

**Before the
U.S. Department of Transportation
Pipeline and Hazardous Materials Safety Administration
Office of Pipeline Safety**

_____)	
In the Matter of)	
)	
Buckeye Partners, LP)	CPF 1-2016-5007
)	
Respondent)	Notice of Probable Violation
)	
_____)	

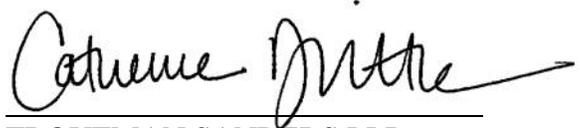
**Respondent's
Post-Hearing Submission, Notice of Settlement
and Suggestion of Mootness**

The Pipeline and Hazardous Materials Safety Administration (PHMSA or the Agency) issued an Amended Notice of Proposed Violation, Proposed Civil Penalty and Amended Proposed Compliance Order (collectively, the Amended NOPV) dated July 31, 2017, to Buckeye Partners, LP (Buckeye or the Company). Buckeye did not contest the original NOPV that was issued one year earlier on August 25, 2016, following a 2015 inspection of Buckeye's Genesee River relocation project that was conducted by the New York State Department of Public Service on behalf of PHMSA, and Buckeye subsequently paid the Proposed Civil Penalty of \$38,200. Buckeye did, however, contest the Amended Proposed Compliance Order (Amended PCO) which was the only change to the original NOPV. A hearing was held on June 13, 2018, at PHMSA's Eastern Region office in West Trenton, New Jersey. Following the hearing, the parties reached agreement on the terms of a further revised PCO that Buckeye and PHMSA have both accepted, as set forth in Attachment A.

In light of the parties' agreement on revisions to the PCO, Buckeye requests that PHMSA issue a Final Order that reflects the mutually agreed upon language for the revised PCO. Further, by accepting these revisions, Buckeye's underlying challenge and the issues raised before and during the hearing are rendered moot. As long as the Final Order

contains the agreed upon compliance order language that is consistent with Attachment A, Buckeye withdraws its pending challenge and agrees not to contest this matter further.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Catherine D. Little", with a long horizontal flourish extending to the right.

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Buckeye Partners, LP
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Date: July 20, 2018

ATTACHMENT A

Revised Proposed Compliance Order CPF 1-2016-5007

1. In regard to Item Number 1 of the Amended Notice pertaining to Buckeye's failure to perform butt welding of girth welds in accordance with the welding procedures qualified under section 5, section 12, or Appendix A of API Std 1104 (incorporated by reference, see §195.3), or section IX of ASME Boiler and Pressure Vessel Code (BPVC) (incorporate by reference, see §195.3), Buckeye must cut out all thirty-six (36) existing in-service welds, and weld new girth welds in accordance with §195.214(a);

or,

Buckeye must cut out one (1) field weld, created from using its qualified procedure Weld Procedure Specification P15A (qualified on November 13, 2015), from the existing thirty-six (36) in-service girth welds and perform all of the destructive testing requirements on the one (1) weld (including tensile, nick break, and bend tests) as set forth in API 1104 for welding procedure qualification purposes for 10" diameter pipe. To the extent not all of the destructive testing can be conducted on the one (1) weld, Buckeye must cut out one (1) additional weld to perform the necessary testing. If the field weld(s) pass the qualification testing, then the existing girth welds may remain in service. Otherwise, all remaining in-service girth welds must be cut out and replaced with new girth welds in accordance with §195.214(a).

Prior to the removal of the existing weld(s) for testing, Buckeye must provide ten (10) days advance notice to the Eastern Region to enable observation of testing. Testing is to be accomplished within 180 days of receipt of the Final Order.

2. Buckeye must complete the requirements as outlined above. All documentation demonstrating compliance with each of the items outlined in this amended proposed compliance order must be submitted to Robert Burrough, Acting Director, Eastern Region, Pipeline and Hazardous Materials Safety Administration, Suite 103, Bear Tavern Road, West Trenton, NJ for review.
3. It is requested (not mandated) that Buckeye maintain documentation of the safety improvement costs associated with fulfilling this Amended Compliance Order and submit the total to Robert Burrough, Acting Director, Eastern Region, Pipeline and Hazardous Materials Safety Administration. It is requested that these costs be reported in two categories: 1) total cost associated with preparation/revision of plans, procedures, studies and analyses, and 2) total cost associated with replacements, additions and other changes to pipeline infrastructure.