

Inspection Output (IOR)

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Inspection Information

Inspection Name	Nippon DA 8197	Operator(s)	NIPPON DYNAWAVE PACKAGING CO., LLC (22515)	Plan Submitted	07/30/2020
Status	PLANNED	Lead	Darren Tinnerstet	Plan Approval	08/03/2020 by Joe Subits
Start Year	2020	Observer(s)	David Cullom, Derek Norwood, Scott Anderson	All Activity Start	10/05/2020
System Type	DA	Supervisor	Joe Subits	All Activity End	10/08/2020
Protocol Set ID	DA.2020.01	Director	Sean Mayo	Inspection Submitted	--
				Inspection Approval	--

Inspection Summary

Inspection Scope and Summary

This was a drug and alcohol inspection that consisted of a review of records and procedures from Nippon Dynawave Packaging Company's (Nippon) Drug and Alcohol plan. Documents reviewed for this inspection included the following:

- Nippon Alcohol Misuse Prevention Plan - updated October 2020
- Nippon Drug Policy - updated October 2020
- Contractor Anti-Drug and Alcohol Misuse Prevention Plan - Gasline Services, Inc. updated January 2018
- Certification and Calibration records.

Nippon, formerly owned by Weyerhaeuser, is located at 3401 Industrial Way in Longview Washington. The sale of the Weyerhaeuser paper mill and associated natural gas pipeline to Nippon became effective on Aug. 1, 2016. The Company operates approximately 9 miles of natural gas transmission pipeline in Cowlitz County Washington, beginning at the Williams Pipeline Interconnection slightly northeast of the City of Kelso, and ending at the Longview Facility. This pipeline is commonly known as the Nippon-Ostrander Pipeline.

The Nippon-Ostrander Pipeline is comprised of 4-inch (NPS-4) and 12-inch diameter (NPS-12), API 5L, X-42 ERW steel pipe with the 12-inch diameter sections having a nominal wall thickness of 0.25 inches for below ground sections and 0.5 nominal wall thickness for above ground sections. The 4-inch sections have a nominal wall thickness of 0.188 inches. The entire system is treated as a class three and much of its percentage is in class three locations since it passes through several residential neighborhoods.

Facilities visited and Total AFOD

This Drug and Alcohol audit was conducted virtually using Microsoft Teams on Oct. 5, 2020.

Summary of Significant Findings

(DO NOT Discuss Enforcement options)

There were no significant findings as a result of this inspection. Exit interview was conducted on Oct. 15, 2020.

Primary Operator contacts and/or participants

Brian Wood - Director Support Services

Janice Carter - Occupational Health Nurse

Operator executive contact and mailing address for any official correspondence

Brian Wood - Director Support Services

PO Box 188

Longview, WA 98632

Scope (Assets)

#	Short Label	Long Label	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)	n/a	DA	P, R, O, S	Detail	

Plan Implementations

Activity #	SMART Name	SMART Act#	Start Date	Focus Directives	Involved Groups/Subgroups	Assets	Qst Type(s)	Planned	Required	Inspected	Total	Required % Complete
1.	DA	--	10/05/2020 10/08/2020	n/a	all planned questions	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

No.	Entity	Form Name	Status	Date Completed	Activity Name	Asset
1.	Attendance List	DA	COMPLETED	10/19/2020	DA	88971 (1,935)

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 88971 (1,935)

Result Notes Janice Carter - Occupational Health Nurse

Nippon Anti-Drug Use Plan, Appendix A - Page 25

2. Question Result, ID, Sat, DA.GENERAL.SERVICEAGENTOVERSIGHT.P, 40.11(b) (40.11(c), 40.15(c), 40.341(a), 40.355(a),
References 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 Nippon Anti-Drug Use Plan, Section 1 - Page 7

Nippon Alcohol Misuse Prevention Plan, Section 1(F) - Page 5

3. Question Result, ID, Sat, DA.GENERAL.COVEREDEMPLOYEES.P, 199.3 (199.1, 40.347(b)(2))
References

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 Nippon Anti-Drug Use Plan, Section 2(A)(1), - Page 8, (additionally in Appendix B, page 26)

Nippon Alcohol Misuse Prevention Plan , Section 2(A) - Page 9

4. Question Result, ID, Sat, DA.GENERAL.PREVIOUSEMPLOYERRECORDS.P, 40.25(a) (40.25(b), 40.25(c), 40.25(d), 40.25(e),
References 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 Nippon Anti-Drug Use Plan, Section 2(A)(1), - Page 8

5. Question Result, ID, Sat, DA.GENERAL.NONDOTTESTS.P, 40.13(a) (40.13(b))
References

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 Nippon Anti-Drug Use Plan, Section 2(B) - Page 8

6. Question Result, ID, Sat, DA.GENERAL.CONTRACTOROVERSIGHT.P, 199.115 (199.115(a), 199.115(b), 199.245(a),
References 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 Nippon Anti-Drug Use Plan, Section XII - Page 24, (also in Appendix E, page 39)

Nippon Alcohol Misuse Prevention Plan, Section XIII - Page 27

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

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

Assets Covered 88971 (1,935)

Result Notes Nippon is not required to submit MIS reports due to number of covered employees.

Company has a total of 4 covered employees.

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 **88971 (1,935)**
 Result Notes **Nippon's Anti-Drug Use Plan is in-place and in compliance with the requirements of Part 199 and Part 40.**
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 **88971 (1,935)**
 Result Notes **Records and certifications were reviewed for the following Anti-Drug program positions:**
- MRO - Dr. Stephen Paschall - expires 12/21/2021**
- Urine Collector :**
- Janice Carter - expires 1/18/2022**
- Kelly Klein - Expires 6/5/2023**
- SAP - ComPsych EAP (Appendix A)**
- LAB - Medtox Laboratories, Inc, - St. Paul, MN (NLCP No. 0094)**
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 **88971 (1,935)**
 Result Notes **Nippon Anti-Drug Use Plan, Section II(A)(3) - Page 8.**
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 **88971 (1,935)**
 Result Notes **Nippon Anti-Drug Use Plan, Section II(B)(1) - Page 8.**
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 **88971 (1,935)**
 Result Notes **Nippon Anti-Drug Use Plan, Section II (B)(2) - Page 8.**
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 **Nippon Anti-Drug Use Plan, Section 3 - Page 10.**
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 [Nippon Anti-Drug Use Plan, Section 4 - Page 11.](#)

15. Question Result, ID, [Sat, DA.DRUG.RETURN TODUTY.P, 199.105\(e\)](#) (Part 40 Subpart O, 40.67(b), 40.285(a), 40.289(b),
References [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 [Nippon Anti-Drug Use Plan, Section 5 - Page 13.](#)

16. Question Result, ID, [Sat, DA.DRUG.FOLLOWUPTEST.P, 199.105\(f\)](#) (40.67(b), 40.307, 40.309)
References

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

Assets Covered [88971 \(1,935\)](#)

Result Notes [Nippon Anti-Drug Use Plan, Section 6 - Page 13.](#)

17. Question Result, ID, [Sat, DA.DRUG.MRODUTIES.P, 199.109\(c\)](#) (199.109(a), 40.123(a), 40.123(b), 40.123(c), 40.123(e),
References [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 [Nippon Anti-Drug Use Plan, Section 7 - Page 17.](#)

18. Question Result, ID, [Sat, DA.DRUG.MROTESTREPORTS.P, 199.109\(d\)](#) (Part 40 Subpart G, 40.345(a), 40.345(b), 40.345(c),
References [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 [Nippon Anti-Drug Use Plan, Section 7\(B\), Page 18.](#)

19. Question Result, ID, [Sat, DA.DRUG.STANDOWNREMOVAL.P, 199.103\(a\)](#) (199.7(a), 40.21(a), 40.21(b), 40.23(a), 40.23(b),
References [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 [Nippon Anti-Drug Use Plan, Section 3 - Page 14.](#)

20. Question Result, ID, [Sat, DA.DRUG.EAP.P, 199.113\(a\)](#) (199.113(b), 199.113(c))
References

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 [Nippon Anti-Drug Use Plan, Section X\(B\) - Page 22.](#)

Reviewed certificate of supervisor training for the following individual:

Harold Boehl - Gasline Services, Inc. (contractor), completed 1/7/2011.

DA.ALCOHOL: Alcohol Misuse Prevention Program

21. Question Result, ID, [Sat, DA.ALCOHOL.PLAN.P, 199.202](#)
References

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 [Nippon Alcohol Misuse Prevention Plan is in-place and in compliance with Part 199 and Part 40.](#)

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

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 Reviewed the following records for Alcohol Misuse Prevention program positions:

STT / BAT:

Janice Carter, expires 1/17/2022

Kelly Klein, expires 6/4/2023

PHMG Occupational Health Services - third party service agents

Dana Sorenson, expires 3/10/2021

Rhonda Gonzales. expires 1/29/2021

Laura Estey, expires 2/16/2021

23. Question Result, ID, Sat, DA.ALCOHOL.PROHIBITEDCONDUCT.P, 199.233 (199.215, 199.217, 199.219, 199.221, 199.223, References 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 Nippon Alcohol Misuse Prevention Plan, Section IV - Page 17.
24. Question Result, ID, Sat, DA.ALCOHOL.SCREENINGTESTDEVICES.P, 40.229 (40.235(e))
References
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 Nippon Alcohol Misuse Prevention Plan, Section VII - Page 19.
25. Question Result, ID, Sat, DA.ALCOHOL.CONFIRMATIONTESTDEVICES.P, 40.231(a) (40.233(c))
References
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 Nippon Alcohol Misuse Prevention Plan, Section VII, Page 19.
26. Question Result, ID, NA, DA.ALCOHOL.PREEMPLOY.P, 199.209(b) (199.209(b)(1), 199.209(b)(2), 199.209(b)(3))
References
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 Nippon does not conduct pre-employment alcohol screening.
27. Question Result, ID, Sat, DA.ALCOHOL.POSTACCIDENT.P, 199.225(a) (199.225(a)(1), 199.225(a)(2), 199.225(a)(3),
References 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 Nippon Alcohol Misuse Prevention Plan, Section III - Page 11.
28. Question Result, ID, Sat, DA.ALCOHOL.REASONSUSPECT.P, 199.225(b) (199.225(b)(1), 199.225(b)(2), 199.225(b)(3),
References 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 Nippon Alcohol Misuse Prevention Plan, Section III (B) - Page 15.
29. Question Result, ID, Sat, DA.ALCOHOL.RETURNDDUTY.P, 199.225(c) (199.233, 199.243(c), 40.67(b), 40.285(a), 40.305(a))
References
Question Text *Does the process ensure that return-to-duty alcohol testing is conducted as required?*
Assets Covered 88971 (1,935)
Result Notes Nippon Alcohol Misuse Prevention Plan, Section III (C) - Page 15.

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 **Nippon Alcohol Misuse Prevention Plan, Section D, Page 16.**
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 **Nippon Alcohol Misuse Prevention Plan, Section IX - Page 21.**
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 **Nippon Alcohol Misuse Prevention Plan, Section IX - Page 21.**
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 **Nippon Alcohol Misuse Prevention Plan, Section VI (D) - Page 19.**
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 **Nippon Alcohol Misuse Prevention Plan, Section XI - Page 25.**

Page 18 / 19 - Required Evaluations

List of resources is also available on Company Shared Drive.

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 the following records:**
- Nippon Substance Abuse Policy (reviewed annually by covered employees)**
- Nippon training records report for employees who completed annual review of Substance Abuse Policy.**
- ComPsych is EAP.**
- No notice was provided to employee organizations as none of covered pipeline employees are union members.**

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 Reviewed the Nippon Substance Abuse Policy which is annually reviewed and signed by each employee.

37. Question Result, ID, Sat, DA.ALCOHOL.SUPERVISORTRAINALCOHOL.P, 199.241
References

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 Nippon Alcohol Misuse Prevention Plan, Section XI, Page 25.

Gasline Services, Inc.(contractor) Anti-Drug and Alcohol Misuse Prevention Plan, Section XII(3) - Page 30

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 88971 (1,935)

Result Notes Program records are secured in a locked cabinet in Janice Carter's office on site. Only Janice Carter and Kelly Klein have access to the records.

Records are kept in paper copy only. No electronic records.

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 88971 (1,935)

Result Notes Nippon Anti-Drug Use Plan, Section XI - Page 23,

Records reviewed for five year retention period:

No records to review. No positive drug tests or refusals in last five years.

Records reviewed for three year retention period:

Reviewed Nippon training records for required supervisor and employee training

Collection process compliance for previous three years (certifications and procedures)

Records review for one year retention period:

Reviewed record for 9/23/21 negative test result.

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 Records reviewed for 5 year retention period:

Calibration documentation for STT / EBT's

No Alcohol tests have been conducted in last five years.

Records reviewed for 3 year retention period:

No records to review. No information obtained from previous operators or decisions not to administer post-accident tests in previous three years.

Records reviewed for 2 Year retention period:

Reviewed Nippon training records for required supervisors and employee training.

Records reviewed for one year retention period:

No records to review. No alcohol tests conducted in the previous year.

Report Parameters: Results: all

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.