

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 [8797] Nippon D&A (Everline)	Operator(s) NIPPON DYNAWAVE PACKAGING CO., LLC (22515)	Plan Submitted 04/08/2024
Status LOCKED	Lead Lex Vinsel	Plan Approval 04/16/2024 by Dennis Ritter
Start Year 2024	Observer(s) David Cullom, Anthony Dorrrough, Derek Norwood, Scott Anderson, John Trier, Marina Rathbun, Tom Green, Jason Hoxit	All Activity Start 04/15/2024
System Type DA	Supervisor Dennis Ritter	All Activity End 04/19/2024
Protocol Set ID DA.2024.01	Director Scott Rukke	Inspection Submitted 05/29/2024
		Inspection Approval 06/02/2024 by Scott Rukke

Inspection Summary

Inspection Scope and Summary

2024 Drug & Alcohol Program Inspections

Facilities visited and Total AFOD

3401 Industrial Way

PO Box 188

Longview Washington 98632

AFOD - 1.0

Summary of Significant Findings

Issues: No issues found.

Primary Operator contacts and/or participants

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Operator executive contact and mailing address for any official correspondence

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3401 Industrial Way

PO Box 188

Longview Washington 98632

Scope (Assets)

#	Short Name	Long Name	Asset Type	Asset IDs	Excluded Topics	Planned	Required	Inspected	Total	Required % Complete
1.	88971 (1,935)	Nippon Dynawave Packaging Company	unit	88971	--	40	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.	88971 (1,935)	--	DA	P, R, O, S	Detail	--

Plan Implementations

#	Activity Name	SMART Act#	Start Date	End Date	Focus Directives	Involved Groups/Subgroups	Asset Types	Qst Type(s)	Planned	Required	Total Inspected	Required % Complete
1	[8797] Nippon D&A 2024 (Everline)	--	04/15/2024	04/19/2024	--	all planned questions	all asset 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

This inspection has no Form data entry.

Results (all values, 40 results)

DA.GENERAL: General Program Requirements

- 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 **88971 (1,935)**
 Result Notes **DERs are identified in Appendix B**
- 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 **88971 (1,935)**
 Result Notes **Pg. 12 DOT Compliance paragraph**
- 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 **88971 (1,935)**
 Result Notes **Pg. 14 Employees Subject to Testing paragraph**

4. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Pg. 14 History Check Requirement](#)
5. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Pg. 14 #6 Non-DOT Testing Program paragraph.](#)
6. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Pg. 34 #4 Contractor Monitoring. No DOT contractors in California.](#)
7. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Pg. 36 #6 Management Information System](#)

DA.DRUG: Anti-Drug Program

8. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Anti-Drug program appears adequate.](#)
9. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Reviewed MRO, SAP, and collector certs.](#)
10. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Pg. 22 Drug Testing paragraph](#)
11. Question Result, ID, [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 [88971 \(1,935\)](#)
 Result Notes [Pg. 16 Pre-Employment paragraph](#)
12. Question Result, ID, [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 88971 (1,935)

Result Notes Pg. Post-Accident Testing paragraph

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 88971 (1,935)

Result Notes Pg.17 Random Drug Testing paragraph

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 88971 (1,935)

Result Notes Pg. 18 Reasonable Suspicion/Cause Testing paragraph

15. Question Result, ID, References Sat, DA.DRUG.RETURNODUTY.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 88971 (1,935)

Result Notes Pg.19 Follow-up Drug Testing paragraph

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 88971 (1,935)

Result Notes Pg.19 Follow-Up Drug Testing paragraph

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 88971 (1,935)

Result Notes Pg. 24 #8 MRO Review of Drug Test Results

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 88971 (1,935)

Result Notes pg. 24 #8 MRO Review of Drug Test Results

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 88971 (1,935)

Result Notes Pg. 15&16 D&A Violation and Consequences paragraphs

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 88971 (1,935)

Result Notes Pg. 34 EAP paragraph

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 88971 (1,935)

Result Notes Yes, starts on pg. 26 Section VI

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 **88971 (1,935)**
 Result Notes **Pg. 28 Personnel and Testing Devices. Also on Pg. 13 #5 Service Agents**
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 **88971 (1,935)**
 Result Notes **Pg. 16 D&A Violation and Consequences paragraphs**
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 **88971 (1,935)**
 Result Notes **Pg. 29 Alcohol Screening with ASD paragraph. ASDs cannot be used for confirmation testing so we strive to always use EBT devices when alcohol testing is required**
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 **88971 (1,935)**
 Result Notes **Yes. pg. 30 Alcohol Confirmation paragraph**
26. Question Result, ID, References **Sat, 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 **88971 (1,935)**
 Result Notes **pg. 26 Pre-emp paragraph, But pre-emp alcohol testing is not conducted**
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 **88971 (1,935)**
 Result Notes **Pg. 26 post-accident**
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 **88971 (1,935)**
 Result Notes **Pg. 27 Reasonable Suspicion**
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 **88971 (1,935)**
 Result Notes **Pg. 27 - Return to duty**
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 **88971 (1,935)**
 Result Notes **Pg. 27 Follow up**

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 **88971 (1,935)**
 Result Notes **Pg. 30 Alcohol screening results paragraph**
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 **88971 (1,935)**
 Result Notes **Pg. 31 Alcohol Confirmation Test Reports**
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 **88971 (1,935)**
 Result Notes **Pg. 16 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 **88971 (1,935)**
 Result Notes **Pg. 16 Alcohol prohibited conduct**
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 **88971 (1,935)**
 Result Notes **Reviewed acknowledgement forms which state copy of the program and material were provided.**
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 **88971 (1,935)**
 Result Notes **EAP posters and plan appear to be adequate.**
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 **88971 (1,935)**
 Result Notes **Pg. 34 #3 Supervisor Training**

DA.PROGRAMRECORDS: Drug and Alcohol Program Records

38. Question Result, ID, References **Sat, DA.PROGRAMRECORDS.RECORDKEEPING.R, 199.117(b) (199.227(a), 199.231(b), 40.333(c), 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 **88971 (1,935)**
 Result Notes **Records are maintained in a password protected online portal. And other records are kept in a password protected file structure in EverLine's private server. Pg. 35 #5 recordkeeping**
39. Question Result, ID, References **Sat, DA.PROGRAMRECORDS.DRUG.R, 199.117(a) (199.117(a)(1), 199.117(a)(2), 199.117(a)(3), 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 **88971 (1,935)**

Result Notes Everline is the operator and maintains all records in accordance with 49 CFR parts 40 and 199.

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 88971 (1,935)

Result Notes Pg. 36 recordkeeping. However, at this time no alcohol records exist except of calibration and collector certs.

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.