

ENROLLED SENATE
BILL NO. 1678

By: Myers of the Senate

and

Richardson of the House

An Act relating to environment and natural resources; providing for recognition of certain environmental laboratories accredited by certain entities; stating exception; providing for verification of accreditation; stating limitations; authorizing promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-4-306 of Title 27A, unless there is created a duplication in numbering, reads as follows:

A. The Department of Environmental Quality shall mutually recognize environmental laboratory accreditations issued by The NELAC Institute's (TNI) primary National Environmental Laboratory Accreditation Program (NELAP) accreditation bodies without any duplicative actions to determine the laboratory's conformity to TNI Standards. These actions include, but are not limited to, proficiency testing, quality assurance, and on-site assessment.

B. Mutual recognition does not mean automatic accreditation by the Department or exemption from complying with the Department's administrative processes.

C. Mutual recognition does not prevent the Department from verifying the accreditation with the primary accreditation body or requiring a laboratory to adhere to applicable laws, rules and normal administrative processes, such as submitting applications and paying fees, so long as the Department does not impose additional requirements concerning proficiency testing, quality assurance, on-site assessment or other matters relating to conformance to TNI Standards.

D. Mutual recognition is limited to the fields of accreditation included in the primary accreditation consistent with the scope of the Department's laboratory accreditation program. If a laboratory does not hold a primary accreditation in categories requested of the Department, the laboratory must apply for primary accreditation for those categories in Oklahoma.

E. The Department is not required to recognize a primary accreditation or grant secondary accreditation if a law, rule, administrative proceeding or court order precludes or has the effect of precluding the Department from granting accreditation in whole or in part to a laboratory.

F. The Environmental Quality Board is authorized to promulgate rules necessary to implement the provisions of this section.

SECTION 2. This act shall become effective July 1, 2010.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 16th day of February, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 31st day of March, 2010.

Presiding Officer of the House
of Representatives