



Environmental Management Act

ENVIRONMENTAL DATA QUALITY
ASSURANCE REGULATION

B.C. Reg. 301/90

Deposited and effective August 31, 1990
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Consolidated Regulations of British Columbia

This is an unofficial consolidation.

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at www.bclaws.ca.

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Interpretation

1 In this regulation:

“**accreditation body**” means a body that

- (a) is authorized by the ILAC to perform accreditation with respect to the standard referred to in the definition of “accredited” in this section, and
- (b) has, with the ILAC, entered into an agreement known as a Mutual Recognition Agreement;

“**accredited**” means to have attained impartial and independent accreditation from an accreditation body as conforming with ISO/IEC Standard 17043, “Conformity assessment – General requirements for proficiency testing”, as amended from time to time;

“**air audit**” means an ambient particulate monitor audit or a gas analyzer audit (stack and ambient) performed by an employee of the minister’s ministry on monitoring equipment required under the terms of an order, permit, licence, approval or certificate;

“**ambient particulate monitor audit**” means an audit of

- (a) the performance of an ambient particulate monitor and associated equipment used to produce or gather air samples, analytic results, data and reports, and
- (b) records related to that performance;

“**director**” includes the administrator, or an inspector, as defined in the *Integrated Pest Management Act*;

“**directory**” means the directory of qualified laboratories, published by the ministry of the minister for the purposes of this regulation;

“**gas analyzer audit (stack and ambient)**” means an audit of

- (a) the performance of a gas analyzer and associated equipment used to produce or gather air samples, analytic results, data and reports, and
- (b) records related to that performance;

“**ILAC**” means the International Laboratory Accreditation Cooperation;

“interlaboratory comparison study” means a comparison of the results of testing conducted by 2 or more laboratories with respect to the same or similar parameters;

“ISO/IEC” means the International Organization for Standardization and the International Electrotechnical Commission;

“officer” includes a person employed by a municipality who is

- (a) designated in writing by a director, or
- (b) a member of a class designated in writing by a director;

“parameter” means a chemical, biological or physical constituent with respect to which sampling, analysis and environmental monitoring is required under an authorization;

“proficiency testing program” means an interlaboratory comparison program

- (a) that is administered by an accredited proficiency testing provider, and
- (b) under which laboratories participating in interlaboratory comparison studies analyze reference samples and report, to the accredited proficiency testing provider, results for evaluation;

“qualified laboratory”, in respect of a test, means a laboratory that is listed in the directory of qualified laboratories as qualified to perform the test;

“reference laboratory” means a laboratory, designated by the director, whose performance is unbiased as demonstrated in inter-laboratory performance studies or blind audits;

“reference sample” means a sample with assigned design, or assigned consensus concentration values, for one or more parameters;

“split sample” means a liquid sample which is split and added to 2 separate containers so that each part of the split sample has identical parameters whose reference concentration values are assigned by analysis by a reference laboratory;

“standard sample” means a sample whose reference concentration value for one or more characteristics is assigned by using a design value based on gravimetric or volumetric measurement.

[am. B.C. Regs. 85/2000, s. 1; 323/2004, s. (a); 209/2013, s. 1; 19/2017, s. 1; 84/2023, s. 1.]

Sampling, analytical, quality control and reporting procedures

- 2 (1) A person required to collect samples and submit environmental monitoring data as a requirement of an order, permit, licence, approval or certificate issued under an enactment administered by the minister must
- (a) cause the samples to be analyzed by a qualified laboratory for the parameters specified in the order, permit, licence, approval or certificate, and
 - (b) provide to the director, not later than 45 days after the date the sample is collected, the results of the qualified laboratory’s analysis.

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- (2) If a director requires that an officer, or another person the director designates, collect a split sample in respect of monitoring required under an order, permit, licence, approval or certificate referred to in subsection (1), the person subject to the order, permit, licence, approval or certificate must
- (a) cause one part of the split sample to be analyzed by a qualified laboratory for the parameters specified by the director, and
 - (b) provide to the director, not later than 45 days after the date the sample is collected, the results of the qualified laboratory's analysis.
- (3) A person required to collect samples and submit environmental monitoring data as a requirement of an order, permit, licence, approval or certificate issued under an enactment administered by the minister, must, on the request of a director, provide to the director, not later than 45 days after the date the samples are analyzed, the results of the analysis of standard samples of gases introduced to an emission analyzer, or ambient air analyzer, operated as a requirement of the order, permit, licence, approval or certificate.
- (4) A person required to collect samples under this section must
- (a) follow the sampling procedures as specified or authorized by the director, and
 - (b) on the request of a director, provide a report describing the methods used to collect and analyze the samples.

[en. B.C. Reg. 209/2013, s. 2; am. B.C. Reg. 84/2023, s. 2.]

3 Repealed. [B.C. Reg. 323/2004, s. (e).]

Cost recovery

- 4** (1) A person required to submit environmental monitoring data as a requirement of an order, permit, licence, approval or certificate under an enactment administered by the Minister of Environment shall reimburse the Ministry of Environment for the ministry's costs of auditing samples, analytical results and data submitted to the director.
- (1.1) Despite subsection (1), the amount set out in column 2 of the following table opposite the class of air audit set out in column 1 of the table is the fee payable for an air audit in that class.
- (2) Amounts under subsection (1) or (1.1) must be paid to the minister within 30 days after the date on the invoice provided to the person by the minister.

Table

Item	Column 1 Air Audit Class	Column 2 Fee
1	ambient particulate monitor audit	\$ 700.00
2	gas analyzer audit (stack and ambient)	\$1 800.00

[am. B.C. Regs. 109/2002, s. 1; 19/2017, s. 2.]

Directory of qualified laboratories

- 5** (1) To become and remain listed in the directory as a qualified laboratory with respect to testing for a parameter, a laboratory must do both of the following:
- (a) achieve satisfactory testing performance in a proficiency testing program for the parameter, or, if a proficiency testing program is not available with respect to the parameter, either of the following, as approved by a director:
 - (i) an interlaboratory comparison study;
 - (ii) an analyst competency study;
 - (b) give to the director authorization for the accredited proficiency testing provider that administers the proficiency testing program or study referred to in paragraph (a) to inform the director of all parameters with respect to which the laboratory has either
 - (i) achieved satisfactory testing performance, or
 - (ii) failed to maintain satisfactory testing performance.
- (2) A laboratory must give the authorization referred to in subsection (1) (b) in the form and manner required by the director.
[en. B.C. Reg. 84/2023, s. 3.]
- 6** Repealed. [B.C. Reg. 85/2000, s. 2.]