

CHAPTER 33.1-23-04

ENVIRONMENTAL LABORATORY CERTIFICATION FEE DETERMINATION

Section

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33.1-23-04-01. Method.

1. Certification fees for primary initial, renewed, or revised application are based on matrix, type, and complexity of analytical methods that a laboratory is certified to perform.
2. Certification fees for reciprocal initial, renewed, or revised applications are based on the number of fields of testing on a certificate.
3. Each fee item is assigned a point value. The cost per point value determined is multiplied by the total number of points for each application. Total applicable fees are computed by the following equation:

$$X = (Y)(Z)$$

Where:

X = total fees applied to the certification application invoice

Y = cost assigned to the point value in section 33.1-23-04-02

Z = sum of point values as determined for initial, renewed, or revised applications.

History: Effective July 1, 2020.

General Authority: NDCC 23.1-01-14

Law Implemented: NDCC 23.1-01-14

33.1-23-04-02. Computation of cost per point value.

1. The department computes the cost per point value based upon the salaries, wages, benefits, and operating expenses.
2. The point value can be found on the department's website.
3. The cost associated with the point value may be adjusted on an annual basis to account for any increase in the consumer price index published by the department of labor, as of the close of the twelve-month period ending on August thirty-first of each calendar year.

History: Effective July 1, 2020.

General Authority: NDCC 23.1-01-14

Law Implemented: NDCC 23.1-01-14

33.1-23-04-03. Payment of fees.

1. A laboratory shall pay the fees required in this article within thirty days of receiving the department's invoice.
2. Certification of a laboratory may not be awarded until all fees are paid.
3. Fees are nonrefundable once an invoice has been issued.

History: Effective July 1, 2020.

General Authority: NDCC 23.1-01-14

Law Implemented: NDCC 23.1-01-14

33.1-23-04-04. Initial or renewed application points.

1. The points assessed for certification application or category types designated in this section are multiplied by the cost per point value determined to calculate the appropriate fee.

2. Application or Category Type for Primary Certifications	Point Value
a. Initial application	6
b. Renewed application	3
c. Matrix fee, aqueous	5
d. Matrix fee, solid	5
e. Matrix fee, drinking water	5
f. Electrometric assays (ion-selective electrodes)	1
g. Gravimetric assays, residues (solids)	1
h. Gravimetric assays, oil and grease (HEM)	2
i. Titrimetric or potentiometric titration assays	1
j. Colorimetric or nephelometric spectrophotometry	2
k. Combustion or oxidation	3
l. IC (ion chromatography)	3
m. Flow injection - Gas diffusion - Amperometry	5
n. Waste characteristic extractions	2
o. Waste characterization assays	2
p. FLAA (flame atomic absorption spectrometry)	2
q. CVAA (cold vapor atomic absorption)	3
r. Hydride AA (gaseous hydride spectrometry)	3
s. CVAFS (cold vapor atomic fluorescence spectrometry)	3
t. TDAA (thermal decomposition atomic absorption spectrometry)	3
u. GFAA (graphite furnace atomic absorption spectrometry)	3
v. Ultra-low level metals assays	3
w. ICP (inductively coupled plasma emission spectrometry)	4
x. ICP/MS (inductively coupled plasma-mass spectrometry)	5

y. GC (gas chromatography)	3
z. GC/MS (gas chromatography-mass spectrometry)	4
aa. HPLC (high performance liquid chromatography)	3
bb. LC/MS (liquid chromatography-mass spectrometry)	4
cc. HR-GC/MS (high resolution GC - mass spectrometry)	10
dd. LC/MS/MS (liquid chromatography - mass spectrometry - mass spectrometry)	10
ee. WET (whole effluent toxicity assays)	5
ff. Other	Contact department
3. Application or Category Type for Reciprocal Certification	Point Value
a. Initial and renewed application	10
b. Level 1: 0-200 parameters	2
c. Level 2: 201-500 parameters	5
d. Level 3: 500-1000 parameters	10
e. Level 4: 1000-2000 parameters	20

History: Effective July 1, 2020.

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Law Implemented: NDCC 23.1-01-14

33.1-23-04-05. Revised application points.

1. Fees for laboratories with primary certification and applying for a revised application to add a new test category to the laboratory's certification are computed by the following equation:
$$X = Y + Z$$

Where:
X = total fees
Y = any incurred costs for an onsite audit to review new instrumentation or technology
Z = fees associated with the point value of the new test category as outlined in the initial or renewed application points section
2. Laboratories with primary certification and applying for a revised application to add or drop parameters under a method whereby the laboratory is already certified will be charged 1 point value to update the certificate and list of certified parameters.
3. Laboratories with reciprocal certification and applying for a revised application shall pay the following:
 - a. Fees equal to 1 point value when using the same primary certificate number as used for the initial or renewed application.
 - b. When using a primary certificate number other than the one used for the initial or renewed application, fees are computed according to the following equation:

$$X = Y + Z$$

Where:

X = total fees

Y = fees associated with 1 point value

Z = fees associated with the level as described in the initial or renewed application points section.

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