



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

**JUL 31 2018**

Mr. Alan L. Prouty  
Vice President,  
Sustainability & Regulatory Affairs  
Simplot Company  
1099 W. Front Street  
P.O. Box 27  
Boise, ID 83707

Dear Mr. Prouty:

In a September 28, 2017, letter to the Pipeline and Hazardous Materials Safety Administration (PHMSA), you requested an interpretation of 49 CFR Part 192. Specifically, you requested interpretation of the odorization requirement under § 192.625(f).

You stated the pipeline facility transports biogas that has natural odorizing smell. Therefore, you asked whether Simplot Company must comply with the § 192.625(f) requirements since the gas contains a strong natural odor whose concentration cannot be changed. In addition, in a May 21, 2018, email you provided documentation that describes the pipeline as a 1-mile long, 8-inch diameter biogas plastic (HDPE) intrastate transmission line in a Class 2 location. The document also shows the line operating at a maximum allowable operating pressure (MAOP) of 15 psig or 29.4 percent of the specified minimum yield strength (SMYS).

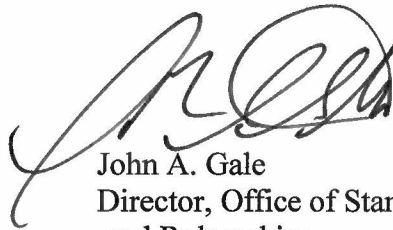
Section 192.625 does not require transmission pipelines in Class 1 and Class 2 locations to be odorized. Therefore, under the Federal pipeline safety regulations, you are not required to odorize the pipeline.

The Pipeline and Hazardous Materials Safety Administration, Office of Pipeline Safety provides written clarifications of the Regulations (49 CFR Parts 190-199) in the form of interpretation letters. These letters reflect the agency's current application of the regulations to the specific facts presented by the person requesting the clarification. Interpretations do not create legally-enforceable rights or obligations and are provided to help the public understand how to comply with the regulations.

Please be advised, however, that 49USC. 60104(c) allows states with a certification under § 60105(a) to adopt additional or more stringent safety standards for intrastate pipeline facilities and intrastate pipeline transportation if those standards are compatible with the minimum standards prescribed by Federal law. Consequently, the State of Washington, which has a certification to regulate intrastate gas transmission pipelines, may have more stringent regulations – including odorization for intrastate transmission lines in all intrastate Class locations which may apply to your pipeline.

If we can be of further assistance, please contact Tewabe Asebe at 202-366-5523.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. A. Gale', is positioned above the printed name and title.

John A. Gale  
Director, Office of Standards  
and Rulemaking



J.R. Simplot Company  
Simplot Headquarters  
1099 W. Front Street  
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P.O. Box 27  
Boise, Idaho 83707

208 336 2110

September 28, 2017

**SENT VIA UPS OVERNIGHT DELIVERY**

U.S. Department of Transportation  
Pipeline and Hazardous Materials Safety Administration  
East Building, 2nd Floor  
Mail Stop: E24-455  
1200 New Jersey Ave., SE  
Washington, DC 20590

Dear Sir or Madam:

Simplot Foods Group requests an interpretation of 49 CFR, Part 192.625 in regards to odorant testing of a naturally odorized biogas pipeline.

As background information, the pipeline facility in question transports biogas produced by an anaerobic digester to an industrial facility to be used as boiler fuel. The natural characteristics of this biogas give it a strong smell and contains hydrogen sulfide which is a toxic gas. The naturally produced odor and hydrogen sulfide is produced by the biologic action of the bacteria consuming the organic material within the digester and is not added to the gas stream as would a traditional odorant.

Additionally, 49 CFR, Part 192.625(f) requires the use of an instrument to determine odorant concentration. The traditional methods of determining odorant concentration uses an odorometer which subjects operating personnel to breathing the hydrogen sulfide which is toxic.

Specifically Simplot requests an interpretation of 49 CFR, Part 192.625(f) specifically if the gas contains a strong natural odor whose concentration cannot be changed due to the biologic process by which it is produced, and that gas contains a toxic constituent which precludes traditional concentration testing, can odorant concentration testing be waived in this situation.

Thank you for your prompt attention and response to this letter. Your interpretation and insight are greatly appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read 'A.L. Prouty', with a stylized flourish extending to the right.

Alan L. Prouty  
Vice President, Sustainability & Regulatory Affairs

cc: Tara Swanson, J.R. Simplot Company  
Burl Ackerman, J.R. Simplot Company  
Alicia Duke, J.R. Simplot Company