

February 13, 1990

Mr. Bill Quilhot  
President  
Local Union 1582  
International Brotherhood of  
Electrical Workers  
Aurora, Illinois 60426

Dear Mr. Quilhot:

Your letters of December 26, 1989, and January 30, 1990, ask for additional clarification of whether an employee known as a "service clerk" who takes calls pertaining to gas pipeline leaks would be subject to drug testing under DOT's rules in 49 CFR Part 199.

I can affirm the understanding that Mike Youngs of Northern Illinois Gas expressed about such employees in his letter to Bea Vandervalk dated October 25, 1989. Any pipeline company employee who is responsible for receiving telephone notices of gas leaks, identifying those notices that require immediate response by the company, and dispatching personnel to the scene would be subject to drug testing. The employee would be covered by the rules because he or she would be performing on a pipeline emergency-response functions that are regulated under 49 CFR Part 192, specifically § 192.615 concerning emergency plans. In general, as provided by the Part 199 definition of "employee," any person who performs on a gas pipeline a regulated operating, maintenance, or emergency-response function is subject to drug testing.

I trust this satisfactorily responds to your inquiry.

Sincerely,

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