

Drug and Alcohol Non-DOT

Scope

1. Applicability: This Drug and Alcohol Program ("Program") applies to all Pulsar Helium employees and other workers directly engaged in activities on Pulsar Helium projects or property.

2. Contractor Programs:

- **Where a Contractor (defined as any individual or entity engaged by Pulsar Helium by written agreement to perform work on its site) performs work, the Contractor's established Drug and Alcohol safety program ("Contractor Program") shall take precedence, provided that:**
 - The Contractor Program meets or exceeds all applicable laws, regulations, and industry standards.
 - Pulsar Helium reserves the right to audit and verify the Contractor Program's compliance at any time.
 - In the event of non-compliance, Pulsar Helium may require the Contractor to revise its program to meet or exceed all applicable laws and regulations.

3. Program Adoption by Contractors: Pulsar Helium may, at its sole discretion, offer this Program for adoption by any Contractor who does not have a documented and actively enforced confined space entry program.

4. Disclaimer: This Program is not intended to be a substitute for independent legal counsel or a comprehensive statement of all applicable legal requirements. Contractors are solely responsible for ensuring compliance with all relevant laws, regulations, and industry standards regarding confined space entry.

5. Interpretation and Enforcement: Pulsar Helium reserves the right to interpret and enforce the provisions of this Program at its sole discretion. This right includes, but is not limited to, the ability to clarify ambiguities, resolve disputes, and modify the Program as necessary.

Testing Requirements

Pre-Employment/Post-Offer Testing of Individuals

Pre-employment and pre-assignment drug and alcohol testing is mandatory for all personnel.

Random Drug and Alcohol Testing

Random employee drug and alcohol testing will be conducted in accordance with a documented selection process designed to ensure objectivity and non-discrimination, as permitted by applicable laws and regulations.

Reasonable Suspicion:

Authorization: An employee may be required to undergo drug and alcohol testing upon the reasonable suspicion of a designated supervisor, as defined in the Company's substance abuse policy, that the employee is performing work under the influence of drugs or alcohol.

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Reasonable suspicion shall be based on specific, contemporaneous, and articulable observations concerning the employee's appearance, behavior, speech, or odor, which could indicate impairment due to drug or alcohol use. Examples of such observations may include:

- Bloodshot eyes, slurred speech, or unsteady gait.
- Unusual drowsiness or lethargy.
- Unexplained intoxication or odor of alcohol or drugs.
- Incoherent behavior or difficulty following instructions.
- Significant decline in job performance or safety violations.

Post-Incident Drug and Alcohol Testing

Upon occurrence of a work-related incident, Pulsar Helium may require employees reasonably suspected of involvement to undergo drug and alcohol testing.

Reasonable Suspicion: Involvement in the incident alone does not warrant mandatory testing. Pulsar Helium will base the testing requirement on specific, articulable, and objective facts indicating the employee's potential impairment by drugs or alcohol at the time of the incident. Such facts may include:

- Witness statements about the employee's behavior or appearance before or during the incident.
- Physical evidence suggestive of impairment, such as drug or alcohol containers found at the scene.
- Employee admissions or statements implying potential substance use.

Testing Discretion: Pulsar Helium reserves the right to determine, based on the specifics of the incident and available evidence, whether drug and alcohol testing is necessary or warranted for all involved employees.

Drugs Testing Panel:

Pulsar Helium's drug testing program will screen for the following five controlled substances:

- Marijuana (THC): Delta-9-Tetrahydrocannabinol (THC) and its metabolites
- Cocaine: Benzoyllecgonine and its metabolites
- Opiates: Codeine, Morphine, Heroin, and their metabolites
- Amphetamines: Amphetamine, Methamphetamine, and their metabolites
- Phencyclidine (PCP): Phencyclidine and its metabolites

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Recordkeeping and Retention

Pulsar Helium is obligated to maintain accurate and complete records of all drug and alcohol testing conducted under this policy. This includes, but is not limited to, the following:

- Chain of custody forms: Documenting the handling and transportation of all testing samples from collection to analysis.
- Test results reports: Containing the raw data and interpretation of the laboratory analysis.
- Calibration records: Verifying the accuracy of testing equipment used.
- Documentation of training: For supervisors and personnel involved in the testing process.
- Signed acknowledgment/consent forms: Obtained from employees acknowledging their understanding of the policy and consenting to testing when required.

Retention Period: Pulsar Helium will retain all drug and alcohol testing records for a minimum of three years following the termination of employment in accordance with applicable local, state, or federal regulations relating to recordkeeping].

Confidentiality: Pulsar Helium will maintain the confidentiality of all drug and alcohol testing records in accordance with applicable laws and regulations. Access to these records will be restricted to authorized personnel on a need-to-know basis.

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Pulsar Helium Drug and Alcohol Policy

Applicability: This Drug and Alcohol Program ("Policy") applies to all Pulsar Helium employees and other workers directly engaged in activities on Pulsar Helium projects or property.

Zero Tolerance: Pulsar Helium maintains a zero-tolerance policy for the possession, sale, receipt, impairment by, or presence of measurable levels of alcohol or illegal drugs in Personnel's blood or urine. Violation of this policy will result in immediate disciplinary action, up to and including termination of employment or contract dismissal.

Testing:

- **Reasonable Suspicion:** Drug and alcohol testing may be conducted when there is reasonable suspicion that an individual is under the influence based on specific, articulable observations.
- **Post-Incident:** Testing may be required following accidents or incidents as permitted by law or company policy.
- **Return to Work:** After an absence exceeding 90 days, Personnel may be required to undergo a return-to-work screening.
- **Pre-Assignment:** Pulsar Helium may require pre-assignment drug testing for specific jobs or projects.
- **Client Requests:** Clients may have the right to conduct unannounced searches of Personnel and property. Refusal to cooperate may result in removal from Pulsar Helium property.

Testing Procedures:

- **Alcohol testing:** Breath, blood, or saliva (with breath confirmation) may be used.
- **Drug testing:** Standard testing procedures will be followed.
- **Chain of Custody:** Strict chain of custody protocols will be maintained for all samples.
- **Confidentiality:** All test results will be treated with strict confidentiality.



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Refusal to Test: Refusal to submit to a drug or alcohol test will be treated as a positive test and result in disciplinary action, up to and including termination.

Prescription/Over-the-counter Medications: Misuse of prescription or over-the-counter medications is prohibited. Personnel must notify their supervisor of any medications that might impair their ability to work safely.

Reporting Concerns: Personnel are encouraged to report concerns regarding suspected alcohol or substance abuse to management with confidentiality assured.

Periodic Inspections: Authorized representatives may conduct unannounced inspections of Personnel entering or leaving Pulsar Helium work sites.

Notice: This policy will be posted and accessible to all Personnel.

Disclaimer: This policy is not intended to be a comprehensive statement of all applicable laws and regulations. Personnel should consult with legal counsel for specific legal advice.



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Pulsar Helium Non-DOT Drug and Alcohol Policy Acknowledgement

I, [____], acknowledge that I have received, read, and understood the Pulsar Helium Non-DOT Drug and Alcohol Policy (the "Policy"). I understand and agree to the following:

- **Compliance:** I am obligated to comply with all provisions of the Policy, including, but not limited to, prohibitions on the possession, sale, receipt, use, or impairment due to alcohol or illegal drugs while:
 - On duty or on Pulsar Helium property.
 - Engaged in activities on behalf of Pulsar Helium.
 - Undergoing or subject to testing under the Policy.
- **Disciplinary Action:** Violation of the Policy may result in disciplinary action, up to and including termination of employment or contract dismissal. I acknowledge that such disciplinary action may be taken without prior warning or notice.
- **Testing:** I consent to drug and alcohol testing as outlined in the Policy, including:
 - Reasonable suspicion testing.
 - Post-incident testing.
 - Return-to-work testing.
 - Pre-assignment testing (for specific jobs or projects).
- **Access to Test Results:** I understand that Pulsar Helium may disclose my test results to certain authorized parties under the Policy, as permitted by law and relevant contractual agreements.
- **Confidentiality:** I acknowledge that Pulsar Helium will treat my test results and related information with confidentiality to the extent permitted by law.

By signing below, I confirm my understanding and agreement to the terms of this Acknowledgement and the Pulsar Helium Non-DOT Drug and Alcohol Policy.

Employee Signature

Date

Employee Printed Name

Social Security Number (last 4 digits)



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CONSENT AND AUTHORIZATION FOR RELEASE OF DRUG AND ALCOHOL TEST RESULTS

I, _____, irrevocably consent to and authorize Pulsar Helium, its agents, and any authorized third-party laboratories or testing facilities (collectively, "disclosing parties") to:

Disclose and release the results of my drug and alcohol test(s) (including, but not limited to, blood, urine, breath, or hair samples) (collectively, "test results") to the following parties:

Pulsar helium and its authorized agents, assigns, or representatives where permitted by law and relevant contractual agreements.

Disclose and release any information directly related to my test results, including, but not limited to:

Chain of custody documentation

Medical history information relevant to interpreting the test results

Information regarding any refusal to submit to testing

This consent and authorization is valid for any test results obtained under Pulsar Helium's drug and alcohol policy, including, but not limited to, pre-employment, reasonable suspicion, post-incident, return-to-work, or random testing.

I understand that the disclosing parties will only disclose my test results and related information to the listed parties as permitted by law and for the legitimate business purposes of Pulsar Helium. I further understand that the disclosing parties will maintain the confidentiality of my test results and related information to the extent permitted by law.

In witness whereof, I have executed this consent and authorization as of the date first written above.

Employee Signature

Date

Employee Printed Name

Social Security Number (last 4 digits)