



BUCKEYE PARTNERS, L.P.

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May 4, 2012

Mr. Byron Coy
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration
U. S. Department of Transportation
820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628

**RE: Auburn, New York Accident Investigation
Notice of Probable Violation and Proposed Civil Penalty CPF 1-2012-5009**

Dear Mr. Coy:

Buckeye Partners, L.P. (Buckeye) received the referenced "Notice of Probable Violation and Proposed Civil Penalty" (NOPV) on April 10, 2012 from the Pipeline and Hazardous Materials Safety Administration (PHMSA). This NOPV was the result of an incident investigation conducted as a result of a product release that occurred September 20, 2011 on tank line 318 at Buckeye's Auburn, New York terminal. The following is Buckeye's response to the proposed violation listed in the NOPV.

- 1. Buckeye failed to submit a Supplemental Accident Report within 30 days upon receiving changes or additions to the original report submitted using DOT Form 7000-1. Buckeye failed to submit a Supplemental Accident Report within 30 days, as required under Section 195.54, upon receiving the Final Metallurgical Report from DET NORSKE VERITAS (DNV), dated December 22, 2011. The DNV Report identified the potential cause of the leak on the 14-inch diameter Tank Line (Line 318) at Buckeye's Auburn Terminal in Auburn (Cayuga County), New York. The original accident report was filed by Buckeye on October 19, 2011.**

Buckeye acknowledges that it did not file a Supplemental Form 7000-1 Accident Report with PHMSA within 30 days of receiving the Final Metallurgical Report. However on December 29, 2011, Buckeye did provide the Final Metallurgical Report which detailed the direct cause of the incident to the New York State Department of Public Service (NYDPS), which is the acting agent of PHMSA. Buckeye feels that it maintained good communications with the NYDPS and met the intent of the regulations by notifying the regulatory agency of the updated information (cause of the incident). In this regard, Buckeye respectfully requests that this Proposed Civil Penalty be reduced.

Buckeye filed a Supplemental Accident Report on March 20, 2012 and has revised its internal process to ensure that any future required Supplemental Reports will be filed within the required time frame.

Please direct all future communications concerning this NOPV to my attention. If you have any questions, or need additional information, please feel free to contact myself or John Reinbold, Manager, Compliance at 610-904-4185 or by e-mail at jreinbold@buckeye.com.

Sincerely,



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Buckeye Partners, LP

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Mr. Kevin Speicher, NYSDPS