

May 20, 1993

Mr. Carlos Flores  
Safety Engineer  
Arizona Pipeline Company  
3111 West Lincoln Street  
Phoenix, AZ 20590

Dear Mr. Flores:

This is in response to your correspondence of March 3, 1993, to George W. Tenley, Jr., Associate Administrator for Pipeline Safety, requesting an opinion to determine what agencies may have jurisdiction over drug awareness and if the Department of Transportation's gas safety regulations apply to your company. Specifically, you asked when working for a natural gas utility that is subject to the Natural Gas Pipeline Safety Act (NGPSA), is your company subject to federal pipeline safety regulation or are you subject to regulation by Arizona State OSHA or both?

In Arizona, a natural gas utility subject to the NGPSA is subject to the drug testing requirements set out in 49 CFR Parts 199 and 40. The Arizona State Public Service Commission is an agent for this agency with respect to inspections conducted at facilities subject to the NGPSA. Other federal or state agencies may also have regulatory authority over your utility. However, other agencies cannot regulate pipeline safety matters covered by the NGPSA, or the regulations promulgated thereunder.

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

Sincerely,

Richard L. Rippert  
Drug Compliance Coordinator  
for Pipeline Safety