

Inspection Output (IOR)

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Inspection Information

Inspection Name	8301 Seaport D&A	Operator(s)	SEAPORT SOUND TERMINAL, LLC (39906)	Plan Submitted	03/25/2021
Status	PLANNED	Lead	Derek Norwood	Plan Approval	03/25/2021 by Joe Subsit
Start Year	2021	Team Members	Scott Rukke, David Cullom, Dennis Ritter, Lex Vinsel, Anthony Dorrough, Scott Anderson, Darren Tinnerstet	All Activity Start	04/19/2021
System Type	DA	Observer(s)	David D. Lykken, Deborah Becker, Rell Koizumi	All Activity End	04/22/2021
Protocol Set ID	DA.2020.02	Supervisor	Joe Subsit	Inspection Submitted	--
		Director	Sean Mayo	Inspection Approval	--

Inspection Summary

Inspection Scope and Summary

This inspection was conducted at Seaport Sound Terminal in Tacoma, WA on April 20, 2021 with HR representatives available via Microsoft Teams. The inspection included a review of Seaport's Anti-Drug and Alcohol Misuse Prevention Plan and the associated records. There were no areas of concern or probable violations found as a result of this inspection.

Facilities visited and Total AFOD

AFOD: 1 day

Summary of Significant Findings

(DO NOT Discuss Enforcement options)

There were no areas of concern or probable violations found as a result of this inspection.

Primary Operator contacts and/or participants

Ted Lilyblade
Terminal Manager
(253) 579-1954

Matthew Kolata
EH&S Specialist
(253) 579-1947

Rob Cohee
Pipeline Supervisor
(253) 331-7278

Cassie Kunzman (DER)
HR Business Partner
(303) 860-5124

Operator executive contact and mailing address for any official correspondence

Edward Luebke
4130 E 11th St
Tacoma, WA 98421

Scope (Assets)

#	Short Label	Long Label	Asset Type	Asset IDs	Excluded Topics	Planned	Required	Total Inspected	Required % Complete
1.	88920	Seaport Sound Terminal	unit	88920	--	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.	88920	n/a	DA	P, R, O, S	Detail	

Plan Implementations

Activity #	SMART Act#	Start Date	Focus Directives	Involved Groups/Subgroups	Assets	Qst Type(s)	Planned	Required	Total Inspected	Required % Complete
1.	D&A	--	04/19/2021 04/22/2021	n/a	all planned questions	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	D&A	COMPLETED	04/22/2021	D&A	88920

Results (Unsat, Concern values, 0 results)

This inspection has no matching Results.

Report Parameters: Results: Unsat, Concern

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.

Inspection Results (IRR)

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• 88920 (40)

Inspection Results Report (ALL Non-Empty Results) - Scp_PK 88920

Row	Assets	Result	Sub-Group	Qst #	Question ID	References	Question Text
1.	(and 1 other asset)	Sat	DA.GENERAL	1.	DA.GENERAL.DER.R	40.3 (40.15(d), 40.355(k))	Has the operator appointed a company employee as the Designated Employer Representative (DER)?
2.	(and 1 other asset)	Sat	DA.GENERAL	2.	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))	Does the process ensure the operator remains responsible for the actions of all its service agents, including a Consortium/Third Party Administrator (C/TPA)?
3.	(and 1 other asset)	Sat	DA.GENERAL	3.	DA.GENERAL.COVEREDEMPLOYEES.P	199.3 (199.1, 40.347(b)(2))	Does the process result in the proper and complete identification of covered employees and the exclusion of non-covered employees?
4.	(and 1 other asset)	Sat	DA.GENERAL	4.	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))	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)?
5.	(and 1 other asset)	Sat	DA.GENERAL	5.	DA.GENERAL.NONDOTTESTS.P	40.13(a) (40.13(b))	Does the process separate and prioritize DOT drug and alcohol testing over all non-DOT drug and alcohol testing?

Inspection Results Report (ALL Non-Empty Results) - Scp_PK 88920

Row	Assets	Result	Sub-Group	Qst #	Question ID	References	Question Text
6.	(and 1 other asset)	Sat	DA.GENERAL	6.	DA.GENERAL.CONTRACTOROVERSIGHT.P	199.115 (199.115(a), 199.115(b), 199.245(a), 199.245(b), 199.245(c))	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?
7.	(and 1 other asset)	Sat	DA.GENERAL	7.	DA.GENERAL.MISREPORTS.P	199.119(a) (199.3, 199.119(f), 199.229(a), 199.229(d), 40.26)	Does the process ensure D&A MIS reports are submitted annually to PHMSA as required?
8.	(and 1 other asset)	Sat	DA.DRUG	1.	DA.DRUG.PLAN.P	199.101(a) (199.101(a)(1), 199.101(a)(2), 199.101(a)(3), 199.101(a)(4))	Is a written Anti-Drug Plan in-place and maintained that conforms to the requirements of Part 199 and Part 40?
9.	(and 1 other asset)	Sat	DA.DRUG	2.	DA.DRUG.SERVICEAGENTQUAL.R	199.5 (199.107(a), 199.109(b), 40.33, 40.81(a), 40.121, 40.281)	Do records indicate that Anti-Drug program positions and/or service agents meet the applicable qualification requirements of Part 40 and Part 199?
10.	(and 1 other asset)	Sat	DA.DRUG	3.	DA.DRUG.PROHIBITEDDRUGS.P	199.3 (40.3)	Does the process require that DOT drug tests are only conducted for the prohibited drugs specified in Part 40?
11.	(and 1 other asset)	Sat	DA.DRUG	4.	DA.DRUG.PREEMPLOYMENT.P	199.105(a) (199.105(c)(5))	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?

Inspection Results Report (ALL Non-Empty Results) - Scp_PK 88920

Row	Assets	Result	Sub-Group	Question #	Question ID	References	Question Text
12.	(and 1 other asset)	Sat	DA.DRUG	5.	DA.DRUG.POSTACCIDENT.P	199.105(b) (199.117(a)(5), 40.355(g), 40.355(h))	Does the process ensure that post-accident drug testing is conducted as required?
13.	(and 1 other asset)	Sat	DA.DRUG	6.	DA.DRUG.RANDOM.P	199.105(c)(5) (199.105(c)(6), 199.105(c)(7), 199.105(c)(8), 199.105(c)(9))	Does the process ensure that random drug testing is conducted as required?
14.	(and 1 other asset)	Sat	DA.DRUG	7.	DA.DRUG.REASONABLECAUSE.P	199.105(d) (199.117(a)(3), 40.355(g), 40.355(h))	Does the process ensure that reasonable cause drug testing is conducted as required?
15.	(and 1 other asset)	Sat	DA.DRUG	8.	DA.DRUG.RETURNTODUTY.P	199.105(e) (Part 40 Subpart O, 40.67(b), 40.285(a), 40.289(b), 40.305(a))	Does the process ensure that return-to-duty drug testing is conducted as required?
16.	(and 1 other asset)	Sat	DA.DRUG	9.	DA.DRUG.FOLLOWUPTTEST.P	199.105(f) (40.67(b), 40.307, 40.309)	Does the process ensure that follow-up drug testing is conducted as required?
17.	(and 1 other asset)	Sat	DA.DRUG	10.	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)	Does the process ensure the MRO performs functions as required by DOT Procedures?
18.	(and 1 other asset)	Sat	DA.DRUG	11.	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))	Does the process ensure the MRO reports all drug test results to the DER as required?
19.	(and 1 other asset)	Sat	DA.DRUG	12.	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)	Does the process ensure an employee is immediately removed from performing covered functions after failing or refusing a drug test?
20.	(and 1 other asset)	Sat	DA.DRUG	13.	DA.DRUG.EAP.P	199.113(a) (199.113(b), 199.113(c))	Does the process ensure that an EAP is established and available to employees and

Inspection Results Report (ALL Non-Empty Results) - Scp_PK 88920

Row	Assets	Result	Sub-Group	Qs t #	Question ID	References	Question Text
							supervisory personnel?
21.	(and 1 other asset)	Sat	DA.ALCOHOL	1.	DA.ALCOHOL.PLAN.P	199.202	Is a written Alcohol Misuse Plan in-place and maintained that conforms to the requirements of Part 199 and Part 40?
22.	(and 1 other asset)	Sat	DA.ALCOHOL	2.	DA.ALCOHOL.SERVICEAGENTQUAL.R	199.5 (40.213)	Do records indicate that Alcohol Misuse Prevention Program positions and/or service agents meet the applicable qualification requirements of Part 40 and Part 199?
23.	(and 1 other asset)	Sat	DA.ALCOHOL	3.	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))	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?
24.	(and 1 other asset)	Sat	DA.ALCOHOL	4.	DA.ALCOHOL.SCREENINGTESTDEVICES.P	40.229 (40.235(e))	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?
25.	(and 1 other asset)	Sat	DA.ALCOHOL	5.	DA.ALCOHOL.CONFIRMATIONTESTDEVICES.P	40.231(a) (40.233(c))	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?
26.	(and 1 other asset)	NA	DA.ALCOHOL	6.	DA.ALCOHOL.PREEMPLOY.P	199.209(b) (199.209(b)(1), 199.209(b)(2), 199.209(b)(3))	If pre-employment alcohol testing is conducted, does

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Row	Assets	Result	Sub-Group	Qst #	Question ID	References	Question Text
							the process ensure that such testing is performed within the limits of Part 199?
27.	(and 1 other asset)	Sat	DA.ALCOHOL	7.	DA.ALCOHOL.POSTACCIDENT.P	199.225(a) (199.225(a)(1), 199.225(a)(2), 199.225(a)(3), 199.227(b)(4))	Does the process ensure that post-accident alcohol testing is conducted as required?
28.	(and 1 other asset)	Sat	DA.ALCOHOL	8.	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))	Does the process ensure that reasonable suspicion alcohol testing is conducted as required?
29.	(and 1 other asset)	Sat	DA.ALCOHOL	9.	DA.ALCOHOL.RETURNNDUTY.P	199.225(c) (199.233, 199.243(c), 40.67(b), 40.285(a), 40.305(a))	Does the process ensure that return-to-duty alcohol testing is conducted as required?
30.	(and 1 other asset)	Sat	DA.ALCOHOL	10.	DA.ALCOHOL.FOLLOWUPTTEST.P	199.225(d) (199.243(c)(2)(ii) , 40.307(a), 40.307(b), 40.309(a))	Does the process ensure that follow-up alcohol testing is conducted as required?
31.	(and 1 other asset)	Sat	DA.ALCOHOL	11.	DA.ALCOHOL.SCREENINGTEST.P	40.247(a)	Does the process ensure that alcohol screening test results are reported as required to the DER?
32.	(and 1 other asset)	Sat	DA.ALCOHOL	12.	DA.ALCOHOL.CONFIRMATIONTEST.P	40.255(a) (40.355(d))	Does the process ensure that alcohol confirmation test results are reported as required to the DER?
33.	(and 1 other asset)	Sat	DA.ALCOHOL	13.	DA.ALCOHOL.OTHERCONDUCT.P	199.237(a) (199.237(b), 40.23(c))	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?
34.	(and 1 other asset)	Sat	DA.ALCOHOL	14.	DA.ALCOHOL.EMPLOYEEERESOURCES.P	199.243(a) (40.285(b))	Does the process ensure that each covered

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							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?
35.	(and 1 other asset)	Sat	DA.ALCOHOL	15.	DA.ALCOHOL.EDUCATION.R	199.239(a) (199.239(a)(1), 199.239(a)(2))	Do records indicate educational materials were provided that explain alcohol misuse requirements and the policies and procedures with respect to meeting those requirements?
36.	(and 1 other asset)	Sat	DA.ALCOHOL	16.	DA.ALCOHOL.EDUCATIONCONTENT.R	199.239(b)	Do records indicate the alcohol misuse educational materials provided by the operator included the required content?
37.	(and 1 other asset)	Sat	DA.ALCOHOL	17.	DA.ALCOHOL.SUPERVISORTRAINALCOHOL.P	199.241	Does the process include the required 60-minute supervisory personnel training related to recognizing reasonable suspicion for alcohol testing?
38.	(and 1 other asset)	Sat	DA.PROGRAMRECORDS	1.	DA.PROGRAMRECORDS.RECORDKEEPING.R	199.117(b) (199.227(a), 199.231(b), 40.333(c), 40.333(d), 40.333(e))	Are drug and alcohol program records maintained and kept in a secure and proper location?
39.	(and 1 other asset)	Sat	DA.PROGRAMRECORDS	2.	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),	Are drug test records retained for five years, three years, and one year as required and readily available?

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Row	Assets	Result	Sub-Group	Qst #	Question ID	References	Question Text
						40.333(a)(2), 40.333(a)(4))	
40.	(and 1 other asset)	Sat	DA.PROGRAMRECORDS	3.	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))	Are alcohol test records retained for five years, three years, two years, and one year as required and readily available?

Report Parameters: All non-empty Results

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