

**ENVIRONMENTAL LABORATORY APPROVAL PROGRAM
CERTIFICATION MANUAL**

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Article 1, Title 1, Section 502 of the New York State Public Health Law requires all environmental testing on New York State samples to be performed only in a certified laboratory if certification is offered for said analyses. This includes all testing for the public or private sector. The Law further authorizes the Commissioner of Health to issue certificates of approval (accreditation) covering laboratory examinations of environmental samples. The Environmental Laboratory Approval Program (ELAP) administers and enforces Section 502 of the Public Health Law through a regulation (Title 10 NYCRR Part 55, Subpart 55-2).

The ELAP standards conform with those standards adopted for implementation in 2016, by the National Environmental Laboratory Accreditation Conference (NELAC). ELAP is an approved accrediting authority under the National Environmental Laboratory Accreditation Program (NELAP). Laboratories should familiarize themselves with the NELAC Standards, especially the Quality Systems Standard, found by accessing the NELAC Institute (TNI) website at www.nelac-institute.org. The on-site assessment checklists provided with the manual should also be consulted. Laboratories are required to adopt and implement all applicable sections of the NELAC standards, including but not limited to those sections outlined in this certification manual.

Laboratories holding NELAP accreditation receive certificates of accreditation bearing the NELAP logo. In the following cases, however, ELAP-only accreditation is granted and certificates do not bear the NELAP logo: (1) for fields of accreditation and fields of proficiency testing that are not within the scope of the NELAC standards; and (2) for laboratories granted interim accreditation.

ELAP will confine its requirements, assessments and decision making processes for an accredited laboratory to those matters specifically related to the fields of accreditation being sought by the laboratory. As required by NELAP and authorized by the ELAP regulations, ELAP will recognize the accreditation of laboratories by other NELAP accreditation bodies.

Other laws and regulations relating to environmental testing include, **but are not limited to the following:**

1. The State Sanitary Code (Title 10 NYCRR)

Parts 5 – Drinking Water Supplies, 6 – Swimming Pools, Bathing Beaches, and Recreational Aquatic Spray Grounds, and 7 – Temporary Residences, Mass Gatherings, Children’s Camps, Campgrounds, and Agricultural Fairgrounds

The Sanitary Code requires testing for drinking water quality of community water systems, public water systems, bottled and bulk water, temporary residences (children's camps, travel vehicle parks and camp sites, hotels, motels, etc.) which have their own water supply. Additionally, testing is required for public swimming pools and bathing beaches

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to assure both bacteriological and chemical quality. Restaurants and other food service establishments and migrant labor camps which have their own water supply must have their water tested.

Specific inquiries in regards to the Sanitary Code can be sent to the Center for Environmental Health, Empire State Plaza, Corning Tower, Albany, NY 12237.

2. Environmental Conservation Law (Title 15 NYCRR)

Article 17 Water Pollution Control

Testing which is performed to maintain standards of purity of the waters of the State, including lakes, bays, sounds, ponds, reservoirs, springs, wells, rivers, streams, creeks, the Atlantic Ocean within New York State boundaries, etc., consistent with public health and public enjoyment, propagation and protection of fish and wildlife and industrial development as required by Article 17, must be done in an approved laboratory. This includes control of sewage, industrial waste and other wastes (garbage, refuse, oil, chemicals, etc.) which is discharged into the waters of the State. Testing required for application for permits or exemption and required monitoring must be done in an approved laboratory.

In addition, testing required under Title 6 NYCRR Part 700.3 (Tests and Analytical Methods) and Title 6 NYCRR Part 750 (General - State Pollutant Discharge Elimination System (SPDES)) must be done in an approved laboratory.

Article 19 Air Pollution Control

Testing, which is performed to maintain a reasonable degree of purity of the air resources of the State, consistent with the public health and welfare, industrial development, propagation and protection of flora and fauna and protection of physical property, must be done in an approved laboratory. This includes testing to control, abate, prevent, or monitor air pollution.

In addition, any testing mandated by Title 6 NYCRR Part 200 (General – Prevention and Control of Air Contamination and Pollution), which deals with permits issued to owners and/or operators of air contamination sources.

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Article 27 Solid Waste Management Facilities

Specifically, this section deals with testing in support of solid waste management systems. This includes resource recovery facilities and hazardous waste management systems such as toxic dump cleanups.

Additionally, any testing required by Title 6 NYCRR Part 360 dealing with solid waste including testing, monitoring or analytical data, regarding solid or hazardous waste requires the use of an approved laboratory.

Specific questions regarding any requirements of the **Environmental Conservation Law** or **Title 6 of NY Codes, Rules and Regulations** should be directed to the Department of Environmental Conservation's Regional Offices or to the appropriate Division (Water, Air Resources, or Solid & Hazardous Materials) at the New York State Department of Environmental Conservation's Central Office. The Central Office address is 625 Broadway, Albany, NY, 12223.