U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

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

WARNING LETTER

OVERNIGHT EXPRESS DELIVERY

July 31, 2018

Thomas S. (Scott) Collier
VP, Performance Assurance and Asset Integrity
Buckeye Partners, L.P.
Five TEK Park
9999 Hamilton Boulevard
Breinigsville, PA 18031

CPF 1-2018-5023W

Dear Mr. Collier:

From June 22, 2017 to September 28, 2017, representatives of the Pipeline and Hazardous Materials Safety Administration (PHMSA), pursuant to Chapter 601 of 49 United States Code (U.S.C.), performed an integrated inspection of Buckeye Partners, L.P.'s (Buckeye) 'Buckeye East' pipeline system located throughout Pennsylvania, New Jersey and New York.

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

1. **§ 195.412 Inspection of rights-of-way and crossings under navigable waters.**

   (b) Except for offshore pipelines, each operator shall, at intervals not exceeding 5 years, inspect each crossing under a navigable waterway to determine the condition of the crossing.

Buckeye failed to inspect each crossing under a navigable waterway at intervals not exceeding 5 years. Specifically, Buckeye failed to inspect its EP736BH line segment's crossing of the Woodbury Creek navigable waterway prior to its first navigable waterway inspection completed on 10/10/16.

During the inspection, the PHMSA inspector reviewed records of navigable waterway crossing inspections. The PHMSA inspector reviewed the 10/10/16 inspection report for the EP736BH line segment crossing of a navigable waterway identified as Hessian Run. When the PHMSA inspector requested the date of the prior navigable waterway crossing inspection, Buckeye identified that prior inspections had not been conducted, as Buckeye had not identified this crossing as a navigable waterway until 2015.

A review of the data that National Pipeline Mapping System (NPMS) shares with pipeline Operators regarding commercially navigable waterways revealed that the Hessian Run was not considered a navigable waterway. However, Woodbury Creek, from which Hessian Run sources, has been identified as a navigable waterway since at least 2000, when NPMS began publishing this data. In follow-up emails, Buckeye confirmed that the EP736BH crossing inspected during the 2016 inspection was not Hessian Run, but instead Woodbury Creek. Buckeye again confirmed that prior to this 2016 inspection, navigable waterway inspections had not been performed for the EP736BH line segment's crossing of Woodbury Creek.

Therefore, Buckeye failed to inspect its EP736BH crossing of Woodbury Creek at intervals not exceeding 5 years.

2. § 195.420 Valve Maintenance.

(a) Each operator shall maintain each valve that is necessary for the safe operation of its pipeline systems in good working order at all times.

Buckeye failed to maintain each valve on its 603 Line that is necessary for the safe operation of its pipeline system in good working order at all times.

During the Linden field inspection on September 26, 2017, the PHMSA inspector requested that Buckeye cycle the Line 603 Hamilton Road Mainline Valve. During remote cycling the valve actuator stopped operating twice, with indications of overheating occurring each time. The initiated maintenance repair work order, requested by the PHMSA inspector after the inspection, documented the valve transit shutdown being due to high temperature.

The overheating issues encountered indicate that Buckeye failed to maintain this mainline valve, necessary for the safe operation of its pipeline system, in "good working order at all times" as required by § 195.420(a).

3. § 195.573 What must I do to monitor external corrosion control?

(c) Rectifiers and other devices. You must electrically check for proper performance each device in the first column at the frequency stated in the second column.

Device	Check frequency
Rectifier	At least six times each calendar year, but with intervals not exceeding 2 ½ months

Buckeye failed to electrically check each rectifier for proper performance at intervals not exceeding 2 ½ months. Specifically, Buckeye exceeded the 2 ½ month interval in 3 instances for 3 rectifiers along its Line 714.

During the inspection, the PHMSA inspector reviewed 2014-2016 rectifier inspection records for the ZG714SN and RG714ZG line segments. The records indicated that Buckeye failed to electrically check rectifiers for proper performance on 3 inspection dates listed, by failing to check and record the rectifier voltage and amperage. As a result, the inspection intervals exceeded 2 ½ months between adequate rectifier inspections as summarized in the table below:

Rectifier Location	Interval Start	Interval End	Days Between
Willow Creek Valve Site E-31	1/10/2015	5/17/2015	127
Bowers Road (E-43)	1/10/2015	5/17/2015	127
West Walnut Tree Rd (E-45)	9/7/2014	1/10/2015	125

Under 49 U.S.C. § 60122 and 49 CFR § 190.223, you are subject to a civil penalty not to exceed $209,002 per violation per day the violation persists, up to a maximum of $2,090,022 for a related series of violations. For violations occurring prior to November 2, 2015, the maximum penalty may not exceed $200,000 per violation per day, with a maximum penalty not to exceed $2,000,000 for a 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(s) identified in this letter. Failure to do so will result in Buckeye Partners, L.P. being subject to additional enforcement action.

Please 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).

No reply to this letter is required. If you choose to reply, please submit all correspondence in this matter to Robert Burrough, Director, PHMSA Eastern Region, 820 Bear Tavern Road, Suite 103, West Trenton, NJ 08628. Please refer to **CPF 1-2018-5023W** on each document you submit, and whenever possible provide a signed PDF copy in electronic format. Smaller files may be emailed to robert.burrough@dot.gov. Larger files should be sent on a CD accompanied by the original paper copy to the Eastern Region Office.

Sincerely,

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