

12/10/96

Ms. Pam Good
Human Resources Coordinator
Northern Indiana Fuel and Light Company, Inc.
P.O. Box 526
Auburn, IN 46706

Dear Ms. Good:

This is in response to your November 13, 1996, correspondence requesting an interpretation on whether pilots who are subject to the Federal Aviation Administration's (FAA) drug/alcohol regulations are also required to be covered under the Research and Special Programs Administration's (RSPA) drug/alcohol regulations.

ISSUE: Our subsidiary, Northern Indiana Trading Company recently contracted with an aviation company for aerial patrol of the pipeline we maintain. Northern Indian Trading Company follows a RSPA drug and alcohol program. The aviation company is currently following a Federal Aviation Administration (FAA) drug and alcohol testing program.

ANSWER: OPS issued an interpretation letter, dated October 23, 1991, stating the following: A pilot who conducts an aerial pipeline survey subject to Section 192.613, is subject to the requirements of Part 199. If a pilot only files the aircraft and does not perform the visual pipeline survey, the pilot is not covered by Part 199. After consultation with the FAA's Office of Drug Abatement and the Office of the Secretary's Office of Drug Enforcement and Program Compliance, OPS has issued a new interpretation on this matter. Enclosed is a copy of the interpretation.

If you have any questions or need any additional information 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

Enclosure

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