

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1678

By: Myers

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5
6 AS INTRODUCED

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

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

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

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

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

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

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

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

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

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

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

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