



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety  
Administration**

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

AUG 31 2018

Mr. Thomas M. Stemrich  
Pipeline Safety Program Manager  
Division of Energy Regulation  
Public Service Commission of Wisconsin  
4822 Madison Yards Way  
P. O. Box 7854  
Madison, WI 53707-7854

**PHMSA-2018-0089**

Dear Mr. Stemrich:

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has reviewed your letter dated August 17, 2018 notifying us that on behalf of New Organic Digestion (NOD), Zion Engineering petitioned the Public Service Commission (Commission) of Wisconsin for a State Waiver to waive compliance of 49 CFR 192.59 and 192.63, for the use of an 8-inch high density polyethylene (HDPE) pipe that is manufactured and tested to meet the requirements of ASTM F2619, for its Denmark Pipeline project near Denmark, Wisconsin.

NOD is constructing a new bio-digester near Denmark, Wisconsin. The bio-digester will break down organic material and produce methane gas. This gas will be collected and cleaned by a proprietary process on site. The clean, pipeline quality gas will be transported by pipeline to an interconnect injection site approximately 3.22 miles away near the intersection of North Avenue and Brown County Trunk Highway R on the north side of Denmark, Wisconsin. At the interconnect site, the methane gas will be compressed, run through a custody transfer meter, and injected into an ANR Pipeline, 4-inch, steel natural gas interstate pipeline. There is additional equipment at the interconnect site to remove free water, particulates and compressor lubricant from the natural gas. Additional information on the project is available via the Commission docket (PSC REF#: 346328).

A waiver is needed because 49 CFR 192.59 requires that plastic pipe be manufactured in accordance with a listed specification. The only listed specification in Federal Code for HDPE pipe is ASTM D2513. The pipe supplied and installed for the project is 8-inch, O.D., SDR 11, PE4710 material manufactured and tested to ASTM F2619/API 15LE by the manufacturer. ASTM F2619 covers the requirements and test methods for high-density polyethylene (PE) materials, line pipe, and fittings used in pressure or non-pressure oil and gas producing applications to convey fluids such as oil, dry or wet gas, multiphase fluids, and non-potable oilfield water. 49 CFR 192.63 requires the pipe to be marked in accordance with the requirements of the listed specification, which includes listing the manufacturing standard for the pipe. The markings on the pipe that was installed show other standards including ASTM F2619, but not ASTM D2513.

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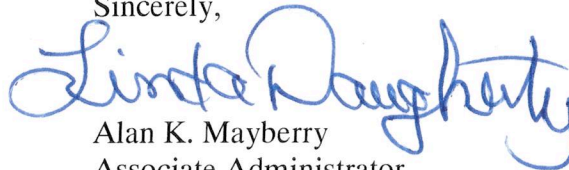
**PHMSA-2019-0089**

The pipe manufacturer provided the HDPE Pipe Test Certificate for the pipe supplied for the project along with a sample HDPE Pipe Test Certificate for their ASTM D2513 pipe, which was manufactured at the same plant. The testing for both products indicate that they have been tested to the same specifications and both meet or exceed the requirements of ASTM D2513.

The Commission is also imposing additional restrictions on the operator, including limiting repair to electrofusion only, and limiting any replacement or extension of the system to pipe manufactured and marked with the ASTM D2513 designation. Based on review of the application and the conditions placed on NOD by the Commission, PHMSA has no objection to the waiver and asks that the Commission return to PHMSA a copy of a Final Order provided to NOD.

My staff would be pleased to discuss this matter or any other regulatory matter with you. John Gale, Director, Standards and Rulemaking Division, may be contacted at 202-366-0434 on regulatory matters. Kenneth Lee, Director, Engineering and Research Division, may be contacted at 202-366-2694 on technical matters specific to this waiver.

Sincerely,



Alan K. Mayberry  
Associate Administrator  
Office of Pipeline Safety