



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

1200 New Jersey Avenue, SE
Washington, DC 20590

September 30, 2025

Via Email

Mr. Kerrick Johnson
Commissioner
Vermont Department of Public Service
112 State St.
Montpelier, VT 05620-2601

Dear Commissioner Johnson:

On September 29, 2025, a representative of the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) conducted an evaluation of the enforcement by the Vermont Department of Public Service of the Vermont 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 determined that enforcement of the Vermont excavation damage prevention law is “adequate.”¹

As a reminder, PHMSA requests that each State continue to review its laws, definitions of “excavation,” and relevant best practices to determine whether onshore submerged facilities, dredging, and other related maritime or underwater excavation activities are included. This request is based on recommendations from the National Transportation Safety Board (NTSB) after a 16-inch liquid propane pipeline was damaged by a dredging vessel on August 21, 2020.² Please ensure that your State has the legal authority and procedures in place to preserve public safety during dredging operations and other related maritime or underwater excavation activities.

PHMSA appreciates your dedication to pipeline safety. As you are aware, excavation damage remains 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, thereby enhancing public safety.

¹ PHMSA will only deem a state as either “adequate” or “inadequate.”

² See NTSB Report MAR21/05 dated December 7, 2021, *Hazardous Liquid Pipeline Strike and Subsequent Explosion and Fire aboard Dredging Vessel Waymon Boyd*

Commissioner Johnson

Page 2

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

Sincerely,

A handwritten signature in blue ink that reads "Zach Barrett". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Zach Barrett
Director, State Programs

Cc: Mr. William B. Jordan, Director of Engineering, Vermont Department of Public Service