

**U.S. DEPARTMENT OF TRANSPORTATION**

**PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION**

**SPECIAL PERMIT – Hazardous Liquid Terminal Piping**

**Special Permit Information:**

**Docket Number:** PHMSA-2020-0003  
**Requested By:** Buckeye Partners, LP  
**Operator ID:** 1845  
**Original Issuance Date:** October 15, 2021  
**Effective Dates:** October 15, 2021 to October 15, 2031  
**Code Section(s):** 49 CFR 195.116, 195.118, 195.228, 195.230, and 195.234

**Grant of Special Permit:**

By this order, subject to the terms and conditions set forth below, the Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety (OPS),<sup>1</sup> grants this special permit to Buckeye Partners, LP (Buckeye), to waive compliance of the following design, construction, and welding regulations for the approximately 2,700 feet of aboveground terminal, newly constructed, hazardous liquids piping located in the Tampa North Terminal, Hillsborough County, Florida. Within this special permit, PHMSA waives compliance from 49 Code of Federal Regulations (CFR) 195.116, 195.118, 195.228, 195.230, and 195.234 for a *special permit segment* situated within the Tampa North Terminal tank dike that includes approximately 2,600 feet of 12-inch diameter steel pipe and 100 feet of 8-inch diameter steel pipe.

---

<sup>1</sup> Throughout this special permit, the usage of “PHMSA” or “PHMSA OPS” means the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration Office of Pipeline Safety.

## I. Purpose and Need

Buckeye sought this special permit to utilize a newly constructed 1.3-mile hazardous liquid pipeline that was not originally designed and constructed to be a 49 CFR Part 195 jurisdictional pipeline. The *special permit segment* links the Buckeye Tampa North and Buckeye Tampa South Terminals in Tampa, Hillsborough County, Florida.

The special permit allows Buckeye to operate hazardous liquid bidirectionally in the *special permit segment* pipeline between the Buckeye Tampa South and the company's Tampa North Terminals. The special permit will, at minimum, allow Buckeye one additional fuel terminal to store and distribute fuel delivered through the docks and enable Buckeye to deliver this additional fuel oil from its private dock back to the other terminals. This redundancy is in the public interest by adding resiliency and will continue to serve the fuel needs of western and central Florida from the Port of Tampa docks in the event these facilities are impacted by mechanical issues, electrical issues, hurricanes, or other disasters.

If the permit is denied, and the 2,700-foot *special permit segment* cannot be used for a 49 CFR Part 195 pipeline, Buckeye will be unable to provide product from the Tampa North Terminal to the Tampa South Terminal, and thus will be unable to utilize the bidirectional functionality of the 1.3-mile hazardous liquids pipeline. The lack of flexibility to transport product between the two terminals will hinder product availability in and reliability for the Tampa and Orlando area markets. Buckeye would be required to replace the *special permit segment* causing further disturbance to an otherwise settled site and delays in service.

## II. Site Description

The Tampa North Terminal is a bulk petroleum storage and transfer facility located on approximately 29-acres within Tampa, Hillsborough County, Florida, which has been in operation since the 1960s. The Tampa North Terminal address is 504 North 19th Street, Tampa, Florida. It is located along the extreme northeast side of the Ybor Channel in the Ybor City area within the industrial peninsula of Tampa and the commercial port area. Principal terminal components include:

- Fully fenced terminal with additional fencing encircling the tank area;

- Aboveground storage tanks encompassed by secondary containment dikes:
  - Dike Capacity of the Tampa North Terminal: approximately 444,000 barrels
  - High Fill Capacity of the largest tank in the Tampa North Terminal: 154,643 barrels;
- Truck loading rack and associated transfer pipelines from storage tanks;
- Office building;
- Warehouse/maintenance facility; and
- Marine dockage.

The Tampa North Terminal receives product by vessel and offers product by truck.

Transportation at the Tampa North Terminal is currently regulated by the U.S. Coast Guard (USCG). Surrounding land use consists of industrial and commercial development.

The Tampa North Terminal is located along the eastern side of an industrial peninsula in the Port of Tampa (Ybor Shipping Channel), which is located 3.5 miles from Hillsborough Bay and approximately 10 miles from Tampa Bay, in an area that is primarily zoned for industrial use. There is limited recreational activity in the immediate coastal area due to the high volume of commercial ship traffic. The Port of Tampa Bay statistical data from 2017 to 2019 shows that nearly 10,000 barge, cruise, and tug vessels utilized the waters and dockage in the area of the Ybor Ship Channel during the two-year period. In addition to the heavy vessel traffic, the peninsula is also utilized by several other hazardous liquid pipeline and terminal operators as well as chemical and industrial industries of various types.

### III. Special Permit Segment

This special permit pertains to the specified *special permit segment* defined in this section.

- The *special permit segment* consists of approximately 2,600 feet of 12-inch diameter and 100-feet of 8-inch diameter terminal piping (*special permit segment*) to support the bidirectional pipeline flow from the Tampa North Terminal to Tampa South Terminal.<sup>2</sup>

---

<sup>2</sup> All approvals and environmental permitting relevant to the construction and use of the 1.3-mile hazardous liquid pipeline have been granted and include Florida Department of Environmental Protection (FDEP) permit number 29-0372933-002-EI dated May 6, 2019, Environmental Protection Commission of Hillsborough County Folio numbers 1901230000 and 1992950000 dated March 15, 2019, as well as applicable air permits.

- The ***special permit segment*** is part of a new 1.3-mile pipeline that connects the Tampa North Terminal to the Tampa South Terminal. The ***special permit segment*** terminal piping is not compliant with all of 49 CFR Part 195 design and construction requirements. If the 1.3-mile pipeline is operated from the Tampa North Terminal to the Tampa South Terminal, the ***special permit segment*** terminal piping also becomes subject to 49 CFR Part 195. Thus, Buckeye is requesting a special permit to waive compliance with certain design and construction requirements of 49 CFR Part 195 for approximately 2,600 feet of 12-inch diameter and 100-feet of 8-inch diameter terminal piping (***special permit segment***) to support the bidirectional pipeline flow from the Tampa North Terminal to Tampa South Terminal.

This special permit, as granted, applies to the ***special permit segment*** which includes approximately 2,600 feet of 12-inch diameter, grade API Specification 5L X-52 (52,000 pounds per square inch (psi) strength), steel pipe with a pipe wall thickness of 0.375 inches, and approximately 100 feet of 8-inch diameter, grade API Specification 5L X-52 (52,000 psi strength), steel pipe with a wall thickness of 0.322 inches. The ***special permit segment*** was constructed between 2018 and 2020 and has had no history of leaks. It is located aboveground and is coated for atmospheric corrosion protection utilizing Buckeye Procedure CS-PL-001 (Carboline multi coat and Sherwin Williams applications). The ***special permit segment*** is situated within the Tampa North Terminal tank dike, with a 500-foot section of 12-inch diameter piping located outside of dike containment. There are no welded supports, brackets, or braces along the ***special permit segment***.

The ***special permit segment*** was constructed with butt-weld fittings and American National Standards Institute (ANSI) Class 150 flanges with a working pressure of 285 pounds per square inch gauge (psig). Fittings (elbows and tees) are Wrought Pipe-High Yield (WPHY) grade 52 steel manufactured to ASME/ANSI B16.9-2013 edition or Manufacturers Standardization Society of the Valve and Fittings Industry (MSS) SP75-2014 edition standards as appropriate to the steel. The ***special permit segment*** includes sixteen (16) 12-inch diameter valves and thirteen (13) 8-inch diameter ANSI Class 150, 285 psig rated valves. All valves were manufactured to ASME/ANSI B16.34, which incorporates the requirements of API 600/598.

The maximum operating pressure (MOP) of the *special permit segment* is 220 psi. The *special permit segment* will be operated at a normal operating pressure of 180 psi, which is less than 20% specified minimum yield strength (SMYS) on the entire *special permit segment*. The piping is designated as could affect high consequence area (HCA) piping under 49 CFR 195.452. The aboveground *special permit segment* is located entirely within Buckeye's Tampa North Terminal in Hillsborough County, Florida. The *special permit segment* does not cross any federal, state, county, or city roadways.

PHMSA grants this special permit based on the findings set forth in the Special Permit Analysis and Findings, Final Environmental Assessment and Finding of No Significant Impact documents, which can be read in their entirety in Docket No. PHMSA-2020-0003 in the Federal Dockets Management System located on the internet at [www.regulations.gov](http://www.regulations.gov).

#### **IV. Conditions**

To provide an equivalent level of safety for the *special permit segment*, the special permit conditions include mitigative measures for integrity, testing, and daily operational monitoring which meet or exceed the 49 CFR Part 195 requirements. These measures include: (1) hydrostatically testing the *special permit segment* in accordance with 49 CFR Part 195, Subpart E, (2) performing 100% nondestructive testing (NDE/radiography) of the welds along the *special permit segment*, as well as repair of girth welds that do not meet the approval standards in accordance with 49 CFR Part 195.234, and (3) daily monitoring of the 2,700-feet of aboveground terminal piping. PHMSA believes that these additional measures, which are designed to prevent leaks and ruptures, and timely identify an accident should a failure occur, will ensure that the special permit is not inconsistent with pipeline safety.

PHMSA grants this special permit subject to Buckeye implementing the following conditions on the *special permit segment* prior to usage as a 49 CFR Part 195.1 pipeline:

##### **1) Condition 1: 49 CFR 195.116(d) Valves**

- i) Buckeye must perform a 4-hour hydrostatic pressure test of the entire *special permit segment* as required by 49 CFR Part 195, Subpart E, to ensure the integrity of the valves provide an equivalent level of safety as that required by ANSI/API

Specification 6D and API 600/598 requirements. The hydrotest must be inclusive of all piping, valves, fittings, and equipment, using water with a minimum test pressure of 275 psig for a MOP of 220 psig. There must be no indications of any integrity issues in the *special permit segment*.

- ii) Buckeye must submit the hydrostatic pressure test results for the *special permit segment* to the Director, PHMSA Eastern Region, and receive a “no objection” letter prior to placing the *special permit segment* into 49 CFR Part 195 operational service.

## 2) **Condition 2 – 49 CFR 195.118 Fittings**

Buckeye must use fittings that meet 49 CFR 195.118 or a more recent edition of the standard referenced in 49 CFR 195.118 that has more rigorous testing requirements with regard to the number of prototypes tested and test pressures used to measure the fitness of a butt-weld type fitting.

- The more recent editions of ANSI B16.9 – 2012 (2013) Edition and MSS-SP-75 - 2014 Edition require more rigorous testing with regard to the number of prototypes tested and test pressures used to measure the fitness of a butt-weld type fitting than the 49 CFR 195.118 incorporated by reference (IBR) editions of ANSI B16.9 and MSS-SP-75. Buckeye stated that the following standards were used: ANSI B16.9 – 2012 (2013) Edition and/or MSS SP-75 - 2014 Edition. Part 195 incorporates by reference B16.9 – 2007 Edition and MSS-SP-75- 2008 Edition.
- Therefore, no additional special permit conditions related to fittings are required for Buckeye to meet the safety requirements of 49 CFR 195.118 for the *special permit segment*.

## 3) **Condition 3 – 49 CFR 195.228 Welds and welding inspections: Standards of acceptability**

Buckeye must perform welding and weld inspection both visually and with 100% radiography of all girth welds in the *special permit segment* in accordance with 49 CFR 195.228.

- Buckeye has stated radiography was performed as follows: American Society for

Non-destructive Testing (ASNT) Level II Technicians were used to meet the requirements of API 1104.<sup>3</sup> Examinations were performed on 100% of the previously completed girth welds using the wire type image quality indicators (IQI) method. Based on the results of the 100% radiography, Buckeye completed repairs to a small portion of welds (17 of the 103 welds) using Buckeye weld procedure P-2A to meet the requirements of 49 CFR 195.214 and 195.222. Performing 100% radiographic weld inspection meets the requirements of 49 CFR 195.234. Further, initial welds were made by a welder that was fully qualified to perform welds under Buckeye's P-2A Weld Procedure in accordance with API 1104 requirements and 49 CFR 195.222. Buckeye has stated the pipeline girth welds are compliant with API 1104 and 49 CFR Part 195.

**4) Condition 4 - 49 CFR 195.230 Welds: Repair or removal of defects**

Buckeye must perform the following girth weld inspections and repairs in the *special permit segment*:

- i) 100% of all girth welds must be radiographically inspected in accordance with 49 CFR 195.228, and
- ii) Girth welds in the *special permit segment* that do not meet API 1104 acceptability standards must be repaired by a qualified welder in accordance with 49 CFR 195.214 and 195.222. The girth weld defect repair must meet 49 CFR 195.228 standards of acceptability.

**5) Condition 5 - 49 CFR 195.234(c) Welds: Nondestructive testing**

Buckeye must perform 100% nondestructive testing on all girth welds in the *special permit segment* using radiography and wire type image quality indicators (IQIs) in accordance with 49 CFR 195.228, 195.230, 195.234, and API 1104.

**6) Condition 6 - Enhanced Daily Monitoring**

Buckeye must perform enhanced monitoring of the *special permit segment* with the

---

<sup>3</sup> The API Standard 1104 (API 1104) 20<sup>th</sup> edition is incorporated by reference in 49 CFR 195.3(b)(20).

following inspections:

- i) Staff the North Tampa Terminal 24 hours a day, 7 days a week with at least one person working at the terminal; and
- ii) Perform visual monitoring of the *special permit segment* by walking the property three (3) times a day to ensure timely identification and notification of any potential leaks or integrity conditions to the Buckeye Control Center and local operations. These patrols must be documented on Buckeye's Secondary Containment Inspection Form.

## V. Limitations:

This special permit is subject to the limitations set forth in 49 CFR 190.341 as well as the following limitations:

- 1) PHMSA has the sole authority to make all determinations of whether Buckeye has complied with the specified conditions of this special permit. Failure to comply with any condition of this special permit may result in revocation of the permit.
- 2) Any work plans and associated schedules for the *special permit segment* are automatically incorporated into this special permit and are enforceable in the same manner.
- 3) As provided in 49 CFR 190.341, PHMSA may issue an enforcement action for failure to comply with this special permit. The terms and conditions of any corrective action order, compliance order, or other order applicable to a pipeline facility covered by this special permit will take precedence over the terms of this special permit.
- 4) If Buckeye sells, merges, transfers, or otherwise disposes of all or part of the assets known as the *special permit segment*, Buckeye must provide the Director, PHMSA Eastern Region with written notice of the change within 30 days of the consummation date. In the event of such transfer, PHMSA reserves the right to revoke, suspend, or modify the special permit if the transfer constitutes a material change in conditions or circumstances underlying the permit.



5) PHMSA grants this special permit for a term of 10 years from the date of issuance. If Buckeye elects to seek renewal of this special permit, Buckeye must submit its renewal request at least 180 days prior to expiration of the 10-year period to the PHMSA Associate Administrator for Pipeline Safety with copies to the Director, PHMSA Eastern Region, and to the Director, PHMSA Engineering and Research Division. All requests for a renewal must include the details in 49 CFR 190.341(f) which include a summary report and must demonstrate that the special permit is still consistent with pipeline safety. PHMSA may seek additional information from Buckeye prior to granting any request for special permit renewal.

AUTHORITY: 49 U.S.C. 60118 (c)(1) and 49 CFR 1.97.

Issued in Washington, DC on October 15, 2021.

Alan K. Mayberry,

Associate Administrator for Pipeline Safety.