



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

233 Peachtree Street Ste. 600
Atlanta, GA 30303

NOTICE OF AMENDMENT

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 31, 2018

Christian Fischer
President and CEO
Georgia-Pacific Corporation
133 Peachtree Street NE
Atlanta, GA 30303

CPF 2-2018-1003M

Dear Mr. Fischer:

On May 3, 2018, a representative of the Pipeline and Hazardous Materials Safety Administration (PHMSA) pursuant to Chapter 601 of 49 United States Code inspected Georgia-Pacific Corporation's drug and alcohol testing procedures in Atlanta, Georgia.

On the basis of the inspection, PHMSA identified apparent inadequacies found within Georgia Pacific's plans, as described below:

1. §199.101 Anti-drug plan.

(a) Each operator shall maintain and follow a written anti-drug plan that conforms to the requirements of this part and the DOT Procedures. The plan must contain—

- (1) Methods and procedures for compliance with all the requirements of this part, including the employee assistance program;**
- (2) The name and address of each laboratory that analyzes the specimens collected for drug testing;**
- (3) The name and address of the operator's Medical Review Officer, and Substance Abuse Professional; and**
- (4) Procedures for notifying employees of the coverage and provisions of the plan.**

Despite being dated March 25, 2018, the Georgia-Pacific Anti-Drug Plan, Revision 7, reviewed during this inspection was considerably out of date. The plan did not contain the correct random drug testing rate, contained incorrect information regarding post-accident drug testing, and failed to include new requirements from several regulatory amendments promulgated in the past few years. Moreover, the 104-page Anti-Drug Plan contained

large sections of verbatim and paraphrased language taken directly from the federal drug testing regulations making it difficult and unclear as to how Georgia-Pacific actually implements its anti-drug policy and the federal drug testing regulations.

2. §199.202 Alcohol misuse plan.

Each operator must maintain and follow a written alcohol misuse plan that conforms to the requirements of this part and DOT Procedures concerning alcohol testing programs. The plan shall contain methods and procedures for compliance with all the requirements of this subpart, including required testing, recordkeeping, reporting, education and training elements.

Despite being dated March 23, 2018, the Georgia-Pacific Alcohol Misuse Prevention Plan, Revision 7, reviewed during this inspection was considerably out of date. The plan was unclear with regards to pre-employment alcohol testing, contained incorrect information regarding post-accident alcohol testing, and failed to include new requirements from several regulatory amendments promulgated in the past few years. Moreover, the 71-page Alcohol Misuse Prevention Plan contained large sections of verbatim and paraphrased language taken directly from the federal alcohol testing regulations making it difficult and unclear as to how Georgia-Pacific actually implements its alcohol misuse policy and the federal alcohol testing regulations.

Response to this Notice

This Notice is provided pursuant to 49 U.S.C. § 60108(a) and 49 C.F.R. § 190.206. Enclosed as part of this Notice is a document entitled *Response Options for Pipeline Operators in Compliance Proceedings*. Please refer to this document and note the response options. Be advised that all material you submit in response to this enforcement action is subject to being made publicly available. If you believe that any portion of your responsive material qualifies for confidential treatment under 5 U.S.C. 552(b), along with the complete original document you must provide a second copy of the document with the portions you believe qualify for confidential treatment redacted and an explanation of why you believe the redacted information qualifies for confidential treatment under 5 U.S.C. 552(b).

Following the receipt of this Notice, you have 30 days to submit written comments, revised procedures, or a request for a hearing under §190.211. If you do not respond within 30 days of receipt of this Notice, this constitutes a waiver of your right to contest the allegations in this Notice and authorizes the Associate Administrator for Pipeline Safety to find facts as alleged in this Notice without further notice to you and to issue an Order Directing Amendment. If your plans or procedures are found inadequate as alleged in this Notice, you may be ordered to amend your plans or procedures to correct the inadequacies (49 C.F.R. § 190.206). If you are not contesting this Notice, we propose that you submit your amended procedures to my office within 60 days of receipt of this Notice. This period may be extended by written request for good cause. Once the inadequacies identified herein have been addressed in your amended procedures, this enforcement action will be closed.

It is requested (not mandated) that Georgia-Pacific maintain documentation of the safety improvement costs associated with fulfilling this Notice of Amendment (preparation/revision of plans, procedures) and submit the total to James Urisko, Director, Southern Region,

Pipeline and Hazardous Materials Safety Administration. In correspondence concerning this matter, please refer to **CPF 2-2018-1003M** and, for each document you submit, please provide a copy in electronic format whenever possible.

Sincerely,

for 
James A. Urisko
Director, Office of Pipeline Safety
PHMSA Southern Region

Enclosure: *Response Options for Pipeline Operators in Compliance Proceedings*