



SOUTHWEST GAS CORPORATION

Kevin Lang, P.E., Vice President, Engineering Staff

June 17, 2025

Via Email

Mr. Terence Eng
Program Manager
State of California Public Utilities Commission
Gas Safety and Reliability Branch
Safety and Enforcement Division
505 Van Ness Avenue
San Francisco, CA 94102-3298

RE: G.O. 112F Inspection of Southwest Gas Corporation's Anti-Drug and Alcohol Prevention Program

Dear Mr. Eng,

Southwest Gas Corporation (Southwest Gas or Company) respectfully submits the following response to your letter dated June 3, 2025. The Safety and Enforcement Division (SED) of the California Public Utilities Commission (Commission) G.O. 112-F inspection of Southwest Gas Corporation's Anti-Drug and Alcohol Prevention Program (D&A Program) on April 21 through 25, 2025.

Southwest Gas appreciates Staff's consideration of this matter. Please do not hesitate to contact me if there are any questions or concerns.

Sincerely,

Kevin Lang (Jun 17, 2025 08:58 PDT)

Kevin Lang
Vice President, Engineering Staff

cc: Paul Gustilo
Tammy Short
Gordon Kuo, CPUC

Valerie Ontiveroz
Mahmoud (Steve) Intably, CPUC
Claudia Almengor, CPUC



Summary of Inspection Findings

Concerns

Drug and Alcohol: Anti-Drug Program (DA.DRUG)

1. Question MRO Drug Test Reports to the Operator,
Title, ID DA.DRUG.MROTESTREPORTS.P

Question: 11. Does the process ensure the MRO reports all drug test results to the DER as required?

References: 199.109(d) (Part 40 Subpart G, 40.345(a), 40.345(b), 40.345(c), 40.355(b), 40.355(c))

Assets Covered: GI-2025-04-SWG-30-06 (SWG Drug and Alcohol)

Issue Summary: Title 49 CFR §40.345(a) states:

"In every case, you must ensure that, in transmitting information to employers, you meet all requirements (e.g., concerning confidentiality and timing) that would apply if the service agent originating the information (e.g., an MRO or collector) sent the information directly to the employer. For example, if you transmit drug testing results from MROs to DERs, you must transmit each drug test result to the DER in compliance with the MRO requirements set forth in § 40.167"

Title 49 CFR §40.167(b) states:

"You must transmit to the DER on the same day the MRO verifies the result or the next business day all verified positive test results, results requiring an immediate collection under direct observation, adulterated or substituted specimen results, and other refusals to test."

Title 49 CFR §40.167(c) states:

"You must transmit the MRO's report(s) of verified tests to the DER so that the DER receives it within two days of verification by the MRO."

The Southwest Gas Drug and Alcohol Policy Section XVII, Subsection G states:



"All drug test results will be reported to the Company DER in a confidential and timely manner."

SWG’s D&A Policy requires that all drug test results be reported to the Company DER in a "timely manner". To ensure consistency with the above regulations, SED recommends SWG to include the above set time limit in its D&A Policy so that the positive results are transmitted to the DER “on the same day” the MRO verified the result or by the “next business day” for all verified tests result. In addition, SED recommends that SWG to include the above set time limit in its D&A Policy so that the DER must receive the MRO’s report(s) of verified tests “within two days” of verification by the MRO.

Southwest Gas Response: Southwest Gas acknowledges SED’s recommendation and has revised its D&A Policy language to specify that the Medical Review Officer (MRO) must transmit verified drug test results to the Designated Employer Representative (DER) on the same day the verification is completed, or no later than the next business day, in accordance with 49 CFR §40.167(c). This change will be incorporated into the D & A Policy effective June 30, 2025.

Drug and Alcohol : Alcohol Misuse Prevention Program (DA.ALCOHOL)

1. Question BAT Alcohol Confirmation Test Reports,
Title, ID DA.ALCOHOL.CONFIRMATIONTEST.P

Question: 12. Does the process ensure that alcohol confirmation test results are reported as required to the DER?

References: 40.255(a) (40.355(d))

Assets Covered: GI-2025-04-SWG-30-06 (SWG Drug and Alcohol)

Issue Summary: Title 49 CFR §40.255(a)(5) states in part:

1) After the EBT has printed the result of an alcohol confirmation test, you must, as the BAT, take the following additional steps:

(5) Immediately transmit the result directly to the DER in a confidential manner.”



SWG’s Anti-Drug and Alcohol Misuse Prevention Policy, Section XIII.H states in Part:

"If the alcohol confirmation test result is lower than 0.02, nothing further is required of the employee. If the alcohol confirmation test result is 0.02 or higher, the BAT will immediately transmit the result directly to the DER in a confidential manner."

SWG’s Anti-Drug and Alcohol Misuse Prevention Policy, Section XIII.H requires the BAT to report the result of 0.02 or higher to the DER, but it requires no further action if the test result is 0.02 or lower. Title 49 CFR §40.255(a)(5) requires all alcohol confirmation test results to be reported to the DER. SED recommends that SWG amend Section XIII.H of its Anti-Drug and Alcohol Misuse Prevention Policy to correctly reflect the requirements set forth in Title 49 CFR §40.255(a)(5).

Southwest Gas Response: Southwest Gas acknowledges SED’s recommendation and has revised its D&A Policy to replace the language stating the Breath Alcohol Technician (BAT) will immediately transmit the result of an alcohol confirmation test with a result of 0.02 or higher with language stating the BAT will transmit all alcohol confirmation tests to the DER in an immediate and confidential manner, in accordance with 49 CFR §40.255(a)(5). This change will be incorporated into the Policy effective June 30, 2025.

Southwest Gas Response CPUC 2025 D&A Inspection Letter

Final Audit Report

2025-06-17

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