



ADMINISTRATIVE RULES OF MONTANA



37.12.315 REVOCATION OR DENIAL OF LICENSE

- (1) The department may deny or revoke a license at any time that a laboratory is not in compliance with the requirements for licensure under this subchapter, including if the laboratory:
 - (a) fails to analyze and report results of at least two PE samples per year;
 - (b) reports unacceptable results or fails to report the results of analyses of two consecutive PE samples for an analyte for which the laboratory is approved;
 - (c) fails to correct cited deficiencies within the time specified by the department or fails to adhere to conditions of a waiver or variance;
 - (d) no longer employs a director or analysts who have satisfied the requirements of this subchapter;
 - (e) does not use EPA-approved methods to perform analyses;
 - (f) does not perform required quality control procedures;
 - (g) falsifies data or engages in deceptive practices such as reporting another laboratory's data without giving credit on the report to the laboratory which performed the analysis;
 - (h) reports data that were obtained using equipment, procedures, analysts, methods, or facilities that are not approved by the department;
 - (i) fails to report to the Department of Environmental Quality within the time frames described in ARM 37.12.341 the results of any sample required under ARM Title 17, chapter 38, subchapter 2, and accepted by the laboratory for analysis, that exceeds a maximum contaminant level (MCL) or triggers additional actions; or
 - (j) fails to report results on forms or formats acceptable to the Department of Environmental Quality.
- (2) The department will send the laboratory written notice of the denial or revocation of a license that indicates the grounds for the revocation or denial and the right to an appeal of the decision pursuant to the Montana Administrative Procedure Act.

Authorizing statute(s): 50-1-202, MCA

Implementing statute(s): 50-1-202, 75-6-106, MCA

History: NEW, 1999 MAR p. 291, Eff. 2/12/99; AMD, 2003 MAR p. 2442, Eff. 10/31/03; AMD, 2011 MAR p. 2286, Eff. 10/28/11.