

November 21, 1989

Mr. James C. Powell
Hewlett-Packard Company
P. O. Box 301
Loveland, Colorado 80537

Dear Mr. Powell:

In your letter of November 3, 1989, to Cesar De Leon you asked whether turning valves to switch your pipeline from one source of gas to another would make the person who turns the valves subject to drug testing under Part 199.

A person is subject to drug testing under Part 199 when he or she performs on a pipeline an operating, maintenance, or emergency-response function regulated by the gas pipeline safety standards in Part 192. Since switching the source of gas is an operating function, we examined Part 192 to see whether this function is regulated. Although Part 192 has no rule governing this function specifically, §192.605(a) requires each operator to include in its operating and maintenance plan "instructions for employees covering operating . . . procedures during normal operations." Because normal operations include the switching of gas sources, this switching function should be covered by procedures in the operating and maintenance plan for your pipeline. Therefore, the function of switching the source of gas is an operating function regulated by Part 192, and the person who performs that function is subject to drug testing.

Please let me know if I can be of any further assistance regarding our drug testing rules.

Sincerely,

George W. Tenley, Jr.
Acting Director
Office of Pipeline Safety