

11/29/96

Ms. Angi L. Smith  
Sr. Occupational Health Analyst  
Alyeska Pipeline Service Company  
1835 South Bragaw Street  
Anchorage, Alaska 99512

Dear Ms. Smith:

This is in response to your correspondence dated November 11, 1996, requesting clarification on the lowering of the random testing rate from 50% to 25%, effective January 1, 1997, for pipeline operators.

**QUESTION: As an operator, can Alyeska Pipeline Service Company request DOT/RSPA covered contractors to remain at the 50% random testing rate if the contractor has a history of positive DOT/RSPA drug tests (average 8-10 positives annually)? If so, can we impose this on a contractor using DOT authority instead of company policy? What is the maximum threshold (random test rate percentage) we can require using DOT authority? Or can we impose the two year positive test rate industry standard of 1.0% on covered contractors as a measure to keep them at a 50% random testing rate still utilizing DOT authority?**

**ANSWER:** The regulations state that the minimum annual percentage rate for random drug testing is 25 percent for covered employees. Pipeline operators may exceed RSPA's minimum annual percentage rate requirement under DOT authority.

If you need additional information or have questions about the information provided please feel free to contact Ms. Catrina Pavlik on (202)366-6199.

Sincerely,

G. Tom Fortner  
Director for Compliance  
and State Programs  
Office of Pipeline Safety