

August 17, 1993

This is in response to your correspondence of July 7, 1993, requesting an opinion to determine whether the services that your company provides to pipeline operators would subject your employees to the drug testing requirements under Parts 199 and 40.

Your correspondence indicates that your company is involved in the new construction of pipelines in the U.S. Gulf of Mexico. These services involve the new construction of oil and gas pipelines and each of the pipelines is extensively tested by the operator prior to its being placed in service.

Based on the information you provided, it would appear that your employees do not perform functions subject to the drug testing regulations because the drug rules do not apply to construction of new pipelines.

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  
Office of Pipeline Safety  
Compliance