

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	8770 BP Drug And Alcohol	Operator(s)	BP PIPELINE (NORTH AMERICA) INC. (31189)	Plan Submitted	01/18/2024
Status	LOCKED	Lead	Anthony Dorrough	Plan Approval	01/22/2024 by Dennis Ritter
Start Year	2024	Team Members	David Cullom, Lex Vinsel, Derek Norwood, Scott Anderson, Tom Green, Jason Hoxit	All Activity Start	07/11/2024
System Type	DA	Supervisor	Dennis Ritter	All Activity End	07/11/2024
Protocol Set ID	DA.2024.01	Director	Scott Rukke	Inspection Submitted	08/26/2024
				Inspection Approval	09/10/2024 by Scott Rukke

Inspection Summary

Inspection Scope and Summary

This is a program inspection of BP/Olympic Pipeline's Anti-drug and Alcohol Misuse Plan. BP procedures, practices, Hazardous Liquids Anti-drug and Alcohol Misuse Plan and records were reviewed. No field work was anticipated or completed, this inspection focused on whether records supported the procedural requirements of BP's Anti-drug and Alcohol Misuse Plan. This inspection was for intrastate pipelines operated by BP in WA-- however, the Anti-drug and Alcohol Misuse Plan is the same for all liquid lines.

*BP Cherry Point Crude - 24-inch - 5 mile pipeline from Kinder Morgan delivery to the Cherry Point Refinery

*Cherry Point Butane HVL pipeline - 6-inch - 5 mile pipeline from BP Cherry Point Refinery to AltaGas Storage Facility

*Olympic Pipeline Intrastate Laterals:

+Seattle - 12-inch - 12.83 mile pipeline from Renton Station to Seattle DF

+SeaTac - 12-inch - 5.54 mile pipeline from Renton Station to SeaTac Airport

+Tacoma - 8-inch - 3.72 mile pipeline from Tacoma Junction to Tacoma DF

+Vancouver - 12-inch - 4.4 mile pipeline from Vancouver Junction to Vancouver DF

+Olympia - 6-inch - 14.9 mile pipeline (this pipeline is out of service and idled with nitrogen since 2009 and has a section removed at MP 12.2)

The last Anti-drug and Alcohol Misuse inspection was completed by Juan Moya for PHMSA HQ from 8/1 thru 9/15/23, therefore all RECORDS question results in the following inspection will refer to the 2023 PHMSA inspection since it has been less than 3 years and the 2024 inspection will document any changes implemented by BP.

Facilities visited and Total AFOD=1

MS Teams Meeting - Thursday Jul 11 - Online

Summary of Significant Findings

There were no significant findings.

Primary Operator contacts and/or participants

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Scope (Assets)

#	Short Name	Long Name	Asset Type	Asset IDs Excluded	Topics Planned	Required	Inspected	Total %	Required Complete
1.	8770 BP DA	8770 BP Drug and Alcohol unit	--	--		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.	8770 BP DA	--	DA	P, R, O, S	Detail	--

Plan Implementations

Activity #	SMART Name	SMART Act#	Start Date	Focus Directives	Involved Groups/Subgroups	Qst Assets	Qst Type(s)	Planned	Required	Inspected	Total %	Required Complete
1.	8770 BP DA	--	07/11/2024	--	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

This inspection has no Form data entry.

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 **8770 BP DA**
 Result Notes **Staff viewed Appendix A - DER Amy LaFata (312) 498-2573 verified for both Drug and Alcohol misuse programs.**
- 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 **8770 BP DA**
 Result Notes **Located on Page 11 in both plans - Section G. #3 & Section I. #3**

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 **8770 BP DA**
 Result Notes **Located in Drug Plan in Section 1 - D. #14 & Alcohol Plan- Section 1 E. #11**
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 **8770 BP DA**
 Result Notes **Located in Drug Plan - Section #2 & Alcohol Plan - Section 1 G. #2**
- Note: This was **Unsat** for the PHMSA 2023 Inspection.**
- BP did not conduct the prior record checks per. 40.25**
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 **8770 BP DA**
 Result Notes **Located in Drug Plan - Section 1 - F & Alcohol Plan - Section H #1 & #2**
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 **8770 BP DA**
 Result Notes **Located in Drug Plan - XIV. Contractor/Sub-Contractor Monitoring & Alcohol Plan - XIV. Contractor/Sub-Contractor Monitoring**
- Note: This was a Concern in the PHMSA 2023 inspection. A Federal Motor Carrier was added into the reporting data. BP has resolved the issue, they will not include Federal Motor Carrier info in the future.**
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 **8770 BP DA**
 Result Notes **Located in Drug Plan - Section 14 - D. & Alcohol Plan - Section 13 - E. #1 & #2**
- Note: This was a Concern in the PHMSA 2023 inspection. BP reported incorrect information to D&A MIS in 2022.**

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 **8770 BP DA**
 Result Notes **Staff verified the Anti-Drug Plan was in place and maintained.**
- Note: This was a Concern in the PHMSA 2023 inspection. BP completed the changes identified (use of the term opiates instead of opioid, outdated references to Part 40 and outdated definitions) by PHMSA: Feb 29, 2024**
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 8770 BP DA

Result Notes Staff reviewed certificate for DER Amy LaFata - April 23, 2018 (certified) and MRO Robert Swotinsky, M.D, M.P.H. certified 4/12/20 thru 4/12/25. swotinsky@comcast.net

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 8770 BP DA

Result Notes Located in Section III - A. Applicability

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 8770 BP DA

Result Notes Located in Section IV - 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 8770 BP DA

Result Notes Located in Section IV - B. Post-Accident Testing

Note: This was a Concern in the PHMSA 2023 inspection. An individual had an accident and was recorded as a PHMSA reportable incident but it was not, it should have been recorded as a Non-DOT incident.

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 8770 BP DA

Result Notes Located in Section IV - C. Random 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 8770 BP DA

Result Notes Located in Section IV - D. Reasonable Cause Testing.

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 8770 BP DA

Result Notes Located in Section IV - E. Return-to-Duty Testing.

Note: This was a Concern in the PHMSA 2023 inspection. An employee self reported and used return to duty reporting but should have used pre-employment testing instead.

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 8770 BP DA

Result Notes Located in Section IV - F. 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 8770 BP DA

Result Notes Located in Section VIII - A. Medical Review Officers and the verification process.

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 [8770 BP DA](#)
Result Notes [Located in Section VIII - T. Procedures for MRO's to Transmit Drug Test Results.](#)
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 [8770 BP DA](#)
Result Notes [Located in Section IV - H. Company Stand Down Procedures](#)
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 [8770 BP DA](#)
Result Notes [Located in Section XI - Employee Assistance Program.](#)

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 [8770 BP DA](#)
Result Notes [Located in Section 1 - A. Alcohol Misuse Prevention Policy.](#)
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 [8770 BP DA](#)
Result Notes [Staff Reviewed DER & MRO certification docs.](#)
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 [8770 BP DA](#)
Result Notes [Located in Section IV - Alcohol Prohibited Conduct.](#)
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 [8770 BP DA](#)
Result Notes [Located in Appendix C - Subpart K - E. 1. Devices to be used to conduct alcohol screening tests.](#)
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 [8770 BP DA](#)
Result Notes [Located in Appendix C - Subpart K - G. 3 Requirements for proper use and care of EBT's](#)
26. Question Result, ID, [Sat, 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 8770 BP DA

Result Notes Located in Section IV - Alcohol Testing Required - A. Pre-Employment (Optional)

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 8770 BP DA

Result Notes Located in Section IV - 1. Post-Accident Testing.

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 8770 BP DA

Result Notes Located in Section IV - C. Reasonable Suspicion Testing.

29. Question Result, ID, Sat, DA.ALCOHOL.RETURNDUTY.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 8770 BP DA

Result Notes Located in Section IV. - D. Return-to-Duty Testing

30. Question Result, ID, Sat, DA.ALCOHOL.FOLLOWUPTTEST.P, 199.225(d) (199.243(c)(2)(ii), 40.307(a), 40.307(b), 40.309(a))
References

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

Assets Covered 8770 BP DA

Result Notes located in Section IV. - E. Follow-up Testing

31. Question Result, ID, Sat, DA.ALCOHOL.SCREENINGTEST.P, 40.247(a)
References

Question Text *Does the process ensure that alcohol screening test results are reported as required to the DER?*

Assets Covered 8770 BP DA

Result Notes Located in Section Appendix C - Subpart L - Alcohol Screening Tests - D. Procedure the BAT or STT is to follow after a a screening test result.

32. Question Result, ID, Sat, DA.ALCOHOL.CONFIRMATIONTEST.P, 40.255(a) (40.355(d))
References

Question Text *Does the process ensure that alcohol confirmation test results are reported as required to the DER?*

Assets Covered 8770 BP DA

Result Notes Located in Appendix C - Subpart M - C. Procedure to follow-up after the next alcohol confirmation test result

33. Question Result, ID, Sat, DA.ALCOHOL.OTHERCONDUCT.P, 199.237(a) (199.237(b), 40.23(c))
References

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 8770 BP DA

Result Notes Located in Section 9 - D. Levels of Disciplinary Actions.

34. Question Result, ID, Sat, DA.ALCOHOL.EMPLOYEERESOURCES.P, 199.243(a) (40.285(b))
References

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 8770 BP DA

Result Notes Located in Section IX. Disciplinary Actions A. General

35. Question Result, ID, Sat, DA.ALCOHOL.EDUCATION.R, 199.239(a) (199.239(a)(1), 199.239(a)(2))
References

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 8770 BP DA

Result Notes Staff reviewed their CBT online training course - Drug & Alcohol DNA Supervisor Training - (2 Hours) - Individuals need 80% to pass and must retake entire training if they fail. Also reviewed PDF copy of a list of completed supervisor trainings.

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 8770 BP DA

Result Notes Staff reviewed their CBT online training course - Drug & Alcohol DNA Supervisor Training - (2 Hours) - Individuals need 80% to pass and must retake entire training if they fail. Also reviewed PDF copy of a list of completed supervisor trainings.

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 8770 BP DA

Result Notes Located in Section XII. Employee Assistance Program - B. Supervisory 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 8770 BP DA

Result Notes A CHR third-party is the retainer & MRO (at their facility) in a confidential manner.

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 8770 BP DA

Result Notes Reviewed some selected records that were requested from PHMSA for the years 20/21/22 and reviewed during that audit.

40. Question Result, ID, References Sat, 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 8770 BP DA

Result Notes Reviewed some selected records that were requested from PHMSA for the years 20/21/22 and reviewed during that audit.

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