke Beverage; Friendly’s; Sweeney Trans.; Rock-Tenn Co.; Engineered Polymers; Country Club Wine Spirits; is embargoed due to track conditions, no exception. (CS 148) (News and Views 25.Oct.99)

Built during the Second World War to serve what became Westover Air Force Base (WAFB), the Westover Industrial Track leads east out of Chicopee from a point just across the rail bridge from Holyoke (the ‘Westover Railhead’). It passes through residential areas for about 2.5 miles until it reaches the former base.

The base and the industrial parks
Around 1980, the US Air Force handed over much of the area of the WAFB to the Westover Development Corporation (WDC). The Westover Metropolitan Development Commission, now operates three parks created from the handed-over area: Westover Airpark West (260 acres), Westover Airpark North (101 acres), and Westover Airpark East (873 acres). The Air Force retained ownership of the runways and the remainder of the property, which are together called the Westover Air Reserve Base. WMDC offers some 188 acres of aviation-related land; private aircraft use the runways as the Westover Metropolitan Airport.

The track and ownership
According to Bob Pyers, marketing director of WMDC, and Allen Blair, chief executive officer of WMDC, when it acquired the land around the base, WDC also acquired the rail line from Champion Drive to the Air Reserve Base and 2.6 miles of track from the WMDC property to the B&M main line. In 1984 WMDC transferred title of the track outside the park to a Boston and Maine subsidiary (B&M is a part of the Guilford Rail System) and improved the track within Airpark West.

The line enters Airpark West at its southwest edge. It formerly ran along Westover Road; WDC moved it eastward to parallel Sheridan Street, so that it could serve more of the warehouses in Airpark West.

The rail line exits Airpark West to the north, passing to the east of Airpark North, and then bends eastward around the north end of the north-south runway, and finally ending at Airpark East.

Customer service
All rail-served customers lie in Airpark West. However, WMDC shows ‘future rail’ off the rail line into Airpark North, and Massachusetts Municipal Wholesale Electric, located in Airpark East (at the former ammunition dump), has an easement for rail service should its pipeline, which supplies oil for the generating plant there, fail.

For the 1980s, GRS stationed a hi-railer in the park, permitting it to serve customers with very short notice.

Most recent service
While the embargo went into effect on 28 October, GRS has made two trips on the line. The most recent, on 17 November, delivered a car to Burke which left the shipper before the embargo date.

Defense-related?
While the Reserve Base does house C-5 cargo planes, one former Air National Guard member said the military flew the planes to the equipment needing an airlift, rather than moving the equipment to the base. Hence the military has no interest in maintaining the rail to the base. {e-mail to ARW 9.Nov.99}

Effect on customers
Burke Beverages. Burke handles both beer and wine at its warehouse, across the street from Sweeney Transportation. Recently, it improved the rail at its spur.

Engineered Polymers. Paul Dikan, plant manager, said the embargo “significantly affected” the company because it relies on rail for inbound raw product. Engineered Polymers (EP) makes custom-formulated polymer plastic pellets for companies which manufacture plastic goods. It receives by rail plastic pellets. EP also uses rail outbound, by blowing the pellets into containers which are drayed to a nearby rail yard. [For those curious that a company in the Atlantic Northeast actually manufactures plastic pellets, Dikan pointed out a plant in West Springfield, formerly owned by Monsanto and now by Nova, does the same; until recently, BASF also manufactured pellets in a plant in Holyoke.]

Formerly located in a leased building in the CSX (then Conrail) West Springfield yard, EP moved in order to expand and to occupy its own building. Westover met its needs particularly because of the rail access. EP expanded an existing facility at Airpark West, and relaid the track into the facility at a cost of $250,000. The new layout was designed by Brian Whiton of the New England Railroad Consortium in Windsor Locks CT, and built by W.J.Riegle of New York.

Over the past few years, EP has annually consumed between
20 and 25 million pounds of pellets. Each car holds 120-180,000 pounds, so EP could receive 50 to 100 carloads a year. Receiving by truck would impose a serious cost, pointed out Dikan.

He would need to utilize a bulk truck to drain the material from a transload yard such as PVRR’s in Westfield, and need to build a storage facility in Westover to hold the pellets. EP may keep railcars up to 30 days, but for bulk trucks Dikan would pay $100 per hour beyond the usual 2.5-3-hour unloading period.

EP already was having problems getting cars before the embargo. After the embargo, Dikan said he received two additional rail cars, and the locomotive picked up one, despite the poor condition of the track. One of those cars was significantly delayed because of a washout on the track; GRS had to repair it before delivering the car.

Dikan would like to support rail. He is serving on the Pioneer Valley Brownfields Cleanup Revolving Loan Fund committee, which has $2 million in seed money to clean up contaminated sites for future industrial use, many of which have rail access. “In the Midwest, rail access is a key asset for industrial sites.”

Martinetti Companies (aka Chas Gilman Brothers, Country Club Wine and Spirits, etc) This company, with three receiving doors, relies on rail for its wine. According to John Provost, the warehouse manager, Martinetti was transloading its wine by rail in Hartford, but at the end of the summer switched to direct rail. It received about six carloads since then, but with the embargo will probably go back to transload or to piggyback, both of which cost more than direct rail.

Provost said Guilford appeared to have “more concern for itself than for the customer.” It had done no maintenance on the track, instead asking that WMDC or the receivers do the work.

Provost said Martinetti also receives about 250 trailers a year piggyback from West Springfield’s CSXT yard. Much of his inbound, 50-100 trailers a year, arrives “DI”, direct import from Massport. Martinetti in total does about 600,000 cases a year.

Friendly’s Ice Cream Corporation According to an official at the distribution facility here, Friendly’s stopped receiving inbound product a few months ago, so the embargo does not affect it.

Sweeney Transport This company, a common carrier, does “very little” direct rail, according to company official Marty Sweeney: two to four cars a year. Nearly all its rail transportation moves via CSXT’s piggy-back intermodal ramp in West Springfield.

Stop ‘n Shop (former receiver). The company warehouse in Airpark West was built here in the late 1980s; concomitantly, the track received a major tie replacement. The grocery chain did the most rail business of any receiver in the park, until a few years ago.

A Stop ‘n Shop official said Kimberly Clark and Procter and Gamble, the major shippers to the facility, decided to switch to truck to shorten delivery lead times and reduce inventory. As a consequence, the Airpark West warehouse stopped receiving railcars.

Interstate Transfer (former receiver)
According to an official at a rival distribution facility who did not want to be named, Interstate Transfer had a lumber yard 1980-1985 in Westover, handling 20 million board feet. “Guilford used to serve it, and get good service.”

So what’s the problem?
According to rail fans, the track up from the Connecticut River has a steep, 7% grade which limits the number of cars which one switcher engine can pull up the hill. The immediate problem apparently stems trackwork needed both in Chicopee, and within the Airpark, according to David Fink, GRS executive vice-president. A knowledgeable official from a rail facility who has looked at the track agreed with Fink: “The track is in pretty bad shape outside the park, and grade crossings are in bad shape.”

WMDC has talked with GRS about the problem for more than a year, Fink said; both sides are looking for money to assist GRS in rehabbing the track. “There’s not a lot of business there,” he said.

According to Paul Dikan of Engineered Polymers, GRS and rail receivers in the park met earlier this year informally, to look at projected needs. “Rail service historically has been an issue. It’s a chicken and egg problem. The customer wants to depend on rail service, but the quality of rail service depends on the quantity of traffic,” EP told Guilford it could do two to three cars a week with dependable service; unlike the other receivers, EP depends on rail, and GRS “is the only game in town.” Both Sweeney and Friendly’s would do more rail if it were reliable, said Dikan.

Would GRS consider outsourcing rail service on the Industrial Track, as it has done in east Augusta ME [see Maine]? No, said Fink; the two situations were not comparable.

Ownership of the track remains in question, as does responsibility for maintenance.

Status of talks
Blair, the CEO of Westover Metropolitan Industrial Commission, said GRS and the Commission were looking “at a variety of things” to get the line open. “Guilford is willing to work with the shippers.”

But shippers, especially those like Burke Beverage and Martinetti Liquors heading into the very busy holiday season, “have a right to be dismayed” especially since they received no prior notice. [ARW discussions 17-22.Nov.99]

FOR THE RECORD: MASSACHUSETTS

The General Court adjourned for the year, following completion of a budget. For results of the transportation bond bills [see 12 November issue], please await the first December issue. *******

THE CAPE COD CENTRAL excursion train was shut down, perhaps permanently. Co-owner Jon Della Priscoli, also part-owner of the Quincy Bay Terminal Railroad, described it as a winter hiatus, but left the implication he may not re-open. [More in a future issue.]
PLAISTOW COMMUTER

13 November. **MORE DETAIL ON THE TRACK FOR A POSSIBLE COMMUTER SERVICE TO PLAISTOW:** Trains from Boston to Plaistow could take the current route used by MBTA trains to Haverhill, about five miles short of Plaistow. It has a single track from Ash Street in Reading, milepost 11.7 to CPF-AS in Lawrence, milepost 25.63. At milepost 19.85, Lowell Junction, GRS freights [10 a day - see 12 November issue] switch to and from Lowell.

From CPF-AS the route has double track to CPF-273 (milepost 272.28 from Mattawamkeag) in Plaistow, rated 251 (ABS) Territory, meaning each track is signalled for movements in one direction only.

To make inbound trips, the outbound commuter train crosses over at Haverhill, either Hall Crossover at milepost 33.38 or at Rosemont Crossover, milepost 35.49. If commuter rail was extended to Plaistow, trains would change direction by proceeding east of CPF-273 on the single track, get a signaland proceed west to the No. 1 track on signal indication.

A few inbound commuter trains run via the Wildcat (the connection between Wilmington and Wilmington Junction - single track) to the Lowell line.

**Interference with freight trains**

Currently, westbound freights that approach the commuter territory (Haverhill) at or near arrival/departure time of commuter trains are faced with the following scenarios. Trains are either held on the single track at CPF-273 or requested not to pass milepost 34 until after the passenger train has crossed over at either Hall or Rosemont and proceeded west to Haverhill Station. Thereafter, train spacing is maintained by means of the ABS Signal System.

If commuter territory were extended to Plaistow, freights would have to hold at points farther east to await the commuter trains. The line currently has single track from CPF-258 (Newfields, NH) to CPF-273. Freight waiting for Plaistow commuter trains would hold at some point on the single track. Taking train length and the need to avoid blocking grade crossings into account, freights would probably wait between Kensington Road, milepost 265.57 and New Boston Road, milepost 267.69. An equal space exists between New Boston Road and Main Street, Newton Junction at milepost 270.24, but that space has a private crossing to a residence, making stopping there undesirable for safety reasons, as those people could not get in and out while a train was stopped there.

Stopping trains on the single track could be eliminated if the No. 2 track (east bound) between CPF-273 and CPF-AS (in Lawrence) were changed to 261 (signalled for movements in both directions) territory and track fences installed between the tracks at the various stations. This would permit eastbound commuter trains to arrive at Plaistow, hold the station and then return on the same track, eliminating the crossover move and allowing westbound freights to continue without being held. {ARWe-mail 13.Nov.99 from a source close to the situation}

3 November, Concord. **THE RAILROAD APPEALS BOARD HEARD AN APPEAL BY THE CITY OF BERLIN** of a petition to require the railroad to contribute to the cost of bridge replacement. On 19 July, NHDOT Hearing Examiner Paul Samuelson found against the city.

**I: THE FINDING AT THE INITIAL HEARING**

**The facts**

As written by Samuelson, Berlin wants to increase the current 10'4" clearance where Route 110 (Green Street) passes under the SLR line to Vermont. Many trucks, which can stand up to 14 feet high, must detour around the bridge, and firefighting equipment also avoid the bridge. Berlin is proposing to replace the bridge with one giving 14-foot clearance. It cannot lower the road because of a steep grade to the west, and solid rock underneath the road.

Berlin will use federal money as well as local money for the project, and wants the railroad to provide some of that local money.

**State law**

Under New Hampshire law, the builder of the bridge must bear some of the cost of replacing it. If a city builds a bridge over a pre-existing railroad, it bears some responsibility for the cost of maintaining the bridge unless an agreement provides to the contrary. In this case, Route 110 existed in the same alignment since 1826; the predecessor to the SLR built the bridge between 1861 and 1863, and thus the railroad bears some responsibility for its cost.

Samuelson wrote: ‘In accordance with [New Hampshire statute] RSA 373:3, an allocation of cost must be made between the railroad and the municipality. Although New Hampshire law sets forth the factors to be considered, federal law preempts such a determination within the geographical limits of the federal aid project. In such area, the cost to be allocated to the railroad is zero....’

**Federal law on pre-emption**

The SLR argued that federal law, specifically ‘23 U.S.C.A. Section 130 and its implementing regulation found at 23 C.F.R. Section 646.210(a), cause a federal preemption of any state law which permits a state to allocate to a railroad the cost of work for elimination of hazards at a railroad-highway crossing’ in an area where federal aid is used for a road improvement project.

The New Hampshire Supreme Court has recently spoken on the issue of pre-emption, in *Mason v. Smith*, 140 NH 696 (1996); both sides accepted that case as controlling authority with respect to the issue of federal preemption. There the court found
federal pre-emption does not apply. A hazard, but to “eliminate truck traffic in the city.” Therefore, Wheeler said the city is not raising the bridge to eliminate a hazard. The hearing examiner had found one fact erroneously. Federal pre-emption applies only if the city were doing the project to eliminate a hazard, but to “eliminate truck traffic in the city.” Therefore, federal pre-emption does not apply.

The hearing examiner agreed with the railroad that federal law pre-empted state law for any costs attributable to the federal-aided section of the project.

**Title to the railroad right-of-way**

If the railroad were required to pay something toward the bridge reconstruction, the amount would depend on what kind of title the railroad had to the bridge and right-of-way. Since the hearing examiner found that the railroad would apparently pay nothing, he only noted ‘that the department offered at this hearing a concern regarding the title and ownership of the main line property of the St. Lawrence and Atlantic Railroad in this area. Although Exhibit 17 suggests that the railroad has fee simple title by virtue of a warranty deed from Daniel Green in 1851, Exhibit 1 also notes that the entire line is the subject of a lease from the state in 1852, and the parties acknowledged the presence of litigation between the state and the railroad dealing with the question.’ {In re: Petition of the City of Berlin, NH DOT Case Number: 98-19R decided 19 July 1999} [More on the ownership dispute in a future issue.]

**II: THE RAILROAD APPEALS BOARD**

The City of Berlin appealed the hearing examiner’s decision to the Railroad Appeals Board. The clerk of the Board, NHDOT official Martin Walsh, said the board hears a “handful” of cases each year. It has one active case, the Berlin appeal, which it heard on 3 November. Each side now has 30 days to submit a memo.

**Position of the city**

City Engineer Jim Wheeler argued in October that the hearing examiner had found one fact erroneously. Federal pre-emption applies only if the city were doing the project to eliminate a hazard. Wheeler said the city is not raising the bridge to eliminate a hazard, but to “eliminate truck traffic in the city.” Therefore, federal pre-emption does not apply. {Berlin Record 6 Oct. 99}

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### THE NEW HAMPSHIRE RAILROAD APPEALS BOARD

Under New Hampshire law RSA 21-L:16, a ‘board of 3 members...shall hear all appeals of decisions of the commissioner relative to common carriers by rail. One member shall be a recognized expert on railroad matters, one member shall be admitted to the practice of law in this state, and one member shall be a person knowledgeable about railroad matters who shall represent the general public.’

According to the clerk of the Board, Martin Walsh, four members (one alternate) heard the Berlin appeal: Francis X. Quinn, the chair of the board and the attorney; Don Provencher, the recognized rail expert; and George Thompson and John Flanders, the public members.

Provencher, in a separate discussion, listed his rail credentials. He brought Operation Life Saver to New Hampshire in 1983; handled marketing and promotions for NHVT and later for the SLR; acts as public relations director for the Gorham Historical Society and its railroad station cum historical museum. {ARW discussions 16 Nov. 99; text of statute}

### FOR THE RECORD: NEW HAMPSHIRE

NHDOT AND GUILFORD ARE “VERY CLOSE” to concluding a purchase and sale agreement for the Portsmouth branch (a section in Manchester) and the Hampton branch (the abandoned section south of Foss Manufacturing in Seabrook). {ARW discussion with Kit Morgan 17 Nov. 99}

THE FATE OF NHVT apparently depends on whether the Centennial Mill in Gilman VT remains open [see Vermont].

### VERTMONT RAILROADS

**BURLEINGTON COMMUTER SERVICE**

17 November. THE VERMONT TRANSPORTATION AUTHORITY (VTA) will hold its first meeting next week, according to VAOT’s rail coordinator, Sue Compton. VTA will eventually become manager of the commuter rail service [see 15 October issue]. However, the Agency will stay involved until VTA is up and running; the Agency must provide funds to VTA, among other things.

The five board members: Charlie Miller, chair; John Vincent, vice-chair; John Murphy; Paul Bruhn; and Brian Hawthorne. Miller and Vincent serve on the Vermont Rail Council. {ARW discussion}

**GRS - WELLS RIVER BRANCH**

17 November. VAOT HOPES TO CLOSE THE PURCHASE BY EARLY DECEMBER. State officials and Guilford Transportation Industries Inc. reached a preliminary agreement that would restore the Boston & Maine Connecticut River Line to usage. Micque Glitman, VAOT deputy secretary, said the
specifics of the deal, including exactly when Guilford would take leave of the White River Junction railway yard, still need to be hammered out.

Costs of upgrading the line
David Scott, VAOT director of project development, said the state would repair the tracks along the line in order to make them operable again; the line has several sections that are not currently passable. Initial repair work to permit freight trains would cost $500,000 and could be done by summer 2000. He did not have an estimate for repairs to permit higher speeds.

The B&A System’s Northern Vermont Railway has expressed interest in running on the branch, said Scott. "Northern Vermont has been doing reasonably well with its business, but it's been stymied," Scott said. "They're very interested." Some of the goods currently shipped to the northeast area of Vermont travel through neighboring states and are routed down from Canada, Scott said. {Matt Smithwick in Rutland Herald 18 Nov 99}

Who will operate?
Sue Compton, VAOT’s rail coordinator who met with GRS officials about three weeks ago, said the question of access through the White River Junction rail yard and interchange with GRS and NECR was resolved [see 24 September issue]. Washington attorney Kevin Sheyes is working through the “very complicated” language of the proposed sales agreement.

Ultimately the agency will issue an RFP for an operator of the newly-acquired line. In the meantime, the agency will seek an interim operator who will not actually run on the line [except perhaps to Wilder - see 8 January 1999 issue], but who will assume the operating responsibility so that the STB may accept the transfer from GRS. {ARW discussion 19 Nov 99}

LAMOILLE VALLEY
8 November, Montpelier. THE VERMONT RAIL COUNCIL RECEIVED A BRIEFING on the coalition looking to restart service on the Lamoille Valley Railroad (LVRC). Jeff LeFebvre, senior transportation planner at the Lamoille County Planning Commission (LCPC), listed members of the coalition: the Vermont Association of Snowmobile Travellers (VAST), the rails-to-trails advocates, the Cambridge Greenways people, a group at the University of Vermont looking for a stretch of track to try their rail-bike before entering competitions, and Pete Snyder who wants to run an excursion train.

The coalition, with the support of LCPC, would like to assume the lease of the railway currently held by Clyde Forbes, who operated the LVRC. If it cannot, it will “wait three years until the lease expires.”

In the past few weeks, the group has sought a meeting with Dave Anderson, Forbes’ attorney. Lefebvre hoped the meeting would occur in early December.

The state government, per Lefebvre, would like an umbrella organization to handle the varied interests, which might consist of the regional development commissions. Of course, money to rehab the line must be found. {ARW discussion 16 Nov 99}

TSRD
19 November. BIDS ON SIMPSON PAPER’S CENTENNIAL MILL in Gilman are due today at the Stone Hearth, the New York broker handling the sale for Simpson. Observers understand that at least four parties have proposed bids: American Tissue (the company which just bought the Berlin and Gorham NH mills from Crown Vantage), a group headed by James (Jimmy) Wemyss, and two other parties. Wemyss, whose family formerly owned the Groveton Paperboard Company in New Hampshire, now works for the company in outside sales.

As a complication to the future of the mill, Simpson Paper apparently is offering the mill cum the hydroelectric dam, or the two pieces separately. Some fear that if the dam is sold separately, the mill will not survive. Simpson Paper has pledged to try to keep the mill in operation.

The newly-relicensed dam sits on the Connecticut River, one of several on the upper reaches of the river, and the mill sits directly on the river.

As part of supporting the mill, New Hampshire invested in a new highway bridge across the Connecticut recently. {ARW discussions with Charlie Carter of Northeast Vermont Development Association, Sharon Penney of North Country (NH) Council, and Edith Tucker of the Coos County Democrat 17 & 18 Nov 99}

VRS - WCRC
15 November, DC. MORE DETAILS ON THE NEWEST MEMBER OF THE VERMONT RAIL SYSTEM emerged when the Surface Transportation Board (STB) published an exemption permitting the owners of the other VRS members (VTR, GMRC, and CLP) to continue in control of the Washington County Railroad Company (WCRC). This permits WCRC to formally operate the Montpelier-Barre rail line [see 12 November issue].

The STB notice indicated that David W. Wulfson, Gary E. Wulfson, and Lisa W. Cota each own 250.5 shares of the outstanding 1000 WCRC shares, while Richard Szuch and Peter A. Szuch each own 124.5 shares. {STB Finance Docket No.33816 15 Nov 99}

MARITIMES/QUÉBEC RRs

CBNS
1 November, Longueuil PQ. ST. LAWRENCE CEMENT IS STILL RECEIVING FLYASH FROM NOVA SCOTIA POWER, according to Gary Duchene of the cement company. As the only supplier of flyash, NSPC’s plants in Lingan and Trenton furnish about 40,000 tonnes [roughly 400 railcars]. Some of the cement moves by rail to St. Lawrence Cement’s terminal in Everett MA, and some to Portland ME by rail. {ARW discussion}

CFQ SYSTEM - NBEC
16 November, Belledune. NORANDA OPERATIONS IN
**NORTHERN NEW BRUNSWICK** were explained by Mike Brophy, an official in the procurement department [see Gaspé copper operations in 12 November issue].

**Brunswick Mine: zinc, lead and copper**

Noranda’s largest mine producer of zinc and lead concentrate is located southwest of Bathurst, at the end of the 14.7-mile Nepisiguit subdivision built by CN in 1963 to a station called Brunswick Mines. [In 1914, the Northern New Brunswick and Seaboard Railway build a line in a similar direction to Bathurst Mines, but the line was abandoned in 1918.] The mine has an expected life of approximately 10 years. During 1998 an average of 9,000 tonnes per day of ore was treated in the mill in Brunswick, which separates out zinc, lead, and copper concentrate by chemical treatment *cum* flotation. The mine implemented an autogenous grinding circuit in 1998, which will improve profitability and lower operating costs. A paste backfill project also became operational in 1998. This project is intended to maximize ore recovery and provide for stable and predictable mining.

From the mill in 1998 came about 35,000 tonnes of copper concentrate, which was trucked to Noranda’s Gaspé operation.

About 434,000 tonnes of zinc concentrate (52% zinc) came from the mill, about half of which moves by rail to the Port of Bellefond for export usually to Antwerp, and half by rail to Valleyfield PQ where Noranda owns a smelter.

**Brunswick Smelting (lead only)**

The 131,000 tonnes of lead concentrate (42% lead) from the mill moves by rail to the Noranda-owned Brunswick Smelting facility. The facility also has a battery recycling plant, where workers crush old batteries and extract the plates. Noranda also imports lead concentrate. The smelter, handling both the plates and the lead concentrate, produced 109,000 tonnes of refined lead in 1998, up from 108,000 tonnes in 1997. About 50,000 tonnes moves from the smelter by rail to customers in Canada and the United States. The balance is trucked.

The Brunswick Mine employs 973, the Bellefond lead smelter 537; workers at the mine (Local 5385) and the smelter (Local 7085) are represented by the United Steelworkers of America; the current three-year contract will expire 28 February 2000.

**Other mines nearby**

Brophy said Noranda continues to explore for new sites, without significant success thus far. The nearby Caribou Mine, owned by Breakwater Resources, closed less than a year ago because of low zinc prices. It had trucked concentrate to Brunswick for railing to Valleyfield, and trucked other concentrate to Bellefond either for the lead smelter or for export.

**Rail service**

Service by New Brunswick East Coast (NBEC), part of the CFQ System, Brophy rated as “as good as CN’s [NBEC took over from CN in 1987] which was excellent.” {ARW discussions 10&16.Nov.99; Noranda website}

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**QUÉBEC CENTRAL**

18 November. **THE QUÉBEC GOVERNMENT ANNOUNCED FISCAL SUPPORT FOR THE REOPENING OF THE LINE.** Bernard Landry, vice-premier and minister of state for the economy and finances, Guy Cheverette, minister of Transport, and Marc Boulianne, deputy from Frontenac, announced the support under the March 1999 $19 million program of support for local railways [see 22 March].

The reopening necessitates $16.8 million. Financial assistance takes the form of a $6 million grant and in addition a guarantee of $3.5 million linked to the acquisition of the railroad, bringing the total government engagement to $9.5 million.

Landry said: “The government of Québec decided to contribute financially to this project because of the importance of the railway for the economic dynamism for the region of Chaudiere-Appalaches et de l’Estrie.” For his part, Chevrette indicated that putting back into operation the rail infrastructure is a permissible means of putting into place complementary modes of transport for the benefit of all users.”

Landry and Chevrette underscored that the re-opening represents the fruit of cooperation between the promoter, Jean-Marc Giguère, the Banque Nationale, Canadian Pacific, and the government of Québec, and permits the rebirth of the Québéco Central, inactive for many years. {text of press release, ARW translation}

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**HALIFAX**

4 November. **THREE-QUARTERS FIGURES LOOKED VERY GOOD.** Patricia McDermott, the authority's vice-president of marketing, said the port predicts a 4.5-5% increase in total cargo tonnage over 1998. In the first nine months of this year, the port had handled 10.1 million tonnes of cargo compared to 9.7 million
for the same period in 1998. The port posted a $3-million profit in 1998 on $14.1 million of operational revenue but had a 6.7% decline in total cargo tonnage compared to 1997.

For the first three quarters of this year, container cargo increased 7.45% over the same period last year. The port's labour force handled 339,362 TEUs compared to 315,847 in the same period last year. Container tonnage came to 2.7 million tonnes, up 8.3%.

Based on last year's numbers and a continued growth rate this year of 7%, container numbers could top 455,000 units in 1999. McDermott said the number of containers on the Midwest service rose 12% to the end of August: in the first eight months of this year, 47,522 containers had moved compared to 42,523 for the same period last year.

In general cargo, break bulk cargo increased 9.5% to 142,840 tonnes by the end of September with hikes in such products as rubber, sulphides and forest products. Bulk cargo rose 2.5% while roll-on/roll off cargo sank 6.9%. {Halifax Herald 5.Nov.99}

**Tariff increase**

On 20 October the Port Authority advised of a proposed 1.7% increase in its tariffs effective 1 January, 2000. Excepted from this general increase is the rate of Wharfage Notice N-2, which will be revised at a later date. {APTC Tips and Topics 11.99}

11 November. **HALTERM ANNOUNCED LEGAL PROCEEDINGS AGAINST HALIFAX PORT AUTHORITY** (HPA). According to a press release from Halterm Income Fund (Halterm), the parent of Halterm Limited which operates the container terminal, Halterm is filing complaints in two fora following the breakdown of negotiations on the terms of Halterm's lease renewal.

The renewal option, for ten years commencing 19 December 2000, covers land, buildings and facilities leased by Halterm. "The Port Authority entered these negotiations demanding a 900% increase in base rental fees. Though this demand has recently been lowered to 700%, the HPA has not shown any real willingness to establish a reasonable and realistic rental agreement for the Halterm facility," says Doug Rose, vice-president of Halterm Limited.

"The Port Authority's demands are not just unfair, they unnecessarily risk the commercial interests of the Port of Halifax and Halterm in the international shipping world, which is fiercely competitive. The Port will undoubtedly find it difficult to maintain credibility if this is the way they choose to treat a company like Halterm who has for more than 30 years played a leading role in the development of the Port and made a significant contribution to the overall economy of Halifax.

"Despite numerous public and private assurances to the contrary, the Port Authority has failed to live up to its commitment to upgrade the terminal for the installation of Halterm's two new super post-Panamax cranes valued at $20 million [see 19 November 1998 issue]. Instead, the Authority has made its investment contingent upon Halterm submitting to the HPA's unreasonable lease renewal demands."

Since the new cranes are scheduled to arrive in Halifax on 20 April 2000, the Port Authority's intransigence has forced Halterm to proceed with the $3.5 million terminal upgrade on its own.

**The two fora**

Halterm announced it was filing against the HPA 'simultaneously before the Canadian Transportation Agency (CTA) and the Federal Court of Canada. In the CTA proceedings, "Halterm seeks a ruling that the Port Authority's demands are unjustly discriminatory towards Halterm, placing it at an unreasonable competitive disadvantage with other container terminal operators in Halifax as well as container terminal operators in other eastern seaboard ports," said Rose.

Halterm's proceedings in the Federal Court of Canada seek judicial review and declaratory and injunctive relief. "We are asking the Federal Court to declare that the Port Authority exceeded its jurisdiction by setting rates which are grossly unfair and unreasonable and negotiating in bad faith for an improper purpose."

Halterm is also asking the Federal Court to issue an interim injunction order barring the Port Authority from taking any steps that could be inconsistent with Halterm's exercise of its lease renewal option. The court is also being asked to rule that the Port Authority's actions are contrary to its statutory mandate under the National Marine Policy.

The National Marine Policy is intended to provide Canada with the marine infrastructure that it needs to offer effective support for the achievement of local, regional and national social and economic objectives and to promote and safeguard Canada's competitiveness and trade objectives.

"It is Halterm's position that the rates set by the Port Authority for lease renewal are completely inconsistent with the objective of promoting the competitiveness of the Port of Halifax," said Rose. "Our goal is to work in partnership with the Port Authority. They have a very important role to play in the success of the Port, and we will cooperate in any reasonable way to advance that goal. However, this situation is all about fairness, commitment and cooperation and the demands of the Port Authority at this time are contrary to these fundamental principles."

**Previous legal action**

Twice before, Halterm has sought redress for the actions of the Port Authority and its predecessors. In 1980, the Federal Court of Canada ruled that the National Harbors Board's conduct towards Halterm amounted to economic duress and that it had breached its obligations to properly construct and maintain the terminal. In 1984, the same court struck down a four-fold increase in rentals, ruling that the lease rates had to reflect parity and competitiveness.

Halterm was established as Atlantic Canada's first container terminal operator in 1969 and has since provided exceptional service to the Port of Halifax. Halterm is the region's largest container terminal operator handling 165,000 containers per year and employing 250 workers. A Canadian-owned and operated
company, Halterm’s business interest is focused exclusively on its operations in the Port of Halifax. {complete text of press release}

More detail

Rose later said that HPA wanted to increase the base rent from an annual rate of about $513,000 to about $4.15-million per year. "If we have to transfer this increase to the shipping lines, they will go elsewhere. It’s as simple as that," he said.

Rose understood a similar lease with Cerescorp - which competes for business with Halterm - does not expire until 2002, leaving his company at an obvious competitive disadvantage until that time. "It'll put us out of business, short and simple," he said. {Bill Power in Halifax Herald 12.Nov.99}

No filing at CTA

Under the Canada Marine Act of 1998, CTA has authority to hear complaints about fees charged by Canada Port Authorities which are, in the eyes of the complainant, ‘unjustly discriminatory’. Gordon Shurson, senior complaint and investigation officer in the marine division of the Rail and Marine Branch, said no complaint has yet come from Halterm.

CTA has four other areas of marine jurisdiction: complaints about the fees set by harbors; complaints about the tariffs filed by pilotage authorities; complaints about the tolls charged the St.Lawrence Seaway Management Corporation; and the need for a waiver when a carrier wants to use a foreign-flagged vessel for intra-Canada voyages.

Halterm’s Doug Rose said on 18 November, when asked about the accuracy of an assumption that Halterm had not yet filed with the CTA because of active negotiations with HPA, “You may assume that your assumption is correct.” {ARW discussions}

Halifax Port Authority response

In a 12 November press release, HPA President David Bellefontaine ‘regarded Halterm’s action as inappropriate and a clear indication that it does not intend to pay full value for the assets it is leasing. “Halterm believes it is entitled to a lease arrangement significantly below its value. That is wrong....Every port owner must pay its fair share.”

“The current Halterm lease is the equivalent of renting a $1000,000 house for $100 a month....We are not in the business of subsidizing private companies. We are in the business of having a competitive port. I am confident there are many other terminal operators [see Logistic offer, 24 September issue] who would jump at an opportunity to have a lease with terms similar to those we are offering Halterm.”

Currently Halterm pays about 1% of the market value of the 70-acre parcel plus facility, approximately $43 million. {text of press release}

HALIFAX - CUBA SERVICES

1 November. LICORNE NAVIGATION BECAME THE FOURTH CARRIER TO OPERATE TO CUBA from Halifax; it formerly operated from Montréal, with sailings every 11 days to Havana using the M/V Rasa of 3,893 gross tonnes. Its central Canadian cargo, including LCL (less than container load), FCL (full container load), and refrigerated containers.

The change of port call will provide ‘for increased sailing frequency operating on a reliable schedule,’ according to Licorne. (Bernard Prevost of Scotia Terminals and Brian Murphy of Navis said Licorne had difficulty maintaining its schedule to Montréal because of ice in the St.Lawrence in the winter.)

Effective 1 November, Licorne appointed Seabridge International as its agent. {Licorne press release} The first Halifax call was expected on 12 November {Tom Peters in Halifax Herald 6.Nov.99}

Bob Allen of Seabridge’s Montréal office said Licorne had chosen Ceres Terminal at Fairview Cove to handle its cargo. While he could not reveal the reasons his client had chosen Ceres, he listed two factors a carrier will weigh in choosing a terminal: price, and a open berth when its ship plans a port call. {ARW discussion 18.Nov.99}

Coral and Melfi

Two other Havana-trade lines move nickel sulfide for a joint venture between Sherrit International of Alberta and La Compagnia General de Niquel of Cuba (Niquel). {Port of Halifax 9-10.99} The ore, handled by Empire Stevedoring [see box], arrives at Scotia Terminal’s Richmond Terminals warehouse for delivery to Alberta.

Petar Kovačević, an official at Empire Stevedoring, explained that Scotia Terminals leased the warehouse at Richmond Terminals for its customer Niquel, which ships via Coral and Melfi lines. Scotia has contracted with Empire Stevedoring to actually handle the cargo: discharge it from the ship, store it in the warehouse, and load it into railcars.

Until the end of 1998, Empire handled cargo for Cuba Niquel directly, with Secunda Marine supplying the vessel, said Kovačević. Cuba asked Niquel to change to the Cuban lines after the charter with Secunda expired. {ARW discussion 17.Nov.99}

Navis Shipping

A subsidiary of Secunda Marine, Navis has offered a ship every 21 days for the past four years to Havana. Brian Murphy of Navis said Logistec Stevedoring handles containers and general cargo at Pier 31 [see 30 April issue]. [A sore point with Scotia Terminals, who would like CN to pick up containers at Richmond Terminals - see above.] {ARW discussion 17.Nov.99}
Empire Stevedoring/ Furncan Marine

These two affiliated companies are owned by the families of Chodos and Gordon, headquartered in Montréal. As explained by Manny Gordon, secretary-treasurer of the group, the operating company Furncan Marine Limited does the work in Halifax (Richmond Terminals and Halifax Grain Elevator) and Saint John (Barrack Point Potash Terminal). As Empire Stevedoring, the group operates in Thunder Bay, Toronto, New Orleans, and Houston. In Sarnia and Trois-Rivières, it operates eponymously.

In Québec City, it operates as Québec Stevedoring, a subsidiary of which, Eastern Canada Stevedoring, operates the Port of Belledune [q.v.].

Gordon treated the names Furncan Marine and Empire Stevedoring as virtually interchangeable [henceforth ARW will use Empire Stevedoring].

Other groups with more than one stevedoring operation in the Atlantic Northeast include Logistec and Federal Marine. {ARW discussion 17 Nov. 99}

Empire and Logistec Stevedoring are sharing a two-year contract to handle 250 General Motors locomotives at Richmond Terminals outbound for the United Kingdom. {Port of Halifax 9-10.99}

BOSTON

17 November. THREE QUARTERS FIGURES LOOK VERY GOOD. Georganne Tacelli, Massport spokesperson, said automobiles had risen 20.6% through October over the same period last year, to about 66,000. “But we’re not yet saturated [see Portland 29 October issue]. Massport owns other properties near the Moran Terminal which we could use for expansion.”

Containers

Through October, containers had risen: tonnage up 10.5% to 980,099 tons; number of boxes up 8.6% to 71,360.

The port has improved productivity, resulting in record-setting stevedoring. The port recently had four gangs working a ship for the first time. Also, the port has bought ‘bombcarts’ - trailers larger than a truck chassis - which permit much quicker unloading since the container need not precisely fit on a chassis. The bombcarts contributed to a record 40 boxes/hour unloading.

“We’re also moving 700 trucks a day through the gate,” Tacelli said.

Mediterranean Shipping Company call

Recently the port lost the last-outbound call which MSC had initiated in 1998 [see 11 September 1998 issue]. According to Tacelli, the carrier was not picking up a large number of outbound boxes. Furthermore, many of its last-outbound calls occurred on the weekend, requiring the carrier to pay stevedores overtime [see Paul Tellier’s comment to Halifax Port days - 24 September issue - for similar situation]. {ARW discussion}