

The Ministry of Environment and Climate Change Strategy (the Ministry) will be revising the [Environmental Data Quality Assurance Regulation](#) (EDQAR) of the [Environmental Management Act](#) (EMA). The EDQAR was enacted in 1990 to ensure environmental data for use under the EMA is accurate and reliable. After extensive study and consultation, the province is considering revisions to strengthen the EDQAR for the production and management of environmental data.

The Ministry's intentions for updating the EDQAR are described in an Intentions Paper (IP) provided on the ministry's website: [Laboratory Standards and Quality Assurance](#)

In addition, an associated paper "[Laboratory Inter-Jurisdictional Review to Inform the Process of Updating the Environmental Data Quality Assurance Regulation](#)" describes how laboratory accreditation is applied in other Canadian jurisdictions. This document is available on the same Ministry's website above.

This response form and consultation questions follow the sequence and structure of the IP. Comments on the Ministry's intentions are welcomed, using this response form or via a separate submission. All submissions and comments will be reviewed and considered by the Ministry in moving forward with the proposed updates to the regulation. As well, all submissions will be reviewed for inclusion without attribution in a consultation summary report to be made public following the consultation period.

The Ministry expects to amend and implement the revised regulation in early 2019. A training and implementation period for the revised regulation will follow.

The Ministry welcomes comments on the information and proposals outlined in the Intentions Paper posted on the Ministry's website:

- <https://www2.gov.bc.ca/assets/download/DCB2F3C5B28F47D2ABBF4BFF44C9B288>

Those interested are invited to submit comments to the Ministry using this comment form, or by separate submission if desired. If you have any questions or comments please email:

[EDQARupdate.comments@jrdconsulting.ca](mailto:EDQARupdate.comments@jrdconsulting.ca)

Completed response forms or submissions may be submitted using the online form or as an attached file to this email address, or by mail to:

**Ministry of Environment and Climate Change Strategy – EDQAR Update**

**Attention to Carol Busse**

**4<sup>th</sup> floor, 525 Superior Street**

**Victoria, BC V8V 0C5**

Responses received by **December 17, 2018** will be considered by the Ministry in preparing the proposed revisions to the regulation.

## Consultation Questions

The following discussion questions are based on the Ministry’s policy IP for revising the Environmental Data Quality Assurance Regulation (EDQAR). The IP can be downloaded from the Ministry website at:

<https://www2.gov.bc.ca/assets/download/DCB2F3C5B28F47D2ABBF4BFF44C9B288>

### General questions

The Ministry has a duty to protect human health and the environment, and the best decisions can only be made with objective and reliable test results. The EDQAR will be strengthened to incorporate a formal laboratory standard for the qualification of laboratories, leading to improved confidence and reliability of test results. It will also facilitate reaching “equivalency agreements” with other levels of government, which will lead to increased efficiency and cost savings.

**G1.** Overall, please indicate your level of support for the proposed revisions to the EDQAR described in the intentions paper:

*Please select one box from the scale below (1= Not at all supportive; 6= Extremely supportive)*

	1	2	3	4	5	6	
Not at all supportive	<input type="checkbox"/>	Extremely supportive					

**G2.** What are the reasons for your choice?

**G3.** Do you have any general comments about the Ministry’s proposed revisions to the EDQAR?

## PROPOSED UPDATES

### 1. Laboratory/Test Accreditation

Section 5.1.1 of the EDQAR IP sets out to make formal accreditation a requirement for test data destined for submission to BCMOE to satisfy monitoring requirements or other purposes under the EMA. Accreditation provides formal recognition of the competence of a laboratory to perform tests in conformance with a formal laboratory standard – ISO/IEC 17025.

**1.1** Please indicate your level of support for the proposal to require formal accreditation for the laboratory/test methods that generate test results for Ministry programs.

Please select one box from the scale below (1= Not at all supportive; 6= Extremely supportive)

	1	2	3	4	5	6	
Not at all supportive	<input type="checkbox"/>	Extremely supportive					

**1.2** What are the reasons for your choice in question 1.1?

**1.3** Do you have any other comments regarding the Ministry's intention to require ISO/IEC 17025 accreditation for laboratories and test methods that produce analytical data for BCMOE programs?

**1.4** Do you support the suggested wording to be used for the update to the EDQAR related to laboratory accreditation? Please offer suggestions for alternate wording if warranted.

## 2. Scope of Application

Section 5.1.2 of the IP sets out that formal laboratory/test accreditation should be a requirement for all test data destined for submission to Ministry programs.

### 2.1. Scope of Application (see intentions paper section 5.1.2)

Do you support the scope of application for laboratory/test accreditation, that being for the generation of all regulatory data to which it can be applied for BCMOE programs? If not, please explain why not.

## 3. Phase-In Period

In Section 5.1.3, the EDQAR update is considering a two-year update period for the new requirements, including the requirement for formal laboratory/test accreditation. During the transition period, the prior requirement for laboratory qualification are to be maintained.

**3.1.** Do you have any comments regarding the Ministry's intention to have a phase-in period of two years for the new requirements, including laboratory/test accreditation?

## 4. Laboratory Qualification by Proficiency Testing

While the ministry has a strong preference for formal laboratory/test accreditation for test results in its programs, it is recognized there may be circumstances where it will be beneficial to qualify laboratories using the current EDQAR requirement for proficiency testing.

**4.1** Please indicate your level of support for the retention of laboratory qualification via proficiency testing as practiced by the EDQAR for use in special circumstances.

*Please select one box from the scale below (1= Not at all supportive; 6= Extremely supportive)*

	1	2	3	4	5	6	
Not at all supportive	<input type="checkbox"/>	Extremely supportive					

**4.2** What are the reasons for your choice in question 4.1?

**4.3** It is proposed that a laboratory seeking to utilize laboratory qualification by proficiency testing be required to provide a rationale for the accommodation, receive approval of the Director and that approval will be for a limited time period. Please comment on the proposal to set strict conditions on the use of this accommodation.

## **5. Environmental Test Data Generated by Online/Continuous Monitoring**

Section 5.1.5 of the IP proposes that environmental test data generated by online/continuous measurement have an element of quality management to ensure a high level of confidence in the data. While the provision for laboratory/test accreditation do not extend to online/continuous monitoring, certain elements of quality management are proposed in the EDQAR update revisions.

**5.1** Do you have any comments or suggestions regarding the proposed revisions for online/continuous measurements that generate test data for ministry programs?

## **6. Provision for Laboratories New to B.C.**

The proposed amendment to the EDQAR include a provision for laboratories new to B.C. in order that the requirement for laboratory/test accreditation not be seen as a barrier to trade. The provisions include utilizing laboratory qualification via proficiency testing as an interim requirement to demonstrate data quality and a two-year period for laboratory/test accreditation to be achieved.

- 6.1.** Please comment on the provision in the proposed EDQAR revisions for laboratories new to B.C.
- 6.2.** Do you have any comments regarding the use of laboratory qualification via proficiency testing or the two year period for accreditation to be achieved in this process?

### **7. Special Provisions**

Section 5.1.7 of the IP proposes several special provisions to take into consideration special circumstances that the Ministry may face with respect to laboratory testing. This includes (but is not limited to) the following potential situations:

- Accreditation and proficiency testing for a parameter is not available
- Laboratory of special skill or expertise
- An “If all else fails” provision for unforeseen circumstances.

**7.1** Do you have any comments or suggestions regarding the proposed special provisions for the revised EDQAR?

### **8. Assuring Compliance**

Section 6 of the IP sets out compliance and enforcement provisions that will enable BCMOE to confirm that the changes proposed in the EDQAR update are implemented within the environmental sector.

- 8.1.** Please comment on the provision in the proposed EDQAR revisions for accreditation verification (Section 6.1).
- 8.2.** Please comment on the provision in the proposed EDQAR revisions for accreditation updates and proficiency testing performance notifications (Sections 6.2 and 6.3).

### **9. Additional Comments**

Do you have any additional comments or suggestions for the ministry regarding the proposed revisions to the regulation?

If you have any questions or comments please email: [EDQARupdate.comments@jrdconsulting.ca](mailto:EDQARupdate.comments@jrdconsulting.ca)

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**Ministry of Environment and Climate Change Strategy – EDQAR Update**  
**Attention to Carol Busse**  
**4, floor, 525 Superior Street**  
**Victoria, BC V8V 0C5**

Responses received by **December 17, 2018** will be considered by the Ministry in preparing the proposed revisions to the regulation.

All submissions will be treated with confidentiality by Ministry staff and contractors when preparing consultation reports. Please note however that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

**Thank you for your time and comments.**

## Background and Area of Interest

Please mark an “x” in the appropriate boxes to describe your primary interest in the Ministry’s update:

- Work for a regional district:**  
Please describe (e.g., planning, engineering):
- Work for a municipality:**  
Please describe (e.g., planning, engineering):
- Work for a government regulatory agency (other than local):**  
Please describe (e.g., federal, provincial):
- Work for a public sector organization:**  
Please describe (e.g., health authority, education institution, Crown corporation):
- First Nation:**  
Please describe:
- Work in the Industry/Permittee sector (private sector):**  
Please describe the type of goods or services that you provide:
- Work in the laboratory/environmental sector:**  
Please describe:
- Involvement or work for an environmental or community interest group**  
Please describe:
- Other interest:**  
Please describe:

**Thank you for your time and comments!**

**Please remember to return this comment form to the Ministry on or before *December 17, 2018*.**

If you wish, you may also provide contact information on the following page. This information will be compiled separately from your comments and will be used to inform respondents of posting of the summary of comments and progress in revising the Environmental Data Quality Assurance Regulation.

## Contact Information

If you wish to receive further information concerning updates to the Environmental Data Quality Assurance Regulation (EDQAR), please provide your contact information – **including an email address** – below.

All submissions will be reviewed for inclusion without attribution in a consultation summary report to be made public following the consultation period. Please note that comments you provide and information that identifies you as the source of those comments may be publicly available if a Freedom of Information request is made under the *Freedom of Information and Protection of Privacy Act*.

**Contact Name:**

**Business or Organization Name (if appropriate):**

**Email:**

**Mailing address:**

**Telephone:**

**Thank you again for your interest in the regulation of environmental data quality in British Columbia.**

**If you have any further questions, please contact: [EDQARupdate.comments@jrdconsulting.ca](mailto:EDQARupdate.comments@jrdconsulting.ca)**