

EXHIBIT B

ADPC&E REGULATION 13, LABORATORY CERTIFICATION FEES REGULATION

Pollution Control and Ecology Commission 014.00-013

~~ARKANSAS POLLUTION CONTROL  
AND ECOLOGY COMMISSION~~

# ~~Regulation No. 13~~

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## ~~Laboratory Certification Fees~~

~~Promulgated September 26, 1991~~

~~ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY~~

~~REGULATION NUMBER 13~~

~~LABORATORY CERTIFICATION FEES~~

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~~Section 1. Pursuant to the provisions of Section 7 of the State Environmental Certification Program Act (Act 876 of the Acts of Arkansas for 1985), the following regulation establishing a fee system for laboratory certification is adopted by the Arkansas Department of Pollution Control and Ecology.~~

~~Section 2. For purposes of this Act:~~

~~(a) "Department" means the Arkansas Department of Pollution Control and Ecology.~~

~~(b) "Program" means the Arkansas State Environmental Laboratory Certification Program.~~

~~(c) "Laboratory" means any facility that performs analyses to determine the chemical, physical, or biological properties of air, water, solid waste, hazardous waste, wastewater, soil or subsoil materials, or any other analyses related to environmental quality evaluations.~~

~~(d) "Parameter" means the characteristic or characteristics of a laboratory sample determined by an analytic laboratory testing procedure.~~

~~(e) "Certificate" means the annual document showing those parameters for which a laboratory has received certification. The annual period begins at receipt of fee payments or at the expiration of a current certificate.~~

~~(f) "Evaluation" means a review of the quality control and quality assurance procedures, records keeping, reporting procedures, methodology, and analytical techniques of a laboratory for measuring or establishing specific parameters.~~

~~Section 3. Following the effective date of this regulation, the schedule of laboratory certification fees below will apply.~~

~~(a) The initial and annual fee for a certificate is \$500, covering the certificate and up to ten parameters.~~

~~(b) The fee for additional parameters is \$10 each.~~

~~(c) The fee for "volatile organics", "semivolatile organics", and "pesticides and PCB's" is \$50 for each classification.~~

~~(d) The fee for "toxicity testing" is \$250.~~

~~(e) Travel costs for an annual evaluation of the laboratory will be charged to the laboratory. Follow up evaluations, if required, will also be charged to the laboratory. Evaluations performed for Arkansas laboratories will be at a travel rate of \$100.~~

~~(f) Additional evaluations of a laboratory will be done if there are documented complaints about the laboratory, and the laboratory will be charged for the travel costs if the complaints are valid.~~

~~Section 4. Failure to pay these fees within 30 days of receipt of a invoice will terminate the laboratory's certificate.~~

~~Section 5. This regulation shall be in full force and effect as of the date of its promulgation.~~

~~Promulgated the 26<sup>th</sup> day of September, 1991.~~