

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	8847 HQ JR Simplot Drug and Alcohol	Operator(s)	J.R. SIMPLOT COMPANY (32395)	Plan Submitted	02/15/2024
Status	LOCKED	Lead	Anthony Dorrough	Plan Approval	02/26/2024 by Dennis Ritter
Start Year	2024	Observer(s)	David Cullom, Lex Vinsel, Derek Norwood, Scott Anderson, Tom Green, Jason Hoxit	All Activity Start	05/08/2024
System Type	DA	Supervisor	Dennis Ritter	All Activity End	05/17/2024
Protocol Set ID	DA.2024.01	Director	Scott Rukke	Inspection Submitted	06/28/2024
				Inspection Approval	06/28/2024 by Scott Rukke

Inspection Summary

Inspection Scope and Summary

This was a HQ Anti-drug and Alcohol Misuse Prevention Plan inspection of the operator JR Simplot Company (Simplot), who own an 8-inch high-density polyethylene transmission pipeline. The JR Simplot potato processing facility includes a bio-digester and non-jurisdictional compressor and is located in Moses Lake, in Grant County WA.

Facilities visited and Total AFOD=2

May 8 - MS Teams Meeting - Primary Audit

May 17 - MS Teams Meeting - Exit Interview

Summary of Significant Findings

There were no significant findings.

Primary Operator contacts and/or participants

Andrew Erickson/Environmental Manager/JR Simplot Company andrew.erickson@simplot.com

Michael Bradley/Compliance Director, Utility Services/Everline michael.bradley@everlineus.com (315) 527-5025

Sarah Cooper/Human Resources Manager/JR Simplot Company sarah.cooper@simplot.com (509) 750-5717

Operator executive contact and mailing address for any official correspondence

Mike Davis/Unit Director/JR Simplot Company michael.davis@simplot.com (509) 793-1134

Scope (Assets)

#	Short Name	Long Name	Asset Type	Asset IDs	Excluded Topics	Planned	Required	Inspected	Total	Required
1.	Simplot DA	JR Simplot Company DA	unit	--	--	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.	Simplot DA	--	DA	P, R, O, S	Detail	--

Plan Implementations

Activity # Name	SMART Act#	Start Date End Date	Focus Directives	Involved Groups/Subgroups	Assets	Qst Type(s)	Planned	Required	Inspected	Total	Required % Complete
1. Simplot DA	--	05/08/2024 -- 05/17/2024	--	DA	all assets	all types	40	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

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 **Simplot DA**
 Result Notes **Located on Page 18 - DER Sarah Cooper - Human Resource Manager**
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 **Simplot DA**
 Result Notes **Located in DER Responsibilities**
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 **Simplot DA**
 Result Notes **Located on Page 25 - Appendix B - Covered Positions**
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 **Simplot DA**
 Result Notes **Located on Page 4 - Inquiries into Drug/Alcohol Testing Histories**
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 **Simplot DA**

Result Notes Yes. Non-DOT Drug Program is covered under a separate policy, and separate random pool in consortium.

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 Simplot DA

Result Notes Located on Page 3 - DER Responsibilities - Pipeline Subcontractors

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 Simplot DA

Result Notes Located on Page 17 - MIS Reporting (Submitted by NW Drug Safe)

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 Simplot DA

Result Notes Anti-Drug and Alcohol Misuse Prevention Plan verified by staff = Effective 3/1/2010

Last revision was 3/6/2024 - Overall review/Typo corrections/updated substance abuse professional contact info

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 Simplot DA

Result Notes Located on Page 9 - Drug Test Specimen Collection Procedures, Drug Testing Laboratories

SAP - William B Ellis JR Exp. 2/28/2026

MRO - George W Go M.D. Certified Medical Review Officer - certified 2/2016

Urine - Confluence/Moses Lake Medical Clinic

Lab - Legacy Lab Services

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 Simplot DA

Result Notes Located on Pages 5 - Substances for Which Testing Must Be Conducted and Page 22 - Prohibited Drugs

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 Simplot DA

Result Notes Located on Page 5 - Pre-Employment Drug Testing

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 Simplot DA

Result Notes Located on Page 7 - Post-accident Drug and Alcohol Testing

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 Simplot DA
Result Notes Located on Page 5 - Random Drug Testing
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 Simplot DA
Result Notes Located on Page 6 - Reasonable Suspicion/Probable Cause Drug and Alcohol Testing
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 Simplot DA
Result Notes Located on Page 8 - Return to Duty Drug and/or Alcohol Testing
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 Simplot DA
Result Notes Located on Page 8 - Follow-up Drug and/or Alcohol Testing
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 Simplot DA
Result Notes Located on Page 11 - Duties of the Medical Review Officer (MRO)
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 Simplot DA
Result Notes Located on Page 13 - Disclosure of Information
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 Simplot DA
Result Notes Located on Page 13 - Disciplinary Action #1
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 Simplot DA
Result Notes Located on Page 14 - Employee Assistance Program

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 Simplot DA
Result Notes See Anti-Drug and Alcohol Misuse Prevention Plan (staff verified)

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 **Simplot DA**
 Result Notes **Located on Page 5 - Part 199.5 - Drug and Alcohol Testing Requirements and Page 10 - Part 40.213 - Alcohol Testing Procedures and Sites**
Staff reviewed screening and breath alcohol test facility - Confluence Health DOT
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 **Simplot DA**
 Result Notes **Located on Page 13 - Disciplinary Action**
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 **Simplot DA**
 Result Notes **Located on Page 32 - Alcohol Testing Devices**
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 **Simplot DA**
 Result Notes **Located on Page 32 - Alcohol Testing Devices**
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 **Simplot DA**
 Result Notes **No such requirement existed in the scope of inspection review.**
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 **Simplot DA**
 Result Notes **Located on Page 7 - Post-accident Drug and Alcohol Testing**
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 **Simplot DA**
 Result Notes **Located on Page 6 - Reasonable Suspicion/Probable Cause Drug and Alcohol Testing**
29. Question Result, ID, References **Sat, DA.ALCOHOL.RETURNDDUTY.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 **Simplot DA**
 Result Notes **Located on Page 8 - Return to Duty Drug and/or Alcohol Testing**
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 **Simplot DA**
 Result Notes **Located on Page 8 - Follow-up Drug and/or Alcohol Testing**

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 **Simplot DA**
 Result Notes **Located on Page 33 - Screening Test Procedures - #1 - F and #2 - I**
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 **Simplot DA**
 Result Notes **Located on Page 37 - Communication of Alcohol Test Results**
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 **Simplot DA**
 Result Notes **Located on Page 13 - Disciplinary Action - #2 - E**
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 **Simplot DA**
 Result Notes **Located on Page 14 - 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 **Simplot DA**
 Result Notes **Reviewed Simplot's web posting of educational materials.**
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 **Simplot DA**
 Result Notes **Staff reviewed EAP brochures.**
- Employees have to read the plan and sign off that they have read and understand it.**
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 **Simplot DA**
 Result Notes **Located on Page 15 - Supervisory Personnel 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 **Simplot DA**
 Result Notes **Reviewed with Simplot, records are kept in the HR Manager's custody.**
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 **Simplot DA**

Result Notes **No Positive Test Results. Reviewed Negative Test Results for Hector Garcia 5-15-20; Andrew Erickson 12-20-21; Matt Schmidt 8-2-21; Castro Delgado 6-12-23; ; Andrew Erickson 11-17-23**

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 **Simplot DA**

Result Notes **Reviewed records.**

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