

# MAINE STATE LEGISLATURE

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DATE: March 22, 1999

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**HEALTH AND HUMAN SERVICES**

Reported by:

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**STATE OF MAINE  
SENATE  
119TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 263, L.D. 758, Bill, "An Act to Allow the State's Laboratory Certification Program to be Consistent with National Environmental Laboratory Accreditation Program Standards"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 22 MRSA §566, as enacted by PL 1991, c. 499, §2 and affected by §26, is amended to read:

**§566. Record of tests for water samples**

A person requesting a water sample test must indicate the source of the water sample. A state-agency laboratory that tests any public water supply system for drinking water program compliance mandates shall forward a copy of the test results to the department.'

Further amend the bill in section 3, in that part designated "**§567.**" by striking out all of subsection 1 and inserting in its place the following:

'1. **Acceptable data.** Except as provided in this subsection, 6 months after the adoption of rules specified in subsection 2, certification ~~or accreditation~~ is required of any commercial, industrial, municipal, state or federal laboratory that analyzes water, soil, air, solid or hazardous waste, or radiological samples for the use of programs of the department or the Department of Environmental Protection, except as provided under chapter 411, the Maine Medical Laboratory Act; Title 26, chapter 7, subchapter III-A, Substance Abuse Testing; and Title 29-A, section 2524, administration of tests to determine blood-alcohol level or drug concentration. ~~A-laboratory-operated~~

**COMMITTEE AMENDMENT**

RWS

COMMITTEE AMENDMENT "A" to S.P. 263, L.D. 758

2 by a waste discharge facility licensed pursuant to Title 38,  
3 section 413 may analyze waste discharges for total suspended  
4 solids, settleable solids, biological or biochemical oxygen  
5 demand, chemical oxygen demand, pH, chlorine residual, fecal  
6 coliform, E. coli, conductivity, color, temperature and dissolved  
oxygen without being certified under this section.

8 A laboratory operated by a waste discharge facility licensed  
9 pursuant to Title 38, section 413 may analyze waste discharges  
10 for total suspended solids, settleable solids, biological or  
11 biochemical oxygen demand, chemical oxygen demand, pH, chlorine  
12 residual, fecal coliform, E. coli, conductivity, color,  
13 temperature and dissolved oxygen without being certified under  
14 this section. The exception provided under this paragraph  
15 applies to a laboratory testing its own samples for pollutants  
16 listed in its permit or license; pretreatment samples; and  
17 samples from other wastewater treatment plants for up to 60 days  
18 per year. The time period provided in this paragraph, which is a  
19 maximum period for each treatment plant for which analysis is  
20 provided, may be extended by memorandum of agreement between the  
21 Department of Environmental Protection and the Health and  
22 Environmental Testing Laboratory.'

24 Further amend the bill by inserting at the end before the  
25 summary the following:

28 **FISCAL NOTE**

30 The Department of Human Services and the Department of  
31 Environmental Protection may incur some minor additional costs to  
32 establish rules relating to accreditation of laboratories. The  
33 collection of accreditation fees will result in insignificant  
34 increases of dedicated revenue to the Department of Human  
35 Services.'

38 **SUMMARY**

40 This amendment requires a laboratory that tests a public  
41 water system for drinking program compliance mandates to forward  
42 a copy of the test results to the Department of Human Services.  
43 This amendment also limits testing by laboratories licensed under  
44 the Maine Revised Statutes, Title 38, section 413 to testing of  
45 their own waste discharges.

46 This amendment also adds a fiscal note to the bill.