



U.S. Department
Of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

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West Trenton, NJ 08628
609.989.2171

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

April 02, 2014

T. Scott Collier
Vice President, Performance Assurance Asset Integrity
Buckeye Partners, L.P.
Five Tek Park
9999 Hamilton Boulevard
Breinigsville, PA 18031

CPF 1-2014-5001M

Dear Mr. Collier:

From March 12 to 16, 2012, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety, pursuant to Chapter 601 of 49 United States Code inspected Buckeye Partners, L.P.'s (Buckeye) procedures for control room management titled *Control Room Management Plan, February 24, 2012 (Control Room Management Plan)* in Breinigsville, Pennsylvania.

On the basis of the inspection, PHMSA has identified the apparent inadequacies found within Buckeye's plans or procedures, as described below:

1. §195.446 Control room management.

(a) General. This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

(b) Roles and responsibilities. Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following:

(1) A controller's authority and responsibility to make decisions and take actions during normal operations;

Buckeye's *Control Room Management Plan* was inadequate because it did not identify a controller who has authority and responsibility to make decisions and take actions during normal operations for its storage facilities, in accordance with §195.446(b)(1).

The *Control Room Management Plan, Section 2.2.2.1 Liquid Controller* references *Appendix B. Appendix B: Control Center Operations Data* states that “Specific Operator data, to include console specifics, product and pipeline data, Controller commute data, and SCADA system and alarm information, is documented in the Operator Data Form for each facility. . . .” *Appendix B: Control Center Operations Data* also contains a list of exhibits, one of which is *Exhibit A- Breinigsville Operator Data Form*.

It is known that Buckeye has storage facilities with jurisdictional breakout tanks. However, *Exhibit A- Breinigsville Operator Data Form* did not include any data and information on breakout tanks. Therefore, it is unknown which controller has authority and responsibility for the storage facilities.

In addition, *Exhibit A- Breinigsville Operator Data Form, Console 1 and 2 Data Sheet*, showed line L405. It is unclear as to whether Controller 1 or 2 has primary or sole responsibility for line L405.

2. §195.446 Control room management.

(a) **General.** This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

(b) **Roles and responsibilities.** Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following: . . .

(2) A controller's role when an abnormal operating condition is detected, even if the controller is not the first to detect the condition, including the controller's responsibility to take specific actions and to communicate with others;

Buckeye's *Control Room Management Plan* was inadequate because it did not include details about controller's responsibility when the controller is not the first to detect an abnormal operating condition (AOC), in accordance with §195.446(b)(2).

Under *Section 2.1. Rule Requirements* in the *Control Room Management Plan* it states: “Role when an abnormal operating condition is detected, even if the Controller is not the first to detect the condition, including the Controller's responsibility to take specific actions and to communicate with others. (Section 2.6 of this Plan).” However, *Section 2.6 Abnormal Operating Conditions* did not provide guidance or reference supplemental materials for when the controller is not the first to detect an AOC.

3. §195.446 Control room management.

(a) **General.** This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

b) **Roles and responsibilities.** Each operator must define the roles and responsibilities of a controller during normal, abnormal, and emergency operating conditions. To provide for a controller's prompt and appropriate response to operating conditions, an operator must define each of the following: . . .

(4) A method of recording controller shift-changes and any hand- over of responsibility between controllers.

Buckeye's *Control Room Management Plan* was inadequate because it did not include a process for documenting the information that is discussed between the outgoing Controller and incoming Controller, in accordance with §195.446(b)(4).

The *Control Room Management Plan, 2.8 Shift Turnover Tracking* references *Appendix E: Exhibits H through L*. Pursuant to *Appendix E, Exhibit H – Shift Change Controller Breinigsville, Section 1.2.1 Outgoing Controller*, the outgoing Controller “[discusses] information in Section 1.1.2 with incoming Controller.” However, there is no written process for documenting the information discussed between the outgoing Controller and incoming Controller to ensure that the appropriate information was communicated.

In addition, there seems to be an error in *Appendix E, Exhibit H – Shift Change Controller Breinigsville, Section 1.2 Turnover Procedure*. In *Section 1.2 Turnover Procedure* it states “review all shift change information identified in Section 1.1.21.2.” However, there is no Section 1.1.21.2.

4. §195.446 Control room management.

(a) **General.** This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

(c) **Provide adequate information.** Each operator must provide its controllers with the information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following: . . .

(5) Implement section 5 of API RP 1168 (incorporated by reference, see § 195.3) to establish procedures for when a different controller assumes responsibility, including the content of information to be exchanged.

Buckeye's *Control Room Management Plan* was inadequate because it did not include all of the items of information to be exchanged that are listed in section 5 of API RP 1168, in accordance with §195.446(c)(5).

Section 5.3 of API RP 1168 titled “Information to Exchange” lists items to be addressed during shift turnover, which includes but not limited to: (1) incident and/or safety conditions and (2) third-party incidents with potential direct or indirect impact on operations.

The *Control Room Management Plan, Section 3.6 API RP 1168 Implementation* refers to *Appendix E, Exhibit H through L* with regards to information to exchange. However, *Appendix E, Exhibit H – Shift Change Controller Breinigsville, Section 1.1.2 Information Requirements* did not require outgoing Controller to share information on (1) incident and/or safety conditions and (2) third-party incidents with potential direct or indirect impact on operations.

5. §195.446 Control room management.

(a) **General.** This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

(c) *Provide adequate information.* Each operator must provide its controllers with the information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following: . . .

(2) Conduct a point-to-point verification between SCADA displays and related field equipment when field equipment is added or moved and when other changes that affect pipeline safety are made to field equipment or SCADA displays;

Buckeye's *Control Room Management Plan* was inadequate because it did not address like-for-like replacement, in accordance with §195.446(c)(2).

The *Control Room Management Plan, Section 3.3 Point-To-Point Verification* states that the "Buckeye SCADA Point-to-Point Procedure (Appendix E, Exhibit A) contains the steps required for conducting a point-to-point verification." However, *Appendix E, Exhibit A SCADA Point-to-Point BPL* did not have a written point-to-point verification process for when equipment are replaced with the same type of equipment to ensure it is functioning properly.

6. §195.446 Control room management.

(a) *General.* This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

(c) *Provide adequate information.* Each operator must provide its controllers with the information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following: . . .

(3) Test and verify an internal communication plan to provide adequate means for manual operation of the pipeline safely, at least once each calendar year, but at intervals not to exceed 15 months;

Buckeye's *Control Room Management Plan* was inadequate because it did not contain a robust plan for continued manual operation, in accordance with §195.446(c)(3).

According to the *Control Room Management Plan, Section 3.4 Communication Plan for Manual Operation*, "Buckeye Liquid Operating Manual and Field Personnel Communication Procedure (Appendix E, Exhibit C) address specific requirements for communication and actions taken in the event of an emergency that results in manual operation (emphasis added)." However, *Appendix E, Exhibit C – Buckeye Field Personnel Communication* has no detailed instructions for monitoring and operating the pipeline system manually.

If, Buckeye does not intend to operate in a manual mode then that should be addressed in the *Control Room Management Plan* and a basic plan should be included as well.

7. §195.446 Control room management.

(a) *General.* This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

(c) *Provide adequate information.* Each operator must provide its controllers with the

information, tools, processes and procedures necessary for the controllers to carry out the roles and responsibilities the operator has defined by performing each of the following: . . .

(4) Test any backup SCADA systems at least once each calendar year, but at intervals not to exceed 15 months; and

Buckeye's *Control Room Management Plan* was inadequate because it did not require testing its backup system at least once each calendar year, but at intervals not to exceed 15 months, as prescribed in §195.446(c)(4).

The *Control Room Management Plan, Section 3.5 Backup Systems Testing* states that "Buckeye tests their... backup system annually. . . ." First, backup SCADA system should be tested at least once each calendar year, but at intervals not to exceed 15 months. Second, *Section 3.5 Backup Systems Testing* did not reference supplemental material(s) that could pertain to testing the backup system. Listed in *Appendix E* of the *Control Room Management Plan* there was *Exhibit B – Testing Backup SCADA BPL* and *Exhibit D – Control Room Evacuation Procedure Breinigsville*. These procedures mention testing the backup system. *Appendix E, Exhibit B – Testing Backup SCADA BPL* states that "Buckeye conducts test of the backup SCADA system annually, not to exceed 15 months." *Appendix E, Exhibit D – Control Room Evacuation Procedure Breinigsville* states "Buckeye conducts practice evacuation procedures annually (not to exceed 15 months)." If, either procedures or both procedures are used for testing the backup system then it must follow §195.446(c)(4) and be cross-referenced where appropriate.

8. §195.446 Control room management.

(a) General. This section applies to each operator of a pipeline facility with a controller working in a control room who monitors and controls all or part of a pipeline facility through a SCADA system. Each operator must have and follow written control room management procedures that implement the requirements of this section. The procedures required by this section must be integrated, as appropriate, with the operator's written procedures required by § 195.402. An operator must develop the procedures no later than August 1, 2011, and must implement the procedures according to the following schedule. . .

d) Fatigue mitigation. Each operator must implement the following methods to reduce the risk associated with controller fatigue that could inhibit a controller's ability to carry out the roles and responsibilities the operator has defined:

The *Control Room Management Plan* was inadequate because it did not address the steps that a supervisor should take when he or she identifies a Controller(s) as being too fatigued to safely control the pipeline, in accordance with §195.446(d).

The *Control Room Management Plan, Section 4 Fatigue Mitigation* references *Appendix G* of this plan. *Appendix G: Fatigue Management Program* contains a policy titled *Fatigue Controller Policy*, which mentions Controller self-reporting. However, the *Fatigue Controller Policy* did not clearly address Controller who is identified by a supervisor as being fatigued.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.237. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. 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). If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue a Final Order.

If, after opportunity for a hearing, your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.237). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 90 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Buckeye maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to, as well as any correspondence relating to this Notice to: Byron Coy, PE, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, W. Trenton, NJ 08628. Please refer to **CPF 1-2014-5001M** on each document you submit, and please provide a (signed) copy in electronic format whenever possible. Smaller files may be emailed to Byron.Coy@dot.gov. Larger files should be sent on a CD accompanied by the original (signed) paper copy to the Eastern Region Office.

Additionally, if you choose to respond to this (or any other case), please ensure that any response letter pertains solely to one CPF case number.

Sincerely,



Byron Coy, PE
Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*