



**Wild Goose Storage, LLC**  
**A Rockpoint Gas Storage Company**

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December 1, 2023

Terence Eng, P.E.  
Program Manager  
Gas Safety and Reliability Branch  
Safety and Enforcement Division  
California Public Utilities Commission  
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San Francisco, CA 94102-3298  
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*VIA ELECTRONIC MAIL*

**RE: General Order 112-F Inspection of Wild Goose Storage’s Emergency Response, Public Awareness, and Anti-Drug and Alcohol Misuse Prevention Program**

Dear Mr. Eng:

Wild Goose Storage, LLC (WGS) submits this written response to the Safety and Enforcement Division (SED) of the California Public Utilities Commission (Commission). On behalf of the SED, Wai Yin (Franky) Chan, Dylan Glass, and Julian Cornell conducted a General Order 112-F inspection of WGS’s Emergency Response, Public Awareness, and Anti-Drug and Alcohol Misuse Prevention Program from October 30 – November 3, 2023. The inspection findings identified by SED were provided to WGS on November 22, 2023. WGS addresses the inspection findings as noted by SED in the “Post-Inspection Written Findings” in the following enclosed document:

- **Attachment #1** – WGS Responses to “Post-Inspection Written Findings”
- **Attachment #2** – Excerpt from WGS Anti-Drug and Alcohol Misuse Prevention Plan section VII.6 highlighting revisions to address MIS reporting for small operators

If you have any questions, or require more information, please contact me at [greg.clark@rockpointgs.com](mailto:greg.clark@rockpointgs.com) or at (209) 368-9277.

Sincerely,



Gregory N. Clark  
Senior Compliance Manager

Enclosures

cc: C. Almengor ([claudia.almengor@cpuc.ca.gov](mailto:claudia.almengor@cpuc.ca.gov))  
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A. Anderson, G. Bozarth, M. Fournier, H. Gold (via e-mail)

# Attachment #1



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**WGS Responses to “Post-Inspection Written Findings”**



**Post-Inspection Written Findings**

**Concerns**

**1. Drug and Alcohol : General Program Requiriements (DA.GENERAL)  
Reporting of Annual D&A Test Results to PHMSA,  
DA.GENERAL.MISREPORTS.P**

**Question 7.** Does the process ensure D&A MIS reports are submitted annually to PHMSA as required?

**References** 199.119(a) (199.3, 199.119(f), 199.229(a), 199.229(d), 40.26)

SED reviewed Wild Goose Storage's (WGS) Anti-Drug and Alcohol Misuse Prevention Plan and section VII.6 states that:

"The Company will prepare and maintain the DOT Management Information System (MIS) report for its drug and alcohol testing program. This report will be submitted to PHMSA in accordance with annual submission requirements... The MIS report will be submitted electronically through the DAMIS portal on or before March 15th."

According to §199.119(a), each large operator (having more than 50 covered employees) is required to submit an annual Management Information System (MIS) report to PHMSA of its anti-drug testing, but each small operator (50 or fewer covered employees) is only required by notice from PHMSA to submit an annual MIS report. Because WGS is a small operator and is not required to submit an MIS report to PHMSA unless it receives a notice in the PHMSA Portal (<https://portal.phmsa.dot.gov/phmsaportallanding>), SED recommends WGS to include clarification in its plan on the MIS report submission procedure for a small operator.

**WGS Response:**

WGS has updated its Anti-Drug and Alcohol Misuse Prevention Plan section VII.6 to address MIS reporting for small operators. Please see Attachment #2.

# Attachment #2



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**Excerpt from WGS Anti-Drug and Alcohol Misuse Prevention Plan Section VII.6  
highlighting revisions to address MIS reporting for small operators**

- b) Records kept for **three** years:
  - (1) Records of information obtained from previous employers under Part 40 concerning drug and alcohol test results of employees;
  - (2) Records that demonstrate the drug-testing collection process; and,
  - (3) Records related to “signs and symptoms” alcohol and drug training for supervisors;
  - (4) Records related to employee education and training;
  - (5) Records of decisions not to administer post-accident covered employee alcohol and drug tests.
  
- c) Records kept for **two** years:
  - (1) Records related to the alcohol collection process (i.e., calibration documentation for evidential breath testing devices, documentation of breath alcohol technician training, documents generated in connection with decisions to administer reasonable suspicion alcohol tests, documents generated in connection with decisions on post-accident tests, and documents verifying existence of a medical explanation of the inability of a covered employee to provide adequate breath for testing); and,
  
- d) Records kept for **one** year:
  - (1) Negative and cancelled drug test results.
  - (2) Alcohol results less than 0.02.

**Employee Request for Records.** All employees have the right to request and obtain copies of any records pertaining to the employee's use of alcohol and/or drugs, including records of the employee's DOT-mandated drug and/or alcohol tests, and copies of SAP reports. Requests for records must be made in writing to the DER. A laboratory must provide, within 10 business days of receiving a written request from an employee, and made through the MRO, the records relating to the results of the employee's drug test (i.e., laboratory report and data package). Service agents providing records may charge no more than the cost of preparation and reproduction for copies of these records. SAPs must redact follow-up testing information from the report before providing it to the employee.

## 6. Management Information System

**Compliance.** The Company will prepare and maintain the DOT Management Information System (MIS) report for its drug and alcohol testing program. This report will be submitted to PHMSA in accordance with annual submission requirements. If the Company uses a C/TPA then the C/TPA may prepare and maintain the MIS, reporting the MIS as the Company requires. The DER will certify each report submitted by a C/TPA for accuracy and completeness. The MIS report will be submitted electronically through the DAMIS portal on or before March 15<sup>th</sup>.

**Contractor Reporting for MIS.** If the Company is an operator, it will verify and identify all contractors who performed covered functions, as defined under Part 199, for this Company in a given calendar year. If required, by either mandated annual or PHMSA written request, the Company will submit an MIS report for each of these contractors. The contractor MIS reports will be submitted electronically through the DAMIS portal on or before March 15<sup>th</sup>. This report will be submitted to PHMSA in accordance with annual submission requirements if the operator has more than 50 covered employees. If the operator has 50 or fewer covered employees, the report will be submitted to PHMSA when requested to do so by notice in the PHMSA Portal(<https://portal.phmsa.dot.gov/phmsaportallanding>) for the requested calendar year.