

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 305. LABORATORY SERVICES**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 305. Laboratory Services [REVOKED]

**SUMMARY:**

This Chapter contains rules about the fees and services offered by the State Environmental Laboratory Services Division (SELSD), DEQ. The proposed revocation of this Chapter in its entirety is intended to be the second step in a two-step process to revoke and replace Chapter 305. Chapter 305 is outdated, and revocation will simplify the process of updating fees and services provided by SELSD, in compliance with Oklahoma Statutes. Since this Chapter was last updated, the Oklahoma statutory language pertaining to Advisory Councils has been amended. The types of laboratory services offered have changed. SELSD's quality assurance and quality control objectives are now part of its Quality System, to ensure consistency with laboratory accreditation requirements to enhance accuracy and reliability. SELSD may provide analytical sample collection and transport services with associated fees based on time and travel expenses. New services have been developed because of state and federal program changes. Updated fees and services, statutory references, Advisory Council authority, Quality System objectives, and fee adjustment options will be incorporated into a new Chapter. The Office of Administrative Rules has authorized the use of Chapter 306 if the Water Quality Advisory Management Council recommends adoption of the revocation of Chapter 305, and replacement by 306, to the Environmental Quality Board.

**AUTHORITY:**

Environmental Quality Board; 27A O.S., Sections 2-2-101, 2-2-201, and 2-4-302.

Water Quality Advisory Management Council; 27A O.S., Sections 2-2-201 and 2-4-302.

Laboratory Services; 27A O.S., Sections 2-4-201 through 2-4-302.

**COMMENT PERIOD:**

Written comments may be submitted to the contact person from December 2, 2024, through January 7, 2025. Oral comments may be made at the January 7, 2025, Water Quality Management Advisory Council meeting and at the January 21, 2025, Environmental Quality Board meeting.

**PUBLIC HEARING:**

Oral comments will be heard before the Water Quality Management Advisory Council at 2:00 p.m. on Tuesday, January 7, 2025, at the DEQ Headquarters, 707 N Robinson, Oklahoma City, OK 73102. If the Council recommends adoption, the proposed rules will be considered by the Environmental Quality Board at its meeting scheduled for January 21, 2025, at the DEQ Headquarters, 707 N Robinson, Oklahoma City, Oklahoma 73102.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

The Department requests that business entities affected by these rules provide the Department, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and the indirect costs such as reporting, recordkeeping, equipment, construction, labor, professional services, revenue loss, or other costs expected to be incurred by a particular entity due to compliance with the proposed rules.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the contact person, reviewed at the

Department of Environmental Quality, 707 N Robinson, Oklahoma City, Oklahoma, during normal business hours (8:00 am - 4:30 pm Monday through Friday) or reviewed online at <https://www.deq.ok.gov/council-meetings/water-quality-management-advisory-council/>.

**RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or reviewed online at <https://www.deq.ok.gov/council-meetings/water-quality-management-advisory-council/>.

**CONTACT PERSON:**

The contact person is Susan Mensik, Environmental Programs Manager, Department of Environmental Quality, State Environmental Laboratory Services Division, ATTN: Susan Mensik, P.O. Box 1677, Oklahoma City, OK 73101-1677, email [susan.mensik@deq.ok.gov](mailto:susan.mensik@deq.ok.gov), by phone (405) 702-9145, or by fax at (405) 702-7102.

**PERSONS WITH DISABILITIES:**

Person with disabilities who desire to attend the public hearing and need accommodation, should notify the contact person three (3) working days in advance at (405) 702-9145. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.