



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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MEMORANDUM

TO: Directors of Massachusetts-Certified Environmental Laboratories

FROM: Lisa J. Touet, Director, MassDEP Laboratory Certification Program, Division of Environmental Laboratory Sciences (DELS)/Sen. W. X. Wall Experiment Station (WES)

RE: Revised Massachusetts Regulations for the Certification and Operation of Environmental Analysis Laboratories at 310 CMR 42.00

DATE: June 19, 2020

Effective June 12, 2020, the Massachusetts Department of Environmental Protection (MassDEP) Laboratory Certification Program (LCP) has promulgated revised regulations at 310 CMR 42.00 for the Certification and Operation of Environmental Analysis Laboratories. The MassDEP Drinking Water Regulations at 310 CMR 22.00 have also been revised in coordination with the Laboratory Certification Regulations to add approved testing methods. The Drinking Water Program (DWP) continues to work on finalizing the amendments establishing a Maximum Contaminant Level (MCL) for PFAS in drinking water. Those changes are expected to be finalized later this year.

The revised Laboratory Certification Regulations are available on the MassDEP web site at: <https://www.mass.gov/regulations/310-CMR-4200-certification-and-operation-of-environmental-analysis-laboratories#current-regulations>

The revised Drinking Water Regulations are available here: <https://www.mass.gov/regulations/310-CMR-22-the-massachusetts-drinking-water-regulations#recently-promulgated-amendments>

Official copies of the regulations may be purchased from the State House Bookstores at:

State Bookstore
Commonwealth
Room 116
Boston, MA 02133
617-727-2834

Western Office of the Secretary of the
436 Dwight St.
Springfield, MA 01103
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This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
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Or, go to <http://www.sec.state.ma.us/spr/spridx.htm> for information on how to order online or by mail.

Major revisions to the regulations are summarized below. It is the laboratory's responsibility to have knowledge of and comply with all Federal and Massachusetts regulations and standards for all categories in which it has been certified.

The Laboratory Certification Regulations have been expanded to offer the following certification in the potable water matrix:

- Per- and Polyfluoroalkyl Substances (PFAS)

The Drinking Water Regulations have been amended to require the use of specific U.S. Environmental Protection Agency (EPA) methods for PFAS analysis, and a method of analysis for 1,4-dioxane, a contaminant with a Massachusetts Office of Research and Standards Guideline (ORSG) for drinking water, but no federal MCL.

To be considered for PFAS certification a laboratory must:

1. Submit an application for modification of certification for a chemical laboratory (LES03) or application for initial certification for a chemical laboratory (LES02), as applicable. Applications are available at: <https://www.mass.gov/lists/laboratory-certification-forms>
2. Use EPA Method 537 or EPA Method 537.1.
3. Meet the proficiency testing requirements of the current MassDEP LCP Policy for Proficiency Testing (WES # 2020-001). The policy is available at: <https://www.mass.gov/lists/drinking-water-laboratory-certification-policies-guidance>
4. Report the laboratory's Minimum Reporting Level (MRL) confirmation data as specified in Section 9.2.5 of EPA Method 537 or Section 9.2.6 of EPA Method 537.1, and meet the proposed MRL requirement of 2.0 ng/L or lower for each of the compounds listed below. This MRL has been proposed in the draft amendments establishing a Drinking Water MCL for PFAS.

PFOA-perfluorooctanoic acid;
PFOS-perfluorooctane sulfonic acid;
PFHxS-perfluorohexane sulfonic acid;
PFHpA-perfluoroheptanoic acid;
PFNA-perfluorononanoic acid; and
PFDA-perfluorodecanoic acid.
5. Report the laboratory's detection limit (DL) data for at least each of the 6 compounds listed above calculated from the MRL confirmation data without the need for additional analyses as specified in Section 9.2.7 of EPA Method 537 or Section 9.2.8 of EPA Method 537.1.
6. Submit copies of the following documents to the LCP for review:
 - a) The laboratory's current Quality Assurance Plan
 - b) The laboratory's standard operating procedure for PFAS analysis
 - c) Results of the initial demonstration of capability required by Section 9.2 of EPA Methods 537 and 537.1

7. Laboratories located outside of Massachusetts must maintain certification/accreditation from either the laboratory's resident state, if PFAS certification is available from the resident state, or from a National Environmental Laboratory Accreditation Program (NELAP) accrediting authority in the event that the laboratory's resident state does not offer PFAS certification/accreditation.

Transition: To ensure continued recognition of drinking water laboratory results for PFAS, laboratories that have been approved by the MassDEP DWP will need to obtain certification for PFAS analysis from the Massachusetts LCP. For PFAS certification applications submitted by July 31, 2020, MassDEP's LCP expects to issue decisions to approve or deny those applications on or before October 30, 2020.

Laboratories that have been approved by the MassDEP DWP to analyze drinking water for PFAS pursuant to 310 CMR 22.11(A)(2) through certification/accreditation by another state or certification authority will continue to have results accepted by the MassDEP DWP until the earliest of one of the following dates:

- a) the effective date of a LCP decision on an application for Massachusetts certification, or
- b) the date that a non-Massachusetts certification/accreditation expired, without notification to the LCP that the certification has been renewed or continues to be in effect, or
- c) November 1, 2020.

All MassDEP DWP approvals of laboratories to test for PFAS still in effect on October 31, 2020 will be withdrawn by the MassDEP DWP on November 1, 2020. After November 1, 2020, the MassDEP DWP will rely on certification for PFAS analysis from the Massachusetts LCP.

If you have any questions regarding these revised regulations, the transition period or the process for applying for PFAS certification, please contact the MassDEP Laboratory Certification Program, Division of Environmental Laboratory Sciences (DELS), Senator William X. Wall Experiment Station (WES) at 978-242-1201 or at labcert@mass.gov.