

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	8816 - Solvay Part 199 Drug and Alcohol Inspection	Operator(s)	SOLVAY CHEMICALS, INC. (32399)	Plan Submitted	12/01/2023
Status	LOCKED	Lead	David Cullom	Plan Approval	12/05/2023 by Dennis Ritter
Start Year	2024	Team Members	Jason Hoxit	All Activity Start	01/25/2024
System Type	DA	Observer(s)	Lex Vinsel, Anthony Dorough, Derek Norwood, Scott Anderson, Michael Mulligan, John Trier, Marina Rathbun, Tom Green	All Activity End	01/25/2024
Protocol Set ID	DA.2023.01	Supervisor	Dennis Ritter	Inspection Submitted	02/05/2024
		Director	Scott Rukke	Inspection Approval	02/05/2024 by Scott Rukke

Inspection Summary

Inspection Scope and Summary

This was a 2024 Drug and Alcohol Abuse Prevention inspection and consisted of procedure and records review. No issues were noted.

Facilities visited and Total AFOD

This inspection was conducted on site at the Solvay Longview, Wa facility and consisted of 1 AFOD.

Summary of Significant Findings

No probable violations or areas of concern were noted during this inspection.

Primary Operator contacts and/or participants

Pascal Mansey 713-702-3397 pascal.mansy@solvay.com Solvay Engineering & Maintenance Manager

Operator executive contact and mailing address for any official correspondence

Lisa Norton General Manager, Peroxides North America lisa.norton@solvay.com

Scope (Assets)

#	Short Name	Long Name	Asset Type	Asset IDs	Excluded Topics	Planned	Required	Inspected	Total %	Required Complete
1.	90612	Solvay Hydrogen System	unit	90612	--	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.	90612	--	DA	P, R, O, S	Detail	--

Plan Implementations

8816 - Solvay Part 199 Drug and Alcohol Inspection

#	Activity Name	SMAR T Act#	Start Date	End Date	Focus Directives	Involved Groups/Subgroups	Asset s	Qst Type(s)	Planned	Required	Total Inspected	Required	Completed %
1	Program and Records Review	--	01/25/2024	--	DA	90612	all 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

No.	Entity	Form Name	Status	Date Completed	Activity Name	Asset
1.	Attendance List	Program and Records Review	COMPLETED	01/31/2024	Program and Records Review	90612

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 **90612**
 Result Notes **Christina Villareal is the DER.**

Pg 207 in the O&M contains the reference.
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 **90612**
 Result Notes **Section 4 of the DnA Anti-Drug and Alcohol portion.**
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 **90612**
 Result Notes **Pg 9 in the DnA plan in the complete O&M Manual.**
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 **90612**
 Result Notes **Section IV #3 of the plan on 183 of the O&M Manual.**
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 **90612**
 Result Notes **Section 6 pg 183 of the O&M Manual.**

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 **90612**
 Result Notes **Section 4 Pg 6 of the DnA Pg 175 of the O&M Manual.**
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 **90612**
 Result Notes **Section 4 PG 35 of the DnA manual. Pg 204 of the O&M Manual.**

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 **90612**
 Result Notes **This is attachment G of the O&M.**
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 **90612**
 Result Notes **The lab was verified and was on the HHS list as in the register. The MRO was checked on the MROCC site and was validated. The MRO is certified until July 9, 2026**
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 **90612**
 Result Notes **In the definitions page 10 of the DnA Plan and 179 of the O&M.**
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 **90612**
 Result Notes **Pg 185 of the O&M**
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 **90612**
 Result Notes **Pg 186 of the O&M**
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 **90612**
 Result Notes **Pg 186 of the O&M Page 17 of the DnA Portion**
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 **90612**

Result Notes Pg 187 of the O&M.

15. Question Result, ID, [Sat, DA.DRUG.RETURNTODUTY.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 [90612](#)
Result Notes [Pg 188 of the O&M Pg 19 of the attachement.](#)
16. Question Result, ID, [Sat, DA.DRUG.FOLLOWUPTTEST.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 [90612](#)
Result Notes [Pg 188 of the O&M Pg 19 of the attachment.](#)
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 [90612](#)
Result Notes [Pg 193 of 218 of the O&M Manual.](#)
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 [90612](#)
Result Notes [Pg 194 of 218 of the O&M Manual.](#)
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 [90612](#)
Result Notes [Pg 181 of the O&M Manual. Pg 218 of the attachement. Pg 184 has the definitions and Pg 185 is most suitable answer.](#)
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 [90612](#)
Result Notes [Pg 203 of the O&M Manual. Pg 34 of the attachment.](#)

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 [90612](#)
Result Notes [This is Attachemnt J. The anti-drug and alcohol misuse plan.](#)
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 [90612](#)
Result Notes [The Phoenix 60 \(w/or without EASYCAL accessory\) is approved.](#)
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 90612

Result Notes Pag 185 of the O&M Manual contains this procedure.

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 90612
Result Notes Page 198 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 199 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 195 of the O&M Manual contains this procedure, but this is not performed.
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 90612
Result Notes Pg 195 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 196 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 196 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 196 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 199 of the O&M Manual contains this procedure.
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 90612
Result Notes Pg 199 of the O&M Manual contains this procedure.

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 **90612**
 Result Notes **Pg 185 of the O&M Manual contains this procedure.**
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 **90612**
 Result Notes **Pg 185 of the O&M Manual contains this procedure.**
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 **90612**
 Result Notes **Pg 175 of the O&M Manual contains this procedure.**
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 **90612**
 Documents Reviewed **1. -- -- -- Doc Reviewed - DC - 7:37am**
 Result Notes **Pg 175 of the O&M Manual contains this procedure. Records reviewed are attached.**
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 **90612**
 Result Notes **Pg 203 of the O&M Manual contains this procedure.**

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 **90612**
 Result Notes **The operator responded with an email statement: "Yes the records are maintained in our online DISA portal which is password protected and only accessible by our DER (myself and <*****redacted by DCC> our back up DER). We also keep certain records in locked folders on our internal server specific to each employee. Only myself and HR can access those."**
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 **90612**
 Result Notes **2 records from each timeframe of three years and one year were reviewed. The 5 year records included all of the MIS collection reports and the testing percentage was suitable for random testing. The collection method indicating split sample collection was also reviewed.**
40. Question Result, ID, References **NA, DA.PROGRAMRECORDS.ALCOHOL.R, 199.227(b) (199.227(b)(1), 199.227(b)(2), 199.227(b)(3), 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 90612

Result Notes No such event occurred, or condition existed, in the scope of inspection review.

The operator's contractor responded with the following email to this question.

"We actually have not had the need for any alcohol testing thus far. We don't do pre-employment or random alcohol tests. And luckily we have not had any post accident or reasonable suspicion scenarios. But if we did yes we would maintain those records for the required time frames."

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