



U.S. Department  
Road, Suite 306  
Of Transportation  
08628

**Pipeline and  
Hazardous Materials  
Safety Administration**

820 Bear Tavern

West Trenton, NJ

609.989.2171

## **WARNING LETTER**

### **EXPRESS OVERNIGHT DELIVERY**

August 16, 2010

Mr. Jerry J. Ashcroft III  
Vice President, Field Operations  
Buckeye Partners, L.P.  
Five TEK Park  
9999 Hamilton Blvd  
Breinigsville, PA 18031

**CPF 1-2010-5007W**

Dear Ashcroft:

On September 1, 2009, State Inspectors from the New York Public Service Commission (NY PSC), acting as an Agent for the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code, inspected your pipeline facilities and records in Auburn, NY.

As a result of the inspection, it appears that you have committed a probable violation of the Pipeline Safety Regulations, Title 49, Code of Federal Regulations. The items inspected and the probable violation(s) are:

- 1. § 195.583 What must I do to monitor atmospheric corrosion control?**

**(a) You must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows: Onshore: At least once every 3 calendar years, but with intervals not exceeding 39 months.**

Buckeye Partners, L.P. (Buckeye) failed to meet the (3) year calendar year inspection requirement, not exceeding 39 months. The (3) year atmospheric corrosion inspection for the Auburn Station was last performed on May 31, 2006 and there had not been another inspection performed until September 3, 2009. This exceeds the allowable 39 month interval by 3 days.

After the NY PSC inspection, Buckeye provided records showing an inspection performed on May 31, 2006, and the next inspection performed on September 3, 2009.

Under 49 United States Code, § 60122, you are subject to a civil penalty not to exceed \$100,000 for each violation for each day the violation persists up to a maximum of \$1,000,000 for any related series of violations. We have reviewed the circumstances and supporting documents involved in this case, and have decided not to conduct additional enforcement action or penalty assessment proceedings at this time. We advise you to correct the item identified in this letter. Failure to do so will result in Buckeye being subject to additional enforcement action.

No reply to this letter is required. If you choose to reply, in your correspondence please refer to **CPF 1-2010-5007W**. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Sincerely,

Byron E. Coy, P.E.  
Director, Eastern Region  
Pipeline and Hazardous Materials Safety Administration

cc: NY PSC