

# Texas Commission on Environmental Quality

## INTEROFFICE MEMORANDUM

<b>To:</b>	PST Reimbursement File	<b>Date:</b>	June 19, 2008
<b>From:</b>	Frederick Meyers, Manager, PST Reimbursements Section		
<b>Subject:</b>	Policy on Reimbursement of Analytical Costs On and After July 1, 2008		

In conformance with the agency's new directive concerning analytical data produced by environmental laboratory, reimbursement of costs related to laboratory analysis performed after June 30, 2008 will be reimbursable as per the following guidance.

### **May 22, 2008 Notice to Consultants from TCEQ Remediation Division**

Starting July 1, 2008, analytical data submitted to us that is related to permitting or remediation must be generated by a lab that our Texas Laboratory Accreditation Program (TLAP)([http://www.tceq.state.tx.us/compliance/compliance\\_support/qa/lab\\_accred\\_certif.html](http://www.tceq.state.tx.us/compliance/compliance_support/qa/lab_accred_certif.html)) has accredited under the NELAC standard for matrices, methods, and parameters of analysis, unless:

1. The lab is an in-house lab and meets one of these criteria:
  - a. The lab performs work for its owner, for another company with a unit located on the same site, or without compensation for a governmental agency or charitable organization.
  - b. The lab is in another state and is accredited or inspected by that state.
  - c. The lab is accredited under federal law.
  - d. The data are needed for emergency-response activities and no TLAP-accredited lab is available.
  - e. The lab supplies data for which we do not offer accreditation.

Starting July 1, 2008, we will accept analytical data for a permitting or remediation decision only if the data comply with all applicable rules for the regulatory program involved and:

- the lab generating the data is NELAC-accredited by TLAP,
- we have approved an exception as described above, or
- the data were generated on or before June 30, 2008.

This policy is based on the requirements of Title 30 Texas Administrative Code Sections 25.4 and 25.6. As well as applying to data submitted to us, this policy applies to analytical data kept on site for review by our staff. NELAC stands for National Environmental Laboratory Accreditation Conference, now part of the NELAC Institute (<http://www.nelac-institute.org/>).

For questions on this requirement, please contact Steve Stubbs at 512/239-6343 or Steve Gibson at 512/239-1518 or e-mail at [labprgms@tceq.state.tx.us](mailto:labprgms@tceq.state.tx.us).