



**STATE OF RHODE ISLAND**

**DIVISION OF PUBLIC UTILITIES & CARRIERS**

**Administration**

**89 Jefferson Boulevard**

**Warwick, Rhode Island 02888**

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February 27, 2024

The Honorable Joseph J. Solomon, Jr.  
Chairman - House Corporations Committee  
State House  
Providence, R.I. 02903

**Re: H-7427 Public Utilities – Dig Safe Amendment**

Dear Chairman Solomon:

The measure would amend R.I. Gen. Laws § 39-1.2-11 to reflect language recommended by the federal (US DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA), specifically the directive to states in 49 CFR 198.55(a)(6)(iii)(B). It would require excavators to call 911 every time there has been damage to an underground pipeline resulting in electrical short or containing hazardous materials such as gas and oil, regulated by PHMSA. The current legislation requires notification of 911 only “if the damage presents an immediate danger to life and health of employees or pedestrians in the surrounding area”.

PHMSA is asking Rhode Island and all other states to adopt similar language. The agency predicates funding on state compliance with federal provisions. They are requesting this amendment to comply with the national standard.

Attached is a letter from Alan K. Mayberry, Associate Administrator for Pipeline Safety at PHMSA in support of this measure.

Sincerely,

A handwritten signature in blue ink that reads "Linda George".

Linda George, Esq.  
Administrator, RI Division of Public Utilities and Carriers

CC: The Honorable Representative Anthony J. DeSimone  
The Honorable Members of the House Committee on Corporations  
Nicole McCarty, Esq., Chief Legal Counsel

ENCL: Letter from Alan K. Mayberry, USDOT, PHMSA Associate Administrator for Pipeline Safety



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

1200 New Jersey Avenue, SE  
Washington, DC 20590

February 8, 2024

Via Email

The Honorable Joseph J. Solomon Jr.  
Chairman, House Corporations Committee  
State of Rhode Island General Assembly  
82 Smith Street  
Providence, RI 02903

Dear Chairman Solomon:

I'm writing in support of Legislative Bill H 7427 (H 7427) Relating to Public Utilities and Carriers – Excavation Near Underground Utility Facilities. Excavation damage continues to be a leading cause of pipeline failures potentially resulting in deaths and injuries. The Pipeline and Hazardous Materials Safety Administration (PHMSA) is dedicated to assuring the safety of the public living and working around pipelines. H 7427 would close an existing gap in Rhode Island General Law § 39-1.2-11 which requires an excavator to call 911 in case of a release of gas only if there is an immediate danger to life and health of employees or pedestrians in the surrounding area. The federal regulations for evaluating state damage prevention enforcement programs under 49 CFR 198.55(a)(6)(iii)(B) requires an excavator to promptly report to appropriate authorities by calling 911 if the damage results in the escape of any flammable, toxic, or corrosive gas or liquid. H 7427 will comply with the federal law, eliminate confusion determining what constitutes an immediate danger, and make certain first responders are made aware of releases of gas or hazardous liquids so they can respond as appropriate.

Thank you for your actions to improve public safety, if you have any questions regarding this letter, please contact Mr. Zach Barrett, PHMSA Director of State Programs Division, at (405) 834-8344 or by email at [Zach.Barrett@dot.gov](mailto:Zach.Barrett@dot.gov).

Sincerely,

Alan K. Mayberry  
Associate Administrator for Pipeline Safety