



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety
Administration**

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

November 5, 2019

Via email

Mr. Doug Peterson
Nebraska Attorney General
2115 State Capitol
Lincoln, NE 68509

Dear Attorney General Peterson:

On July 30, 2019, a representative of the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an evaluation of Nebraska's enforcement of its excavation damage prevention law. PHMSA conducted this evaluation pursuant to 49 United States Code § 60114 and 49 Code of Federal Regulations Part 198, Subpart D -- State Damage Prevention Enforcement Programs. Based on this evaluation, PHMSA has determined that the enforcement of Nebraska's excavation damage prevention law is "adequate."

As you may be aware, excavation damage continues to be a leading cause of pipeline failures, some of which have resulted in fatalities, serious injuries, and environmental damage. Nationwide statistics show that effective enforcement of state damage prevention laws reduces excavation damage and pipeline incidents, resulting in enhanced public safety.

In closing, PHMSA appreciates your dedication to safety and encourages the Nebraska Public Service Commission and the Nebraska damage prevention stakeholder community to continue to support damage prevention outreach initiatives. Should you have any questions regarding this letter, please contact Dr. Christie Murray, our Director of Outreach and Engagement, at (202) 366-4996 or by email at Christie.Murray@dot.gov.

Sincerely,

Massoud Tahamtani
Deputy Associate Administrator, Policy and Programs
Office of Pipeline Safety

cc: Mr. Christopher Cantrell, State Fire Marshal,
Nebraska State Fire Marshal's Office
Mr. David Levering, Fuels Safety Division, Chief Deputy
Nebraska State Fire Marshal's Office
Ms. Milissa Johnson-Wiles, Nebraska Assistant Attorney General,
Nebraska Attorney General's Office