



Is Your Solid Waste Program  
Prepared for VELAP?

**SWANA**

Old Dominion Chapter  
Solid Waste Association of North America

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# VELAP

- **Virginia Environmental Laboratory Accreditation Program**
  - **Established in 1999 (Va. Code §2.2-1105)**
  - **Division of Consolidated Laboratory Services**
  - **Approved nationally on Nov. 16, 2009 (NELAC)**
  - **14<sup>th</sup> program recognized nationally**
  - **Goes “online” January 1, 2012**



# MOU

## ☉ DCLS/DEQ Memorandum of Understanding

- Executed September 9, 2009
- E-mail from Jeff Steers to SWANA Board (2/26/2010) –

“Beginning January 1, 2012, DEQ will REJECT (emphasis added) any sample results (such as groundwater monitoring) for such data submitted from a lab whose individual analytical methods fail to meet the subject certifications.”

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# IN OTHER WORDS...

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**Your Solid Waste Program  
MUST use an accredited  
laboratory for all analyses  
beginning January 1, 2012.**

**OR ELSE**



# ACCREDITATION...

- **Minor bureaucratic aside**
  - **Certification applies to noncommercial laboratories**
  - **Accreditation applies to commercial laboratories**



# WHAT IS INVOLVED?

## ● A LOT, for labs

- Deadline for submission of VELAP Application for commercial labs was July 1, 2009
- Rigorous proficiency testing, inspections, QA/QC...

## ● What YOU need to realize:

- Certification not given to lab *per se*
- Applied for EACH matrix, method, and analyte
- Commercial Labs must update ANNUALLY

# OUT OF STATE LABS?

<b>LABORATORY STATUS</b>	<b>PATH TO VELAP</b>
<b>Out of State (Non NELAC)</b>	<b>Applied as would a laboratory in Virginia</b>
<b>Out of State NELAC</b>	<b>Reciprocity</b>
<b>Out of State NELAC from another state</b>	<b>Reciprocity</b>



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**BUT!**

**DCLS will NOT start processing applications via reciprocity until January 1, 2011**

# UNINTENDED CONSEQUENCES?

"Environmental analysis" or "environmental analyses" means any test, analysis, measurement, or monitoring used for the purposes of the Virginia Air Pollution Control Law, the Virginia Waste Management Act or the State Water Control Law... For the purposes of these regulations, any test, analysis, measurement, or monitoring required pursuant to the regulations promulgated under these three laws, or by any permit or order issued under the authority of any of these laws or regulations is "used for the purposes" of these laws.

**PROMPTING THE QUESTION...**

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**DOES THIS INCLUDE GEOTECHNICAL  
AND/OR GEOSYNTHETICS?**

# GEOTECHNICAL/ GEOSYNTHETICS?



After review, **NOT** under VELAP



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# YEAH, SO?

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- **Many Municipalities have July-June Fiscal Year**
  - **Does this mean your deadline is July 1<sup>st</sup>, 2011?**
- **Contracts have multiple yearly extensions**
  - **Have you just awarded a contract with no written controls relative to VELAP?**
  - **Is it Ironclad?**



# SOME RECOMMENDATIONS

## ☰ For Existing Contracts

- **FIND OUT** if the laboratory has achieved interim accreditation.
- **If not, FIND OUT** if it has submitted the application
- **OR** – if it is already NELAC accredited in another state and is on track to submit a reciprocity application

# SOME RECOMMENDATIONS

## ☉ For Existing Contracts

- FIND OUT if the laboratory has achieved interim accreditation.
- If not, FIND OUT if it has submitted the application
- OR – if it is already NELAC accredited in another state and is on track to submit a reciprocity application

☉ IF NONE OF THE ABOVE HAS HAPPENED, IT IS TIME TO RECONSIDER THE CONTINUED USE OF THAT LABORATORY'S SERVICES

# SOME RECOMMENDATIONS

Be diligent: **MAKE SURE** that it is pursuing accreditation for **EVERY PARAMETER YOU TEST FOR**

- **Table 5.1**
- **Leachate**
- **Storm Water**
- **Air**
- **Etc.**



# SOME RECOMMENDATIONS

☰ **Be careful: Field tests are generally not included**

- **pH**
- **Specific Conductance**
- **Methane\***



\*but...



# SOME RECOMMENDATIONS

## PLAN YOUR RFPs NOW

- **Consider a requirement that laboratories**
  - Have Interim Accreditation NOW, or
  - Are on track for accreditation via reciprocity
  - Otherwise provide documentation that they are on track for accreditation by January 1, 2012
- **Specify that VELAP Accreditation is required for ALL Parameters (list them in the RFP)**
- **Specify that VELAP Accreditation must be maintained as condition for additional year awards**
- **Specify that failure to maintain accreditation may be considered grounds for termination**

# SOME RECOMMENDATIONS

## PLAN YOUR RFPs NOW

- Consider requirement for prequalification of multiple laboratories to ensure backup
- For future RFPs (i.e., after January 2012) specify that maintenance of VELAP accreditation for all matrices, methods, and analytes is a requirement to provide laboratory services



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# SOME RECOMMENDATIONS

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## ☰ LANDFILL OPERATIONAL CHANGES

- Familiarize yourself with the laboratory's accreditation history and schedule of renewal
- Require labs to submit accreditation documentation
- Require labs to submit prompt notification of failure to maintain accreditation



Focus  
on  
Quality

# HOW WILL I KNOW?

Under VELAP, every Certificate of Analysis (COA) is to be issued with an accompanying “Scope of Certification” or “Scope of Accreditation” which must list the specific matrix, method, and analyte combinations for which the certification/ accreditation has been granted.

**DCLS recommends that laboratory users never accept a COA without the accompanying scope documenting certification/accreditation.**

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# CONCLUSIONS

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- **EVERYBODY BENEFITS**
- **The Penalty is Clear – Non VELAP data will be rejected beginning January 1, 2012**
- **The time to prepare is RIGHT NOW**



**Focus  
on  
Quality**

