

**ATTACHMENT 5**

**EPNG's Explanation for the Initial Decision  
Not to Test Control Center Employees**



November 1, 2001

**DELIVERED BY HAND**

Mr. Richard H. Flint II  
Report Manager  
National Transportation Safety Board  
Office of Railroad, Pipeline and Hazardous Materials Investigations  
490 L'Enfant Plaza East, S.W.  
Washington, DC 20594-2000

Subject: DCA00-MP099 - Response to Requests for Additional Information

Dear Mr. Flint:

El Paso submits the following in response to your follow-up request for additional information concerning El Paso Response No. 3 to the NTSB's request for information dated August 15, 2001. This Response addressed El Paso's initial decision that the applicable Department of Transportation Regulations did not require that El Paso conduct drug testing of the gas controllers or the gas coordinator on duty at the time of the rupture. In your questions, you cited DOT regulation 49 CFR § 199.222, but I presume that you intended to cite § 199.221 and have answered accordingly.

Before addressing your questions regarding El Paso's decision making process, let me clarify bracketed language inserted after the recitation of the NTSB Request No.3 in our prior response. This insert should have read, "[I]etter demarcations not in original" and was intended to explain that the NTSB's original request did not separate the requests into subparts. El Paso inserted the subparts to make its response easier to understand.

**Request No. 1:** Upon "what information and reasons" did El Paso base its initial decision that testing was not required.

**Response No. 1:**

El Paso's decision was based upon the language of Department of Transportation regulation §§ 199.221 & 199.11 and the facts known to them on the morning of August 19, 2000. In particular, they did not conclude that the gas controllers or the coordinator "contributed to" the incident. Management reviewed the information available regarding what had happened in the field, a pipeline rupture; the information available to the controllers and the coordinator at the

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start of their shift, including the prior shift log; the information they received via the SCADA system during their shift, including pressure readings and the event log; their actions during the shift, and the information they received from El Paso field personnel responding to the rupture.

Request No. 2: Who determined this and when?

Response No. 2:

Vice President, Pipeline Control, and Manager Pipeline Control, Operations Control Department, made the initial decision not to drug test the gas controllers or the coordinator on the morning of August 19, 2000. consulted with the Manager of Compliance Services, and Charlie Mathis, Administrator, Pipeline Control, Operations Control Department, in connection with making this decision.

*The Vice President, Pipeline Control and the Manager, Pipeline Control*

Request No. 3: How was the controller's performance judged as "could not have contributed to the accident"? 49 CFR 199.221 and 199.11.

Response No. 3:

The controllers and coordinators were considered neither "to have contributed to the accident", nor to be a "contributing factor to the accident" because they had not taken any action that could have caused the pipeline to rupture, and they did not have any information from the prior shift or receive any SCADA information during their shift that could have caused them to alter the operation of the pipeline in a manner that could have prevented, or otherwise mitigated the results of, the rupture that occurred that morning. In addition, their response to the information received that morning was appropriate and also was not considered to have warranted testing under the standards established in the OPS regulations.

Request No. 4: Was there any consultation with DOT - Vice President, etc.? Pipeline Control

Response No. 4:


The El Paso decision-makers did not confer with DOT representatives in making their decision on the issue of whether to drug test gas control personnel.

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Please feel free to contact me should you have any questions regarding this submission. I can be reached at (719) 520-4530.

Respectfully submitted,  
El Paso Natural Gas Company

BY:

  
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Vice President Transmission Operations  
El Paso Natural Gas Company

cc: Norma F. Dunn