

April 15, 1992

Mr. David E. Pruett
Human Resources Manager
Denver Producing Division
Texaco USA Western E & P Region
8055 E. Tufts Avenue
Denver, CO 80237

Dear Mr. Pruett:

This is in response to your letter of February 25, 1992, requesting guidance concerning the random selection of "geographical locations" for employee testing rather than from one common random pool.

We have indicated in past agency training sessions/seminars conducted by Office of Pipeline Safety and by members of the Transportation Safety Institute, that a random selection pool may be comprised of all employees subject to Part 199, with random selection being conducted on the entire pool. We have indicated that "geographical selection" by various work sites would be acceptable under our regulations. We have cautioned many operators that the employee size and location of different sites may present a problem when trying to satisfy the 50 percent random test requirements. If several sites with a limited number of personnel are selected each time it may require the operator to conduct more frequent random selection testing during the year in order to meet the 50 percent test ratio. If sites with a large number of personnel are selected and everyone is tested, then the operator may reach and exceed the 50 percent test ratio before all random testing cycles for the year are completed. For example, an operator elects to conduct random testing cycles every other month during the year (6 testing cycles). After completing two testing cycles, the operator reaches or exceeds the 50 percent testing ratio because the large sites are being selected and the operator tests all the employee at each site. The operator would still have a requirement to conduct the addition four testing cycles to comply with the regulations that random testing selection be spread throughout the 12-month period even though the 50 percent ratio had been met after completing two testing cycles.

A process of first and only selecting the "sites" and then random selecting a percentage of employees at the site and testing them as you have outlined would help to eliminate any potential problems.

You should also be aware that when random test selection is conducted, each and every employee subject to the regulations should have an equal chance of being selected. The procedure you have outlined seems to meet that test.

Thank you for your inquiry. Please let me know if you need any more information about our drug testing requirements.

Sincerely,

Richard L. Rippert
Drug Compliance Coordinator
Office of Pipeline Safety
Enforcement