



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

March 16, 2021

Via Email

Mahesh Albuquerque  
Director  
Colorado Division of Oil and Public Safety  
633 17th Street, Suite 500  
Denver, CO 80202-3610

Dear Director Albuquerque:

On October 27, 2020, a representative of the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an evaluation of the Colorado Division of Oil and Public Safety’s enforcement of the Colorado excavation damage prevention law. PHMSA conducted this evaluation pursuant to 49 United States Code (USC) § 60114 and 49 Code of Federal Regulations (CFR) Part 198, Subpart D—State Damage Prevention Enforcement Programs. Based on this evaluation, PHMSA has determined that the enforcement of the Colorado excavation damage prevention law is “adequate.”

PHMSA evaluates a state’s excavation damage prevention enforcement program based on the criteria detailed in 49 CFR 198.55 and scores the state’s compliance with those criteria. It is our understanding that all Colorado “Home Rule” communities are currently included in the statewide enforcement program administered by the Division of Oil and Public Safety, and that any Home Rule communities seeking to opt out of the statewide enforcement program in the future will be required to establish a program similar to the statewide program.

As you are 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.

Mahesh Albuquerque

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Should you or your staff have any questions regarding this letter, please contact Annmarie Robertson, PHMSA Senior Program Manager, at (317) 964-1670 or by email at [annmarie.robertson@dot.gov](mailto:annmarie.robertson@dot.gov).

Sincerely,

A handwritten signature in blue ink, consisting of a large, sweeping arch over the letters 'M' and 'T', with a long horizontal line extending to the right.

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

cc: Eric Kirkpatrick, Chair, Colorado Underground Damage Prevention Safety Commission