



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

1200 New Jersey Avenue, SE
Washington, DC 20590

July 28, 2023

Mr. Alex J. Kirschling
Pipeline Safety Program Manager
Division of Energy Regulation and Analysis
Public Service Commission of Wisconsin
4822 Madison Yards Way
P.O. Box 7854
Madison, Wisconsin 53707-7854

Re: Docket No. PHMSA-2023-0063
Public Service Commission of Wisconsin – Docket – 9250-PL-2023

Dear Mr. Kirschling:

On July 5, 2023, pursuant to 49 United States Code (USC) § 60118(d), the Public Service Commission of Wisconsin (Commission) notified the Pipeline and Hazardous Materials Safety Administration (PHMSA) that it granted a waiver to Republic Services of Wisconsin, LP (Republic). The Commission issued the waiver (Docket – 9250-PL-2023) to Republic on July 3, 2023, for the 0.6-mile-long Kestrel Hawk pipeline, which is an 8-inch HDPE pipeline that carries landfill biogas in Racine County, Wisconsin.

The waiver allows Republic to continue to operate the Kestrel Hawk pipeline although the high-density polyethylene (HDPE) was not tested to meet the requirements of a listed ASTM International (formerly known as the American Society for Testing and Materials) (ASTM) specification incorporated by reference in 49 Code of Federal regulations (CFR) § 192. The applicant requested a waiver of 49 CFR §§ 192.59(a)(1) and 192.63(a) to continue using the 8-inch HDPE pipe.

Pursuant to 49 USC § 60118(d), PHMSA does not object to issuance of this waiver by the Commission to Republic.

If you wish to discuss this or any other pipeline safety matter, please contact Mary L. McDaniel, Acting Director of Engineering and Research Division, at 713-272-2847.

Sincerely,

Alan K. Mayberry,
Associate Administrator for Pipeline Safety