

## **NOTICE OF AMENDMENT**

### **CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

March 28, 2014

Mr. Carl Ostach  
Vice President, Field Operations  
Buckeye Partners, L.P.  
5 TEK Park  
9999 Hamilton Boulevard  
Breinigsville, Pennsylvania 18031

**CPF 3-2014-5004M**

Dear Mr. Carl Ostach:

On May 17, 2011, Buckeye Partners, L.P. (Buckeye) experienced a leak on Line 413 at the Findlay Junction facility. As a result of this leak, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code requested and reviewed Buckeye's records of inspection, Operator Qualification Plan and Operation and Maintenance Procedures. On the basis of this accident investigation, PHMSA has identified an inadequacy found within Buckeye's plans or procedures, as described below:

**1. §195.505 Qualification program.**

**Each operator shall have and follow a written qualification program. The program shall include provisions to:**

**(h) After December 16, 2004, provide training, as appropriate, to ensure that individuals performing covered tasks have the necessary knowledge and skills to perform the tasks in a manner that ensures the safe operation of pipeline facilities.**

Buckeye does not have appropriate training materials to instruct an employee in the proper performance of the covered task 1019 Inspecting Normally Exposed Pipe. Training materials do not reference all the inspection requirements detailed in the Buckeye's Maintenance Manual Sections J-04 Visual Pipe Inspection and J-01 Corrosion Management Plans. Training materials presented during the Findlay Junction leak investigation did not reference the latest version of the Triennial Visual Inspection Form. Training materials did not include descriptions, explanations, or examples with photographs regarding integrity threats to the pipeline which may be discovered during an exposed pipe inspection. Additionally, the training materials did not define the various conditions which are to be reported on the Triennial Visual Inspection Form. Finally, Buckeye will remove the statement "A student may possess the knowledge and skills from previous experience to qualify without completing the training session" from the current OQ Plan and Training Materials associated with the covered task 001019 Inspect Normally Exposed Pipe.

#### 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 sixty (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 Ms. Linda Daugherty, Director, Central Region, Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 3-2014-5004M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

Ms. Linda Daugherty  
Director, Central Region  
Pipeline and Hazardous Materials Safety Administration

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