



# Marine Safety Unit Pittsburgh Waterways Information September 2023



## Allegheny River\*\*

### **Robert Clemente Bridge/Sixth Street Bridge (0.6):**

A containment system is installed below low steel and follows the contour of the bridge. Vertical clearance is reduced **approximately 1-foot for the middle, 100 feet of the navigation span**. A work barge will be located outside of the navigation channel and will not affect navigation. Mariners are advised to transit the bridge with extreme caution. LNM 38-22

## Ohio River\*\*

### **Helicopter Operation/ Safety Zone/River Closure (79.5 -80.0):**

Commencing September 12, 2023, and continuing until September 15, 2023, there will be helicopter operations between approximate Mile 79.5 and Mile 80.0. Operations will be conducted from 8:00 a.m. until 5:00 p.m., daily. The U.S. Coast Guard COTP Ohio Valley has established a Safety Zone closing the river for this event. Vessels are prohibited from transiting this area during the event period, unless otherwise authorized by the U.S. Coast Guard. Mariners may contact the Event Manager, at (304) 997-5418, for additional information. LNM 36-23

### **Pipe Replacement Operation (111.5)**

**Commencing October 12, 2023, and continuing until January 15, 2024**, pipe replacement operations will be conducted along the right descending bank, in the vicinity of Mile 111.5. Mariners may contact the U.S. Coast Guard Sector Ohio Valley via VHF-FM Channel 16, for further information. Mariners are requested to transit the area at their slowest safe speed to minimize their wake and proceed with caution. LNM 36-23

## Monongahela River\*\*

### **Channel Condition (96.0-94.0):**

Shoaling has been reported between Mile 96.0 and Mile 94.0, in the vicinity of Coburn Bend. Mariners are urged to exercise caution in the area. LNM 34-23

*\*\*The information provided is for general informational purpose only and does not include everything in the Local Notice to Mariner. Please visit the weekly Local Notice to Mariner for the latest information.*

## Upcoming Events\*\*

-**Cheswick Power Plant Stack Implosion** (Safety Zone, Allegheny River MM 15.5-16.5) on September 22 from 0730-0900.

-**Elrama Power Plant Stack Implosion** (Safety Zone, Monongahela River MM 24.5- 25.5) on September 19 from 1030-1130.

*\*\*Information is subject to change. This is meant to be used as an aid.*



# Marine Safety Information Bulletin

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U.S. Coast Guard  
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## Marine Employer Required Drug Testing and 46 CFR Part 16 Drug Testing

Employers are reminded that drug tests required by Title 46, Code of Federal Regulations (CFR), Part 16 and those ordered by company policy are not interchangeable. All Part 16 drug testing procedures, including the basis and documentation, must be completely separate from non-Part 16 drug tests. A crucial aspect of keeping the basis for the tests separate is the use of the drug testing custody and control forms. A Federal Drug Testing Custody and Control Form may ***ONLY*** be used for Part 16 drug testing and must ***NOT*** be used for non-DOT, including non-Part 16, drug testing. See 49 CFR § 40.13(f).

### Part 16 Testing

When an employer orders a Part 16 drug test, they are ordering a search of a mariner's urine under the Coast Guard's authority. Because of the protections built into Part 16, it is vital that any drug test ordered by an employer, under the authority of Part 16, be done in compliance with Part 16 and only on one or more of the specified four occasions: pre-employment, random, serious marine incident, or reasonable cause. For these tests, a Federal Drug Testing Custody and Control Form must be utilized. If a drug test is properly ordered in compliance with Part 16, and properly conducted in accordance with 49 CFR Part 40, the Coast Guard is afforded a presumption of drug use by the mariner such that remedial action is much more likely.

### Non-DOT/Non-Part 16 Testing

When an employer orders a non-Part 16 required drug test, the basis must be independent of those required by Part 16. Because the test is not ordered under the Coast Guard's authority, it should be documented on a Non-Federal Drug Testing Custody and Control Form. This ensures less confusion and a greater likelihood of admissibility at an administrative hearing.

Additionally, violating 49 CFR § 40.13(f) may put the company at risk for civil penalties. If the company uses the proper form for drug tests ordered in accordance with their company policy, the marine employer will avoid that liability risk.

### Conclusion

Employers are reminded to: (1) clearly separate Part 16 drug testing (i.e. Coast Guard mandated) from non-Part 16 drug testing (e.g. company policy), (2) have the ability to articulate a valid basis for using the Coast Guard's authority to require drug testing in accordance with Part 16, (3) always use a Federal Drug Testing Custody and Control Form for Part 16 mandated drug tests, and (4) never use Federal Drug Testing Custody and Control Form for non-DOT or non-Part 16 drug testing.

Questions or comments may be sent to [DAPI@uscg.mil](mailto:DAPI@uscg.mil).

*This release has been issued for public information and notification purposes only.*