




Memorandum

U. S. Department
of Transportation
**Pipeline and
Hazardous Materials
Safety Administration**

Subject: **Stay of Enforcement – Drug & Alcohol Program Reporting** Date: March 9, 2010

From: Jeffrey D. Wiese 
Associate Administrator for Pipeline Safety

To: Stanley T. Kastanas
PHMSA Director Office of Substance Abuse Policy, Compliance & Enforcement

I am writing to you today to ask you to stay the enforcement of the requirements of 49 CFR §§ 199.119 and 199.229 to submit Management Information System (MIS) reports to the Pipeline and Hazardous Materials Safety Administration (PHMSA) by March 15 until April 15, 2010.

As outlined below, I believe this action is in the public interest. By allowing pipeline operators an additional month to prepare and submit reports, the overall accuracy of the reports will increase.

On January 19, 2010, PHMSA issued advisory bulletin ADB-09-04, which explained the new format for MIS reports for calendar year 2009 data. Operators are asked to identify all of the Office of Pipeline Safety-issued operator identification numbers (OpID) covered by the MIS report. Anecdotal evidence from past inspections indicates that operator personnel responsible for administering drug abuse and alcohol misuse prevention programs are not familiar with the OpID paradigm for their company. Additional time will allow companies to complete the internal coordination necessary to accurately report the OpIDs covered by the MIS report.

Also, PHMSA is collecting reports for contractors performing operations, maintenance, or emergency response functions. While operators have been required to monitor contractor drug and alcohol program results in past years, the requirement to submit contractor MIS reports is new for calendar year 2009. Additional time will allow operators to more fully coordinate with contractors and third party administrators.

ADB-09-04 encourages pipeline operators to file reports online. However, operators have reported difficulty accessing the online system several times in the past few weeks. By extending the reporting deadline by one month, the processing load on the online system will be reduced.