

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 307. TNI LABORATORY ACCREDITATION**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 1. Introduction

252:307-1-4. Incorporation by reference [AMENDED]

Subchapter 5. Conditions of Accreditation

252:307-5-1. Conditions applicable to all accreditations [AMENDED]

Subchapter 7. Onsite Assessment Requirements [AMENDED]

252:307-7-2. Conduct of onsite assessments [AMENDED]

Subchapter 9. Management and Technical Requirements

Part 1. Proficiency Testing

252:307-9-2. Participation required [AMENDED]

252:307-9-3. Initial and continuing PT Studies evaluation [AMENDED]

252:307-9-8. Failure to Perform PT [AMENDED]

252:307-9-9. Supplemental PT testing [AMENDED]

Part 7. Record keeping and reporting

252:307-9-60. Required records [AMENDED]

**SUMMARY:**

The gist of these rules and the underlying reason for this rulemaking is to update incorporations by reference for the TNI Standard and EPA methodologies, and to make other amendments for conformity with the updated incorporations by reference. Updates include the most recent EPA Primary Drinking Water Regulations, National Standards for Solid Waste Test Methods and EPA Test Procedures for the Analysis of Pollutants, and the 2016 TNI Standard. A significant result of these updates to EPA test procedures and TNI Standards is the addition of alternate testing methods, clearer language, and reduced requirements which will apply to all permittees and accredited laboratories.

**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 Certification Services; 27A O.S., Sections 2-5-301 through 306.

**COMMENT PERIOD:**

Written comments may be submitted to the contact person from December 1, 2021 through January 10, 2022. Oral comments may be made at the January 11, 2022 Water Quality Management Advisory Council meeting and at the February 2022 Environmental Quality Board meeting.

**PUBLIC HEARING:**

Before the Water Quality Management Advisory Council at 2:00 p.m. on Tuesday, January 11, 2022 at the DEQ Building 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 February 2022, 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, or reviewed online at <http://www.deq.state.ok.us/WQDnew/wqmac/index.html>.

**RULE IMPACT STATEMENT:**

Copies of the rule impact statement may be obtained from the contact person or reviewed on-line at <http://www.deq.state.ok.us/WQDnew/wqmac/index.html>.

**CONTACT PERSON:**

The contact person is David Caldwell, Environmental Programs Manager, who can be reached by phone at (405) 702-1000 or by fax at (405) 702-7102. Email comments may be directed to [david.caldwell@deq.ok.gov](mailto:david.caldwell@deq.ok.gov). Mail should be addressed to Department of Environmental Quality, State Environmental Laboratory Services Division, P.O. Box 1677, Oklahoma City, OK 73101-1677, ATTN: David Caldwell.

**PERSONS WITH DISABILITIES:**

Should you desire to attend the public hearing but have a disability and need an accommodation, please notify the contact person three (3) working days in advance at (405) 702-1000. For the hearing impaired, the TDD relay number is 1-800-522-8506 or 1-800-722-0353, for TDD machine use only.