

# 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	8582 Cascade Natural Gas D&A	Operator(s)	CASCADE NATURAL GAS CORP (2128)	Plan Submitted	09/26/2023
		Lead	Derek Norwood	Plan Approval	09/27/2023 by Dennis Ritter
Status	PLANNED	Team Members	David Cullom, Lex Vinsel, Anthony Dorrough, Scott Anderson, Tom Green	All Activity Start	09/12/2023
Start Year	2023	Observer(s)	John Trier, Marina Rathbun	All Activity End	09/13/2023
System Type	DA	Supervisor	Dennis Ritter	Inspection Submitted	--
Protocol Set ID	DA.2023.01	Director	Scott Rukke	Inspection Approval	--

## Inspection Summary

### Inspection Scope and Summary

The following inspection consisted of a comprehensive review of plans, records and documentation all related to Cascade Natural Gas Corporation (Cascade) and their DOT Anti-Drug and Alcohol Plan. Staff reviewed and examined all supplied documents and records related to administration of the drug and alcohol testing program.

### Facilities visited and Total AFOD

Inspection was conducted remotely via Microsoft Teams and SharePoint document review.

2 AFODs

### Summary of Significant Findings

*(DO NOT Discuss Enforcement options)*

There was one area of concern as a result of this inspection. The concern is in regard to 199.239(a)(2) that requires operators to provide written notice to representatives of employee organizations of the availability of educational materials that explain the alcohol misuse requirements.

Through discussion with Oregon PUC, Cascade and commission staff, it was determined that the operator provides educational materials to all covered employees which includes employee organization representatives but there is no formal notice to the employee organizations. Cascade should clarify their process to ensure employees organizations are aware of the resources available to covered employees.

### Primary Operator contacts and/or participants

- Angie Berger - Designated Employer Representative
- Colby Lundstrom - Manager, Compliance and Operations Programs
- Darren Tinnerstet - Compliance Audit Specialist

### Operator executive contact and mailing address for any official correspondence

Pat Darras, VP Engineering and Ops Services

400 North 4th Street, Bismarck, North Dakota 58501

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## Scope (Assets)

8582 Cascade Natural Gas D&A

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Report Filters: Results: all

Short # Name	Long Name	Asset Type	Asset IDs	Excluded Topics	Planned	Required	Inspected	Total	Required % Complete
1. 88961 (75)	Cascade Natural Gas-HEADQUARTERS	unit	88961	--	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.	88961 (75)	--	DA	P, R, O, S	Detail	--

## Plan Implementations

Activity # Name	SMART Act#	Start Date End Date	Focus Directives	Involved Groups/Subgroups	Qst Assets Type(s)	Planned	Required	Inspected	Total	Required % Complete
1. D&A	--	09/12/2023 -- 09/13/2023	--	all planned questions	all assets	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	D&A	COMPLETED	09/26/2023	D&A	88961 (75)

## Results (all values, 40 results)

### DA.GENERAL: General Program Requirements

- 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 88961 (75)  
 Result Notes Listed in Appendix B
- 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 88961 (75)  
 Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan  
  
 Section III.4
- 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 88961 (75)  
 Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Appendix C - Personnel Subject to Testing and Training

Section IV.1 Employees Subject to Testing

Section III.6 "NON-DOT" Testing Program

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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section IV.3 History-Check Requirement

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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section IV.1 Employees Subject to Testing

Section III.6 "NON-DOT" Testing Program

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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section VI.4 Contractor Monitoring

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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section VI.6 Management Information System

**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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section I.1

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 88961 (75)

Result Notes Reviewed qualifications for urine specimen collectors from Aberdeen and Kennewick, see attached

Reviewed MRO and SAP qualification, see attached

Labs used by CNGC are Clinical Reference Laboratory, LabOne and Quest Diagnostics. All are on the approved HHS certified labs list

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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan  
  
Section II.8 Definitions  
  
Section V.5 Table 1
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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan  
  
Section V.1 Pre-Employment Testing
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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan  
  
Section V.1 Post-Accident Testing  
  
Appendix F - Post-Accident or Reasonable Cause/Suspicion Supervisor Written Record
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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan  
  
Section V.1 Random Drug/Alcohol Testing
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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan  
  
Section V.1 Reasonable Suspicion/Cause Testing  
  
Appendix F - Post-Accident or Reasonable Cause/Suspicion Supervisor Written Record
15. Question Result, ID, References Sat, DA.DRUG.RETURNTODUTY.P, 199.105(e) (Part 40 Subpart O, 40.67(b), 40.285(a), 40.289(b), 40.305(a))  
Question Text *Does the process ensure that return-to-duty drug testing is conducted as required?*  
Assets Covered 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.1 Return-to-Duty Testing

16. Question Result, ID, References Sat, DA.DRUG.FOLLOWUPTTEST.P, 199.105(f) (40.67(b), 40.307, 40.309)  
Question Text *Does the process ensure that follow-up drug testing is conducted as required?*  
Assets Covered 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.1 Follow-up Testing

17. Question Result, ID, References Sat, 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)  
Question Text *Does the process ensure the MRO performs functions as required by DOT Procedures?*  
Assets Covered 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.8 MRO Review of Drug Test Results

18. Question Result, ID, References Sat, 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))  
Question Text *Does the process ensure the MRO reports all drug test results to the DER as required?*  
Assets Covered 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.8 MRO Review of Drug Test Results

**Reports.** All drug test results will be reported to the Company DER in a confidential and timely manner.

19. Question Result, ID, References Sat, 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)  
Question Text *Does the process ensure an employee is immediately removed from performing covered functions after failing or refusing a drug test?*  
Assets Covered 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section IV.7 Violation Consequences and Company Actions

20. Question Result, ID, References Sat, DA.DRUG.EAP.P, 199.113(a) (199.113(b), 199.113(c))  
Question Text *Does the process ensure that an EAP is established and available to employees and supervisory personnel?*  
Assets Covered 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section VI.2 Employee Assistance Program

## DA.ALCOHOL: Alcohol Misuse Prevention Program

21. Question Result, ID, References Sat, DA.ALCOHOL.PLAN.P, 199.202  
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 88961 (75)  
Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section I.1

Section V Anti-Drug & Alcohol Misuse Prevention Program

22. Question Result, ID, References **Sat, DA.ALCOHOL.SERVICEAGENTQUAL.R, 199.5 (40.213)**  
 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 **88961 (75)**  
 Result Notes **Reviewed qualifications for breath alcohol technicians from Aberdeen and Kennewick, see attached**
23. Question Result, ID, References **Sat, 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))**  
 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 **88961 (75)**  
 Result Notes **MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan**  
  
**Section IV.6 DOT Alcohol Violations and Prohibited Conduct**  
  
**Section IV.7 Violation Consequences and Company Actions**
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 **88961 (75)**  
 Result Notes **MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan**  
  
**Section V.11 Alcohol Screening with ASD**  
  
**Alcohol Testing Sites, Forms and Supplies**
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 **88961 (75)**  
 Result Notes **MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan**  
  
**Section V.3 Personnel and Testing Devices**  
  
**Section V.11 Alcohol Testing Sites, Forms and Supplies**
26. Question Result, ID, References **NA, 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 **88961 (75)**  
 Result Notes **CNG does not perform pre-employment alcohol testing**
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 **88961 (75)**  
 Result Notes **MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan**  
  
**SectionV.1 Post-Accident Testing**
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 **88961 (75)**

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.1 Reasonable Suspicion/Cause Testing

Appendix G: Reasonable Cause/Suspicion Observation Checklist

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.1 Return-to-Duty Testing

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.1 Follow-up Testing

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.11 Alcohol Screening Results

Section V.11 Alcohol Confirmation Results

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section V.11 Alcohol Screening Results

Section V.11 Alcohol Confirmation Results

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section IV.6 DOT Alcohol Violations and Prohibited Conduct

Alcohol Prohibited Conduct

Section IV.7 Violation Consequences and Company Actions

After DOT Alcohol Prohibited Conduct

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section IV.7 Violation Consequences and Company Actions

After DOT Rule Violations

Section VI.1 Substance Abuse Professional

SAP Referral

35. Question Result, ID, References Concern, 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 88961 (75)

Result Issue Summary Through discussion with Oregon PUC, Cascade and commission staff, it was determined that the operator provides educational materials to all covered employees which includes employee organization representatives but there is no formal notification to the employee organizations. Cascade should clarify their process to ensure employees organizations are aware of the resources available to covered employees.

Documents Reviewed 1. -- -- -- New Employee Checklist

Result Notes Through discussion with Oregon PUC, Cascade and commission staff, it was determined that the operator provides educational materials to all covered employees which includes employee organization representatives but there is no formal notification to the employee organizations. Cascade should clarify their process to ensure employees organizations are aware of the resources available to covered employees.

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 88961 (75)

Result Notes All employees are provided drug & alcohol free workplace policies and "DOT - What Employees Need to Know" during new hire orientation and this is documented on the new employee orientation checklist

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 88961 (75)

Result Notes MDU DOT Anti-Drug and Alcohol Misuse Prevention Plan

Section VI.3 Supervisor Training

## 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 88961 (75)

Result Notes Maintained electronically with secure access only available to HR, any paper documents are stored in locked file cabinets and locked office

Entire HR department is locked overnight



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 88961 (75)  
Result Notes Reviewed supervisor training records

Reviewed SAP report for follow-up testing, individual self-reported and was referred to SAP

Contractor MIS and procedures reviewed by NCMS prior to working with CNG

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 88961 (75)  
Result Notes No alcohol tests performed

Reviewed BAT calibration logs from Aberdeen

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.