

Inspection Output (IOR)

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Report Filters

Assets All, and including items not linked to any asset.

Results All

Inspection Information

Inspection Name [8778] Ellensburg 2024 D&A	Operator(s) ELLENSBURG GAS DEPT, CITY OF (4400) Lead Lex Vinsel	Plan Submitted 06/06/2024 Plan Approval 06/11/2024 by Dennis Ritter
Status LOCKED	Team Members Derek Norwood, Tom Green, Jason Hoxit	All Activity Start 06/11/2024
Start Year 2024	Observer(s) David Cullom, Anthony Dorrough, Scott Anderson	All Activity End 06/12/2024
System Type DA	Supervisor Dennis Ritter	Inspection Submitted 06/25/2024
Protocol Set ID DA.2024.01	Director Scott Rukke	Inspection Approval 06/26/2024 by Scott Rukke

Inspection Summary

Inspection Scope and Summary

Drug & Alcohol Program inspection for City of Ellensburg Gas Department

Facilities visited and Total AFOD

City of Ellensburg Offices

Summary of Significant Findings

(DO NOT Discuss Enforcement options)

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Primary Operator contacts and/or participants

Darren Larsen, Ellensburg, Assistant Utilities Director, 509-962-7227 O; 509-929-7227 M

Darin Yusi, Ellensburg, Gas Engineer, 509-962-7229 O; 509-607-3035 M

Operator executive contact and mailing address for any official correspondence

Heidi Behrends Cerniway, Ellensburg, City Manager, 509-962-7221 O

Scope (Assets)

#	Short Name	Long Name	Asset Type	Asset IDs	Excluded Topics	Planned	Required	Total Inspected	Required % Complete
1.	88964 (89)	City of Ellensburg	unit	88964	--	40	40	40	100.0%

1. Percent completion excludes unanswered questions planned as "always observe".

Plans

#	Plan Assets	Focus Directives	Involved Groups/Subgroups	Qst Type(s)	Extent	Notes
1.	88964 (89)	--	DA	P, R, O, S	Detail	--

Plan Implementations

Activity #	Activity Name	SMAR T Act#	Start Date	End Date	Focus Directive s	Involved Groups/Subgroups	Assets	Qst Type(s)	Planned	Required	Total Inspected	Required % Complete
1	Ellensburg D&A	--	06/11/2024	--		DA	88964 (89)	all types	40	40	40	100.0%

1. Since questions may be implemented in multiple activities, but answered only once, questions may be represented more than once in this table.
2. Percent completion excludes unanswered questions planned as "always observe".

Forms

No.	Entity	Form Name	Status	Date Completed	Activity Name	Asset
1.	Attendance List	Ellensburg D&A	COMPLETED	06/23/2024	Ellensburg D&A	88964 (89)

Results (all values, 40 results)

DA.GENERAL: General Program Requirements

1. Question Result, ID, References **Sat, DA.GENERAL.DER.R, 40.3 (40.15(d), 40.355(k))**

Question Text *Has the operator appointed a company employee as the Designated Employer Representative (DER)?*

Assets Covered **88964 (89)**

Result Notes **Human Resource Director, Lisa Young, is Designated Employee Representative (DER). Listed in Appendix A of Anti-Drug Plan & Alcohol Misuse Prevention Plan. Currently page 24 & 64 in 2020 Policy.**
2. Question Result, ID, References **Sat, DA.GENERAL.SERVICEAGENTOVERSIGHT.P, 40.11(b) (40.11(c), 40.15(c), 40.341(a), 40.355(a), 40.355(m), 40.355(n))**

Question Text *Does the process ensure the operator remains responsible for the actions of all its service agents, including a Consortium/Third Party Administrator (C/TPA)?*

Assets Covered **88964 (89)**

Result Notes **Yes. Ellensburg has a third-party administrator/part of the consortium with Association of Washington Cities (AWC).**
3. Question Result, ID, References **Sat, DA.GENERAL.COVEREDEMPLOYEES.P, 199.3 (199.1, 40.347(b)(2))**

Question Text *Does the process result in the proper and complete identification of covered employees and the exclusion of non-covered employees?*

Assets Covered **88964 (89)**

Result Notes **Yes, The positions that are covered are listed in Appendix B of the D&A Program. Page 25 & 26**
4. Question Result, ID, References **Sat, DA.GENERAL.PREVIOUSEMPLOYERRECORDS.P, 40.25(a) (40.25(b), 40.25(c), 40.25(d), 40.25(e), 40.25(f), 40.25(g), 40.27, 40.321(b), 40.351(d))**

Question Text *Does the process include previous employer DOT D&A record checks for employees seeking to perform covered functions for the first time (i.e., a new hire or an employee transferring into a safety-sensitive position)?*

Assets Covered **88964 (89)**

Result Notes **Yes. If the position is covered under FMCSA they run a pre-employment full query on the potential employee under the Federal Motor Clearinghouse.**
5. Question Result, ID, References **Sat, DA.GENERAL.NONDOTTESTS.P, 40.13(a) (40.13(b))**

Question Text *Does the process separate and prioritize DOT drug and alcohol testing over all non-DOT drug and alcohol testing?*

Assets Covered **88964 (89)**

Result Notes Yes, a Federal Drug Testing CCF is used when tests are conducted for DOT testing. If a non-DOT test is needed, a Non-federal Drug Testing CCF is used.

6. Question Result, ID, References Sat, DA.GENERAL.CONTRACTOROVERSIGHT.P, 199.115 (199.115(a), 199.115(b), 199.245(a), 199.245(b), 199.245(c))

Question Text *If a contractor performs covered functions on the pipeline and is allowed to have its own D&A Programs, does the process ensure the contractor fully complies with Parts 199 and 40?*

Assets Covered 88964 (89)

Result Notes Yes, Outside contractors must have their own D&A program that complies with Parts 199 and 40. Pages 23 & 63 in Substance Abuse Testing Policy.

Reviewed contractor personnel qualifications for 2022 project 19-013, Dolarway Culvert (2022).

7. Question Result, ID, References Sat, DA.GENERAL.MISREPORTS.P, 199.119(a) (199.3, 199.119(f), 199.229(a), 199.229(d), 40.26)

Question Text *Does the process ensure D&A MIS reports are submitted annually to PHMSA as required?*

Assets Covered 88964 (89)

Result Notes City of Ellensburg has less than 50 covered employees, so they are not required to submit MIS reports to PHMSA unless requested by PHMSA.

PHMSA requested MIS in 2023 & 2020

DA.DRUG: Anti-Drug Program

8. Question Result, ID, References Sat, DA.DRUG.PLAN.P, 199.101(a) (199.101(a)(1), 199.101(a)(2), 199.101(a)(3), 199.101(a)(4))

Question Text *Is a written Anti-Drug Plan in-place and maintained that conforms to the requirements of Part 199 and Part 40?*

Assets Covered 88964 (89)

Result Notes Yes, see Section 9.14.9 of the Personnel Policies Manual. Ellensburg has a D&A Policy for FMCSA and PHMSA.

9. Question Result, ID, References Sat, DA.DRUG.SERVICEAGENTQUAL.R, 199.5 (199.107(a), 199.109(b), 40.33, 40.81(a), 40.121, 40.281)

Question Text *Do records indicate that Anti-Drug program positions and/or service agents meet the applicable qualification requirements of Part 40 and Part 199?*

Assets Covered 88964 (89)

Result Notes Yes. The laboratory is SAHMSA certified, the MRO is credentialed, the collectors are trained in DOT collections.

Reviewed Certified Credential for Philip A. Lopez, M. D. Certification Number 2214373.

10. Question Result, ID, References Sat, DA.DRUG.PROHIBITEDDRUGS.P, 199.3 (40.3)

Question Text *Does the process require that DOT drug tests are only conducted for the "prohibited drugs" specified in Part 40?*

Assets Covered 88964 (89)

Result Notes Yes. Ellensburg tests for THC, COC, PCP, OPI, AMP (box checked on Federal CCF).

11. Question Result, ID, References Sat, DA.DRUG.PREEMPLOYMENT.P, 199.105(a) (199.105(c)(5))

Question Text *Does the process require that no individual is allowed to perform a covered function unless that individual passes a drug test or is covered by an anti-drug program that conforms to Part 199?*

Assets Covered 88964 (89)

Result Notes Yes. This is addressed on page 7 of the D&A PHMSA Policy.

12. Question Result, ID, References Sat, DA.DRUG.POSTACCIDENT.P, 199.105(b) (199.117(a)(5), 40.355(g), 40.355(h))

Question Text *Does the process ensure that post-accident drug testing is conducted as required?*

Assets Covered 88964 (89)

Result Notes Yes. This is addressed on page 7 of the D&A PHMSA Policy and page 44 of the Alcohol Misuse Prevention Plan. Ellensburg uses a determination form for both PHMSA and FMCSA.

Reviewed PHMSA Drug and Alcohol Testing Form - Appears adequate.

13. Question Result, ID, References Sat, DA.DRUG.RANDOM.P, 199.105(c)(5) (199.105(c)(6), 199.105(c)(7), 199.105(c)(8), 199.105(c)(9))
Question Text *Does the process ensure that random drug testing is conducted as required?*
Assets Covered 88964 (89)
Result Notes Yes Ellensburg addresses this on page 9 for the D&A PHMSA Policy. Ellensburg is part of the AWC Drug & Alcohol Consortium and PROCOM sends random drug testing selections quarterly.
14. Question Result, ID, References Sat, DA.DRUG.REASONABLECAUSE.P, 199.105(d) (199.117(a)(3), 40.355(g), 40.355(h))
Question Text *Does the process ensure that reasonable cause drug testing is conducted as required?*
Assets Covered 88964 (89)
Result Notes D&A PHMSA policy on page 9.
15. Question Result, ID, References Sat, DA.DRUG.RETURNTODUTY.P, 199.105(e) (Part 40 Subpart O, 40.67(b), 40.285(a), 40.289(b), 40.305(a))
Question Text *Does the process ensure that return-to-duty drug testing is conducted as required?*
Assets Covered 88964 (89)
Result Notes Yes. D&A PHMSA policy on page 10.
16. Question Result, ID, References Sat, DA.DRUG.FOLLOWUPTTEST.P, 199.105(f) (40.67(b), 40.307, 40.309)
Question Text *Does the process ensure that follow-up drug testing is conducted as required?*
Assets Covered 88964 (89)
Result Notes D&A PHMSA policy on page 10.
17. Question Result, ID, References Sat, DA.DRUG.MRODUTIES.P, 199.109(c) (199.109(a), 40.123(a), 40.123(b), 40.123(c), 40.123(e), 40.123(f), 40.123(g), Part 40 Subpart G)
Question Text *Does the process ensure the MRO performs functions as required by DOT Procedures?*
Assets Covered 88964 (89)
Result Notes Yes . D&A PHMSA policy on page 15.
18. Question Result, ID, References Sat, DA.DRUG.MROTESTREPORTS.P, 199.109(d) (Part 40 Subpart G, 40.345(a), 40.345(b), 40.345(c), 40.355(b), 40.355(c))
Question Text *Does the process ensure the MRO reports all drug test results to the DER as required?*
Assets Covered 88964 (89)
Result Notes D&A PHMSA policy on page 15. Ellensburg is notified by e-mail when results are available.
19. Question Result, ID, References Sat, DA.DRUG.STANDOWNREMOVAL.P, 199.103(a) (199.7(a), 40.21(a), 40.21(b), 40.23(a), 40.23(b), 40.23(d), 40.287)
Question Text *Does the process ensure an employee is immediately removed from performing covered functions after failing or refusing a drug test?*
Assets Covered 88964 (89)
Result Notes Yes. D&A PHMSA policy on page 12 & 50.
20. Question Result, ID, References Sat, DA.DRUG.EAP.P, 199.113(a) (199.113(b), 199.113(c))
Question Text *Does the process ensure that an EAP is established and available to employees and supervisory personnel?*
Assets Covered 88964 (89)
Result Notes Yes. Ellensburg has a Employee Assistance Program(EAP). Contact information for the EAP is listed in Appendix A. page 24 and 64. Additional EAP information on page 21 and 60.

DA.ALCOHOL: Alcohol Misuse Prevention Program

21. Question Result, ID, References Sat, DA.ALCOHOL.PLAN.P, 199.202

Question Text *Is a written Alcohol Misuse Plan in-place and maintained that conforms to the requirements of Part 199 and Part 40?*

Assets Covered 88964 (89)

Result Notes D&A PHMSA Policy beginning on page 38.

22. Question Result, ID, References Sat, DA.ALCOHOL.SERVICEAGENTQUAL.R, 199.5 (40.213)

Question Text *Do records indicate that Alcohol Misuse Prevention Program positions and/or service agents meet the applicable qualification requirements of Part 40 and Part 199?*

Assets Covered 88964 (89)

Result Notes Yes. The laboratory is SAHMSA certified, the MRO is credentialed, the collectors are trained in DOT collections.

Reviewed Certified Credential for Philip A. Lopez, M. D. Certification Number 2214373.

23. Question Result, ID, References Sat, DA.ALCOHOL.PROHIBITEDCONDUCT.P, 199.233 (199.215, 199.217, 199.219, 199.221, 199.223, 40.23(c), 40.285(a), 40.285(b))

Question Text *Does the process ensure that a covered employee is not permitted to perform covered functions if the employee has engaged in prohibited conduct or an alcohol misuse rule of another DOT agency?*

Assets Covered 88964 (89)

Result Notes Yes, D&A PHMSA Policy page 49.

24. Question Result, ID, References Sat, DA.ALCOHOL.SCREENINGTESTDEVICES.P, 40.229 (40.235(e))

Question Text *Does the process for alcohol screening tests restrict the use of alcohol screening devices (ASDs) to the devices and associated requirements referenced by Part 40?*

Assets Covered 88964 (89)

Result Notes Yes, D&A PHMSA Policy page 54.

25. Question Result, ID, References Sat, DA.ALCOHOL.CONFIRMATIONTESTDEVICES.P, 40.231(a) (40.233(c))

Question Text *Does the process for alcohol confirmation tests restrict the use of Evidential Breath Testing Devices (EBTs) to the devices and associated requirements referenced by Part 40?*

Assets Covered 88964 (89)

Result Notes Test Devices are referenced in D&A PHMSA Policy page 54.

26. Question Result, ID, References NA, DA.ALCOHOL.PREEMPLOY.P, 199.209(b) (199.209(b)(1), 199.209(b)(2), 199.209(b)(3))

Question Text *If pre-employment alcohol testing is conducted, does the process ensure that such testing is performed within the limits of Part 199?*

Assets Covered 88964 (89)

Result Notes Ellensburg does not conduct alcohol testing as part of the pre-employment process.

27. Question Result, ID, References Sat, DA.ALCOHOL.POSTACCIDENT.P, 199.225(a) (199.225(a)(1), 199.225(a)(2), 199.225(a)(3), 199.227(b)(4))

Question Text *Does the process ensure that post-accident alcohol testing is conducted as required?*

Assets Covered 88964 (89)

Result Notes Yes, D&A PHMSA Policy page 44.

28. Question Result, ID, References Sat, DA.ALCOHOL.REASONSUSPECT.P, 199.225(b) (199.225(b)(1), 199.225(b)(2), 199.225(b)(3), 199.225(b)(4), 40.355(g), 40.355(h))

Question Text *Does the process ensure that reasonable suspicion alcohol testing is conducted as required?*

Assets Covered 88964 (89)

Result Notes Yes, D&A PHMSA Policy page 45.

29. Question Result, ID, References Sat, DA.ALCOHOL.RETURNDUTY.P, 199.225(c) (199.233, 199.243(c), 40.67(b), 40.285(a), 40.305(a))

Question Text *Does the process ensure that return-to-duty alcohol testing is conducted as required?*

Assets Covered 88964 (89)

Result Notes Yes, D&A PHMSA Policy page 47.

30. Question Result, ID, References **Sat, DA.ALCOHOL.FOLLOWUPTTEST.P, 199.225(d) (199.243(c)(2)(ii), 40.307(a), 40.307(b), 40.309(a))**
 Question Text *Does the process ensure that follow-up alcohol testing is conducted as required?*
 Assets Covered **88964 (89)**
 Result Notes **Yes, D&A PHMSA Policy page 47.**
31. Question Result, ID, References **Sat, DA.ALCOHOL.SCREENINGTEST.P, 40.247(a)**
 Question Text *Does the process ensure that alcohol screening test results are reported as required to the DER?*
 Assets Covered **88964 (89)**
 Result Notes **The testing facility (KVH Workplace Health) sends the completed DOT Alcohol Testing Form along with the evidence tape. They also send the results to PROCOM.**
32. Question Result, ID, References **Sat, DA.ALCOHOL.CONFIRMATIONTEST.P, 40.255(a) (40.355(d))**
 Question Text *Does the process ensure that alcohol confirmation test results are reported as required to the DER?*
 Assets Covered **88964 (89)**
 Result Notes **The testing facility (KVH Workplace Health) sends the completed DOT Alcohol Testing Form along with the evidence tape. They also send the results to PROCOM.**
33. Question Result, ID, References **Sat, DA.ALCOHOL.OTHERCONDUCT.P, 199.237(a) (199.237(b), 40.23(c))**
 Question Text *Does the process ensure that a covered employee is prohibited from performing or continuing to perform covered functions when found to have an alcohol concentration of 0.02 or greater but less than 0.04?*
 Assets Covered **88964 (89)**
 Result Notes **Yes, D&A PHMSA Policy page 49 addresses various types of alcohol prohibited conduct.**
34. Question Result, ID, References **Sat, DA.ALCOHOL.EMPLOYEERESOURCES.P, 199.243(a) (40.285(b))**
 Question Text *Does the process ensure that each covered employee who has engaged in prohibited conduct is advised of the resources available to the covered employee in evaluating and resolving problems associated with the misuse of alcohol?*
 Assets Covered **88964 (89)**
 Result Notes **Resources are available through the Employee Assistance Program.**
35. Question Result, ID, References **Sat, DA.ALCOHOL.EDUCATION.R, 199.239(a) (199.239(a)(1), 199.239(a)(2))**
 Question Text *Do records indicate educational materials were provided that explain alcohol misuse requirements and the policies and procedures with respect to meeting those requirements?*
 Assets Covered **88964 (89)**
 Result Notes **Each employee covered under the PHMSA, of FMCSA policy receives the applicable policy when they are hired and when the policy is updated.**

Reviewed sample of employee acknowledgement forms for receipt of policy.
36. Question Result, ID, References **Sat, DA.ALCOHOL.EDUCATIONCONTENT.R, 199.239(b)**
 Question Text *Do records indicate the alcohol misuse educational materials provided by the operator included the required content?*
 Assets Covered **88964 (89)**
 Result Notes **Each employee covered under the PHMSA, of FMCSA policy receives the applicable policy when they are hired and when the policy is updated.**

Reviewed sample of employee acknowledgement forms for receipt of policy.
37. Question Result, ID, References **Sat, DA.ALCOHOL.SUPERVISORTRAINALCOHOL.P, 199.241**
 Question Text *Does the process include the required 60-minute supervisory personnel training related to recognizing reasonable suspicion for alcohol testing?*
 Assets Covered **88964 (89)**
 Result Notes **Darin Yusi, Gas Engineer received two hours of Supervisor training in U.S.D.O.T. mandated Drug and Alcohol Supervisor Training on "What You Need to Know." - September 27, 2023**

DA.PROGRAMRECORDS: Drug and Alcohol Program Records

38. Question Result, ID, Sat, DA.PROGRAMRECORDS.RECORDKEEPING.R, 199.117(b) (199.227(a), 199.231(b), 40.333(c),
References 40.333(d), 40.333(e))
Question Text *Are drug and alcohol program records maintained and kept in a secure and proper location?*
Assets Covered 88964 (89)
Result Notes Yes. files are kept in a locked file cabinet in human resources.
39. Question Result, ID, Sat, DA.PROGRAMRECORDS.DRUG.R, 199.117(a) (199.117(a)(1), 199.117(a)(2), 199.117(a)(3),
References 199.117(a)(4), 199.117(a)(5), 40.97(b), 40.111(a), 40.333(a)(1), 40.333(a)(2), 40.333(a)(4))
Question Text *Are drug test records retained for five years, three years, and one year as required and readily available?*
Assets Covered 88964 (89)
Result Notes Records files are retained in accordance with the required records retention schedule. D&A Policy page 22
40. Question Result, ID, Sat, DA.PROGRAMRECORDS.ALCOHOL.R, 199.227(b) (199.227(b)(1), 199.227(b)(2), 199.227(b)(3),
References 199.227(b)(4), 40.333(a)(1), 40.333(a)(2), 40.333(a)(3), 40.333(a)(4))
Question Text *Are alcohol test records retained for five years, three years, two years, and one year as required and readily available?*
Assets Covered 88964 (89)
Result Notes Records files are retained in accordance with the required records retention schedule. D&A Policy page 61.

Except as required to be disclosed by law, any inspection documentation, including completed protocol forms, summary reports, executive summary reports, and enforcement documentation are for internal use only by federal or state pipeline safety regulators. Some inspection documentation may contain information which the operator considers to be confidential. In addition, supplemental inspection guidance and related documents in the file library are also for internal use only by federal or state pipeline safety regulators (with the exception of documents published in the federal register, such as advisory bulletins). Do not distribute or otherwise disclose such material outside of the state or federal pipeline regulatory organizations. Requests for such information from other government organizations (including, but not limited to, NTSB, GAO, IG, or Congressional Staff) should be referred to PHMSA Headquarters Management.