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Total adjusted volume (TAV) reports from participating laboratories are required to ensure adequate, reasonable and equitable approval fees. On or before March 1st of each year, each approved laboratory shall report the total number of individual analyte tests for the previous calendar year (January 1st to December 31st) in each category for which approval is given (NYCRR Part 55, Subpart 55-3).

Website data submission is the required method for submitting the total number of individual analyte tests. A laboratory must have a Health Provider Network (HPN) account to access the State of New York, Department of Health's Health Commerce System (HCS), which is a secure website.

The total number of individual analyte tests is entered by clicking on the link, "Total Adjusted Volume Data Management". This link is only available for a certain period of time throughout the calendar year (i.e., January through March). The volumes can be entered by two options:

1. Enter volumes for all analytes
2. Enter volumes by subcategory

The volume is adjusted by difficulty factors assigned to each analyte. These difficulty factors are designed to equalize the differences in time, equipment, supplies, and expertise required to perform different types of analyses. The difficulty factors are hardcoded into the website application. Furthermore, the application automatically calculates the TAV for each analyte test.

Records used to create and verify adjusted volume reports, including worksheets, must be retained for Department auditors. Any volume figures reported to ELAP will be deemed "confidential trade secrets" provided a written request accompanies each report (Public Officers Law Section 89 (5)).

Exempt Tests

As stated in NYCRR Part 55, Subpart 55-3 (e) (2), the following types of tests should not be included in TAV reports:

1. Quality control testing
2. Proficiency testing
3. Process control testing, which includes testing for quality control purposes during a manufacturing process or testing of an effluent of waste treatment, in which tests on an analyte are performed in addition to those required to ensure compliance with a relevant discharge requirement.
4. Research and development testing of new methods and alternative testing methods
5. Testing on samples taken outside of New York State

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6. **Personal air monitoring samples for OSHA-related industrial hygiene testing**
7. **Source waters for bottled/bulk waters and finished bottled/bulk waters taken outside New York State**

For audit purposes, you must have documentation located in your laboratory to demonstrate these are exempt test samples

Beginning in 2011, TAV exemption for non-friable PLM samples with negative or inconclusive results that are reanalyzed as TEM NOBs for confirmatory determinant results is no longer in effect. Therefore, all PLM analysis, regardless of the requirements for additional TEM analysis, must be included in your TAV report.

Except for these specific exemptions, all other environmental tests must be counted when computing adjusted volumes for each analyte.

Corrections and Revisions

Corrections and revisions of adjusted volume figures may be made prior to March 31. After that date, corrections and revision to lower adjusted volume figures cannot be used to calculate a reduction in fee. Corrections and revisions to raise adjusted volume must be reported whenever a participating laboratory discovers such an error. In these particular cases, an adjustment will be made to reflect the higher fee if it occurs after March 31.

Penalties

Failing to report adjusted volume or willfully and/or knowingly reporting false adjusted volume figures will result in non-renewal of the certificate of approval.

Previous Years

Labs have access to previously reported adjusted volumes throughout the entire calendar year via the link, “Total Adjusted Volume Data Management”.