

THE HOUSE OF REPRESENTATIVES
Thursday, March 25, 2010

ENGROSSED

Senate Bill No. 1678

ESB 1678

ENGROSSED 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:

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

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

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

12 C. Mutual recognition does not prevent the Department from verifying the
13 accreditation with the primary accreditation body or requiring a laboratory to adhere to

1 applicable laws, rules and normal administrative processes, such as submitting
2 applications and paying fees, so long as the Department does not impose additional
3 requirements concerning proficiency testing, quality assurance, on-site assessment or
4 other matters relating to conformance to TNI Standards.

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

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

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

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON AGRICULTURE AND RURAL
21 DEVELOPMENT, dated 03-24-10 - DO PASS.