



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

August 2, 2023

Via Email

Mr. Eric Strauss  
Administrator, Business Standards Division  
Montana Department of Labor & Industry  
P.O. Box 8011  
Helena, MT 59601

Dear Mr. Strauss:

On June 22, 2023, a representative of the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an evaluation of the Montana Department of Labor and Industry's enforcement of the Montana State 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 Montana excavation damage prevention law is "adequate."

PHMSA appreciates your dedication to pipeline safety. As you are aware, excavation damage continues to be a leading cause of pipeline failures, some of which result 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.

Should you or your staff have any questions regarding this letter, please contact Mr. David Appelbaum, PHMSA State Evaluator, at (202) 617-6329 or by email at David.Appelbaum@dot.gov.

Sincerely,

A handwritten signature in blue ink, reading "Zach Barrett", is written over a light blue circular background.

Zach Barrett  
Director, State Programs

cc: Joel Tierney, Pipeline Safety Program Manager, Montana Public Service Commission