

SB 1678

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THE STATE SENATE
Monday, February 8, 2010

Senate Bill No. 1678
As Amended

SENATE BILL NO. 1678 - By: Myers of the Senate and Richardson of the House.

[environment and natural resources - environmental laboratories - accreditation - codification - effective date - 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.

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

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

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

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

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON ENERGY & ENVIRONMENT, dated 2-4-10
6 - DO PASS, As Amended and Coauthored.