



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

820 Bear Tavern Road, Suite 103
West Trenton, NJ 08628
609.771.7800

NOTICE OF AMENDMENT

OVERNIGHT EXPRESS DELIVERY

March 16, 2017

T. Scott Collier
VP, Performance Assurance & Asset Integrity
Buckeye Partners, L.P.
Five TEK Park
9999 Hamilton Boulevard
Breinigsville, PA 18031

CPF 1-2017-5008M

Dear Mr. Collier:

On July 12, 2016 through July 14, 2016, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Buckeye Partners, L.P. (Buckeye) procedures for pipeline facilities in Breinigsville, PA.

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

1. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) *General.* Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Buckeye's procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies were inadequate. Specifically, Buckeye's procedures were inadequate in that they defined a blinded breakout tank as not jurisdictional.

During the inspection, the PHMSA inspector reviewed Buckeye's procedure for out-of-service DOT-regulated breakout tanks (195 O and M Manual Section F-37 DOT Mandated Aboveground

Tank Inspection and Repairs, issued 6/80 revised 2/16). Section 2.1.2, stated “Out-of-Service (OOS) tanks are defined as empty and not able to receive product because they are blinded or air-gapped from all delivery lines, and therefore are not jurisdictional until placed back in-service.”

Per §195.2 Definitions

Breakout tank means a tank used to (a) relieve surges in a hazardous liquid pipeline system or (b) receive and store hazardous liquid transported by a pipeline for reinjection and continued transportation by pipeline.

A blind is a temporary means of preventing flow, allowing the breakout tank to be put back into service by removing the blind. A blind is not a permanent disconnect of a breakout tank.

A breakout tank that is able to receive and store hazardous liquid for reinjection and continued transportation by pipeline is a jurisdictional breakout tank.

2. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Buckeye’s procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies were inadequate. Specifically, Buckeye’s procedures were inadequate in that they did not provide dates that the original or revised procedures took effect.

During the inspection, the PHMSA inspector reviewed the following Buckeye’s procedures.

1. Atmospheric Corrosion Procedure, Corrosion Control Manual
2. 195 O and M Manual, F-28: Security Fences, Issued 4/13
3. Corrosion Control Manual, Appendix F-1, Close Interval Potential Survey Specification, Last review 04/16

The Atmospheric Corrosion Procedure did not have a date or revision number. Buckeye stated that the Atmospheric Corrosion Procedure has been revised.

F-28 procedure identified a date as issued, however it was not clear if the issued date is the date the document was created or last revised.

Appendix F-1 identified a date as last review, however it is not clear, if the last review date had changes to the procedure, or if it is identical to another review of the procedure.

3. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Buckeye's procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies were inadequate. Specifically, Buckeye's procedures for conducting normal operations failed to provide sufficient guidance on how to provide protection for each pumping station and breakout tank area and other exposed facility from vandalism and unauthorized entry as per §195.436.

During the inspection, the PHMSA inspector reviewed Buckeye's procedure F-28 Security Fences (195 O and M Manual, F-28: Security Fences, Issued 4/13). The procedure stated, "1.1 Pump stations, breakout tanks, and other exposed facilities (*i.e.*, mainline valves, scraper traps, etc.) shall be protected from vandalism and unauthorized entry. If the facilities are not in a secure area, a security fence shall be installed and maintained."

The procedure did not define a secure area. It is unclear which areas are considered secure and which require the installation of a security fence.

Buckeye stated that security for pipeline mainline valves is accomplished by a fence, locked vault or cameras. The PHMSA inspector requested a procedure discussing the use of vaults or cameras. Buckeye responded (email dated September 23, 2016), "Buckeye does not have a specific procedure for securing vaults."

Thus, Buckeye's procedure for security of facilities was inadequate in that it failed to define a secure area and failed to provide guidance on securing vaults or using cameras.

4. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Buckeye's procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies were inadequate. Specifically, Buckeye's procedures were inadequate in that they referenced an outdated computer program.

During the inspection, the PHMSA inspector reviewed Buckeye's procedure for Firefighting Equipment (195 O and M Manual Section F-36 Firefighting Equipment, revised 5/11/2016). Section 4.1 stated "Report the completed monthly and annual inspection on the Enterprise Asset Management (EAM) system." The PHMSA inspector asked about the EAM. Buckeye explained that EAM was a computer program used in the past and that the EAM has been changed to a program called JD Edwards Enterprise One. The procedure did not reflect the change to a new program.

5. §195.402 Procedural manual for operations, maintenance, and emergencies.

(a) General. Each operator shall prepare and follow for each pipeline system a manual of written procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies. This manual shall be reviewed at intervals not exceeding 15 months, but at least once each calendar year, and appropriate changes made as necessary to insure that the manual is effective. This manual shall be prepared before initial operations of a pipeline system commence, and appropriate parts shall be kept at locations where operations and maintenance activities are conducted.

Buckeye's procedures for conducting normal operations and maintenance activities and handling abnormal operations and emergencies were inadequate. Specifically, Buckeye's procedures for maintaining signs visible to the public around each pumping station and breakout tank area containing the name of the operator and a telephone number (including area code) where the operator can be reached at all times as per §195.434 was inadequate.

During the inspection, the PHMSA inspector reviewed Buckeye's procedure for Security Fences (195 O and M Manual, F-28: Security Fences, issued 4/13) and performed a site visit at Buckeye's Everglades Facility and Miami Terminal.

1. Buckeye procedure F-28 Exhibit A - Emergency Officiation Sign stated in part that, "In an Emergency phone Buckeye Partners, L.P. Breinigsville, Pennsylvania 1-800-331-4115."
2. Signs posted along the Everglades Facility and Miami Terminal property read: "In an emergency phone collect Mt. Belvieu, TX 1-866-514-8380 or Port Everglades, FL 1-800-345-0983". The PHMSA inspector asked Buckeye about the two numbers on the sign. Buckeye stated that the top number is the calling center in Mt. Belvieu, TX (1-866-514-8380), the bottom number calls the Everglades Facility directly (1-800-345-0983).
3. Buckeye provided a purchase order (OP-163572 dated 11/15/16) for the purchase of 400 signs in English and Spanish. The sign is to read, "Emergency Buckeye Partner, L.P. Mont Belvieu, TX 1-866-514-8380..."
4. The National Registry lists the operator name as Buckeye Partners, LP for this pipeline located in Florida. The 24-hour phone number provided in the National Registry is Mt. Belvieu, TX 866-514-8380.

The phone number referenced in Buckeye's procedure did not match the number posted on the signs in the field or in the National Registry.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. 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).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. 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 an Order Directing Amendment. If 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. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 60 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 Robert Burrough, Acting Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. In correspondence concerning this matter, please refer to **CPF 1-2017-5008M**, and for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,



Robert Burrough
Acting Director, Eastern Region
Pipeline and Hazardous Materials Safety Administration

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