Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
62-160.110	Purpose, Scope and Applicability	• For Quality Assurance Project Plans (QAPPs), clarified that DEP reviews and approves QAPPs when delegated by the Environmental Protection Agency (EPA).
62-160.120	Definitions and Standards	• Revised the definition of **alternative method** as one that is specified in a Department rule, permit, order, or contract, as further discussed in Rules 62-160.220 and 62-160.330, F.A.C. • Revised the definition of **limited-use method** as one that is an alternative or modified field or laboratory procedure that is approved by the Department for the collection or testing of environmental samples by a single field sampling organization or analytical laboratory for purposes specified in the scope of the approval. • Revised the definition of **method modification** as any change that alters the scope, applicability, specifications, steps, performance criteria, or any other requirements described in a published field procedure or laboratory analytical method, and the resultant method is a "modified method." • Deleted the definition of **new method** and the definition of **site-specific sampling method**. • Updated the definition of **statewide-use method** as one that is a modified or alternative field or laboratory procedure or method that is approved by the Department for the collection or testing of environmental samples within the State of Florida by any field sampling organization or laboratory. • Clarified that the requirements in rules 62-160.220 and 62-160.330 must be met for the approval of all alternative and modified methods. • Added **Synthetic Precipitation Leaching Procedure (SPLP)** to the clarification for Field of Accreditation Matrix definitions to indicate when certification for non-potable water or solid and chemical materials is required. • Clarified that **lab certification for non-potable water or solid and chemical materials matrix** may be required, depending on the solids content of the sample. • For **Method Detection Limit (MDL),** clarified that MDL procedures specified in DEP rules must be followed, and deleted the requirement to use MDL procedures listed in DEP-QA-001/01. Revised the MDL definition to include updated definitions found in the 2016 TNI Standard (The NELAC Institute) and the revised EPA MDL procedure proposed for 40 CFR Part 136. Added examples where MDL is not required, such as chlorophyll, BOD and bacteria tests. • For **Practical Quantitation Limit (PQL),** provided examples where the Department would not use a default definition of 4XMDL = PQL, such as chlorophyll, BOD and bacteria tests. Clarified that a specific procedure

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
		for determining and verifying the PQL must be followed if required by a Department rule, permit, contract or order; otherwise, the PQL may be determined by any technically appropriate procedure. • For **method-defined analyte**, clarified that methods for these analytes may not be modified, and are not approved, per rule 62-160.330. • For **Quality Assurance Project Plans (QAPPs),** clarified that DEP reviews and approves QAPPs when delegated by the Environmental Protection Agency (EPA).
62-160.210	Approved Field Procedures	• Added a requirement to follow DEP SOP FT 1800 for the determination of flow (discharge) in natural surface waters, including for purposes of computing water quantity; and, cited definitions for surface waters in rule and statute that will apply to this requirement.
62-160.220	Approval of Alternative and Modified Field Procedures	• Revised the rule section in terms of the proposed definitions for alternative and modified methods, and limited-use or statewide-use methods, according to approval for use, as follows below. • Revised the definition of alternative procedures to be field procedures used in place of those specified or required in the DEP SOPs, Department rules, contracts, orders, or permits, and deleted the reference to New Field Procedures. • Indicated that modifications may apply to any published procedure, such as a DEP SOP, a field procedure specified in another Department rule, and other procedures available to the public, for example in the scientific or technical literature. • Indicated that the Department will determine if proposed method modifications constitute an alternative procedure. • Removed FS 7000 from the list of DEP bioassessment SOPs that may not be modified. • Listed factors and requirements for evaluation and approval (or disapproval) of modified or alternative field procedures, and indicated that modifications that are specifically allowed by instructions in the original, published procedure are pre-approved by the Department, but clarified that any constraints or limits to modifications specified in the original procedure and any required performance criteria for allowed modifications specified in the procedure also apply to all pre-approved modifications. • Indicated that validation documentation must be submitted to the Department for all proposed alternative field procedures and for all modified field procedures not preapproved, and that demonstration of equivalency with replaced field procedures or with original, unmodified field procedures will not be required if not needed to meet the Department's Data Quality Objectives (DQO)s.

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
62-160.220 cont'd		• Indicated that approvals of modified or alternative field procedures will be based on the scope of the validation information submitted, and will be designated for either a) limited use by a single person or organization or b) for statewide use by any person or organization. • Indicated that approvals for statewide use will require a collaborative study conducted by two or more independent persons or organizations to investigate the efficacy of the proposed procedure for specified site or environmental conditions, sample types, or other specifications applicable to the scope of approval requested, and that an evaluation of the proposed procedure on multiple sites representing different environmental conditions is required to demonstrate the robustness of the procedure, with each application for statewide use considered on a case-by-case basis by the Department. The number of independent persons or organizations required to participate and the number of environmental test sites required for the study shall depend on the statistical requirements determined by the Department to be necessary for the study design, in collaboration with the requester. • Indicated that approval for statewide use will not guarantee applicability of the procedure for all potential uses. • Currently, for statewide-use approvals, notice of the approval or disapproval must be published in the F.A.R. Revised the noticing requirements for statewide-use approvals, to also require that the Department post the order and approved procedure to the Department's website for informational purposes only. • Revised the provision to request an administrative hearing pertaining to a limited-use approval to be as required in Chapter 120, F.S., and for statewide-use approvals, per Chapter 120 F.S. and within 21 days of Florida Administrative Register (F.A.R.) publication or receipt of the written notice, whichever occurs first. • Added that modified procedures approved for statewide use will be incorporated into the collection of DEP SOPs. • Indicated that approved modified or alternative field procedures will remain approved unless revoked per requirements in this rule. • For methods removed from approval, replaced terms such as "removed from approval" and "rescission" with "revoked" and "revocation". Revised the provision to request an administrative hearing pertaining to revocation of a limited-use procedure to be as required in Chapter 120, F.S. Currently, for statewide-use procedures, notice of the revocation must be published in the F.A.R. Revised noticing for statewide-use revocations now also requires that the Department post the letter or order to the Department's website for informational purposes only.

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
		• Indicated that research field procedures must be submitted for review and approval according to the requirements in Rule 62-160.600, F.A.C.
62-160.300	Laboratory Certification	• Revised subsections to clarify and specify which tests do not require lab certification by FDOH; this includes deleting tests for transparency, ORP, explosive gases, sulfite, SOD, and, geochemical analyses and bacteriological tests performed for site remediation monitoring, from the list of exempted tests, since these tests are performed in the field or seldom used. Tests with a specified holding time of ≤15 minutes are also exempted when performed as a field procedure. Clarified that the DEP SOPs must be followed for those listed tests that are published in the DEP SOP collection (DEP- SOP-001/01). • Clarified that tests related to internal process control do not require lab certification unless the test results are reported to DEP for permit compliance monitoring. • Indicated that lab methods used by statutorily created volunteer monitoring organizations do not require certification when DEP has determined that the organization SOPs provide sufficient quality assurance requirements for DEP data uses. • Clarified that the tests listed in this rule for drinking water compliance monitoring, and the SOUR test for wastewater residuals, do not require lab certification when conducted by or under the direction of a certified operator per requirements in Chapter 62-602, F.A.C. • Deleted a provision related to temporary waivers of certification by the department. • Deleted a provision to refer matters of uncertain scope of accreditation to DOH. • Deleted the requirement to operate a quality assurance program consistent with TNI standards even when certification is not required. • Added a requirement for laboratories to follow all other requirements for laboratories in the Chapter even though certain tests may not require certification as indicated in this rule.
62-160.320	Approved Laboratory Methods	• Deleted an outdated Federal Register reference pertaining to methods approved at 40 CFR Part 136.3.
62-160.330	Approval of Alternative and Modified	• Revised the rule section in terms of the proposed definitions for alternative and modified methods, and limited-use or statewide-use methods, according to approval for use, as follows below.

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
62-160.330 cont'd	Laboratory Methods	• Revised the definition of alternative methods for this section to be laboratory methods used in place of those specified or required in Department rules, contracts, orders, or permits, and deleted the reference to New Methods. • Clarified that the Department's approval of a modified method will be limited to the specific method scope and modifications validated by the laboratory. • Indicated that the Department will determine if proposed modifications constitute an alternative laboratory method. Indicated that laboratory methods required in the DEP bioassessment SOPs and methods for testing for EPA-designated "method-defined analytes" may not be modified. • Listed factors and requirements for evaluation and approval (or disapproval) of modified or alternative laboratory methods (as further described below), and indicated that modifications that are specifically allowed by instructions in the original, published procedure are pre-approved by the Department, but clarified that any constraints or limits to modifications specified in the original method and any required performance criteria for allowed modifications specified in the method shall apply to all pre-approved modifications. • Added that allowable modifications as described in 40 CFR, Part 136.6 and in Section 2.1 in Chapter Two of SW-846 are generally applicable to methods not specified at 40 CFR, Part 136.3 or contained in SW-846, if the modifications meet Department DQOs for specified data uses, except that, allowable modifications per SW-846 do not supersede requirements at 40 CFR, Part 136.6 applicable to methods specified at 40 CFR, Part 136.3. • Added a requirement to notify the DEP permit processor when modifications to methods allowed per 40 CFR Part 136.6 are used to analyze compliance samples. • Clarified that validation information must be submitted to the Department for all alternative methods and for all modified methods not pre-approved by the Department, and that demonstration of equivalency with replaced methods or with original, unmodified methods is required. • Clarified that method modifications and alternative methods shall be evaluated according to criteria for demonstrations of initial and ongoing performance as required by the original unmodified method or published alternative method, and when laboratory certification is required, as required in the 2016 TNI Standards, which also include requirements for method validation and the use of non-standard methods, as discussed in Module 2 of the Standards. • Added clarifications to indicate what items the Department will consider when evaluating or approving a proposed alternative method or modified laboratory method, such as component elements of the

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
62-160.330 cont'd		proposed method, Department DQOs, method equivalencies, Department data uses, and sources of proposed published methods. • Indicated that approvals of modified or alternative laboratory methods will be based on the scope of the validation information submitted, and will be designated for limited use by a laboratory location or branch, or for statewide use by any laboratory. • Indicated that each application for statewide use will be considered on a case-by-case basis by the Department, and that approval for statewide use does not guarantee applicability of the procedure for all potential uses. • Clarified that the Department shall require a collaborative study conducted by multiple, independent laboratories, according to requirements further described in DEP-QA-001/01, to investigate the efficacy and robustness of the proposed statewide-use alternative or modified method for specified site or environmental conditions, sample types, sample matrices, waste streams, analytes, or other specifications applicable to the scope of approval requested. • Currently, for statewide-use approvals, notice of the approval or disapproval must be published in the F.A.R. Revised the noticing requirements for statewide-use approvals, to also require that the Department post the order and approved procedure to the Department's website for informational purposes only. • Revised the provision to request an administrative hearing pertaining to a limited-use approval to be as required in Chapter 120, F.S., and for statewide-use approvals, per Chapter 120 F.S. and within 21 days of F.A.R. publication or receipt of the written notice, whichever occurs first. • Added that modified methods approved for statewide use will be incorporated into the collection of DEP SOPs. • For methods removed from approval, replaced terms such as "removal" and "rescission" with "revoked" and "revocation". Revised the provision to request an administrative hearing pertaining to revocation of a limited-use procedure to be as required in Chapter 120, F.S. Currently, for statewide-use approvals, notice of revocation of the approval or disapproval must be published in the F.A.R. Revised the noticing requirements for statewide-use revocations to also require that the Department post the letter or order to the Department's website for informational purposes only. • Deleted requirements for review and approval by EPA of alternative or modified methods proposed for National Pollutant Discharge Elimination System (NPDES) and Safe Drinking Water Act (SDWA) compliance.

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
		• Indicated that research laboratory methods must be submitted for review and approval according to the requirements in Rule 62-160.600, F.A.C.
62-160.340	Recordkeeping and Reporting Requirements for Laboratory Procedures	• Updated references to the 2016 TNI Standards. • Added examples, such as BOD, chlorophyll and bacteria tests, where reporting the MDL does not apply and the Reporting Limit for the result must be indicated with the “U” data qualifier code instead.
62-160.400	Sample Preservation and Holding Times	• Added a new subsection to clarify that alternative or modified sample preservation procedures, sample containers or sample holding times must meet requirements in rules 62-160.220 and 62-160.330, including those for NPDES and SDWA data use (per respective CFR requirements).
62-160.600	Research Field and Laboratory Procedures	• Clarified and added to the types of topics to be discussed in field or laboratory research proposals. • Deleted the requirement to operate a quality assurance program consistent with TNI standards even when certification is not required for laboratory research methods.
62-160.650	Field and Laboratory Audits	• Clarified which field bioassessment procedures are exempted from certain requirements in this section, and indicated that laboratories performing taxonomic analyses of macroinvertebrate samples are not exempt from those requirements.
62-160.670	Data Validation by the Department	• Added additional references to DEP-SAS-001/11 and DEP-SAS-002/11 for requirements for conducting validations of SCI, Biorecon and LVI data.
62-160.700	Data Qualifier Codes (Table 1)	• Added Stream Condition Index (SCI), Biochemical Oxygen Demand (BOD), bacteria tests and Inductively Coupled Plasma analyses (ICP) as examples where "A" does not apply to test replicates or dilution series. • Clarified that "K" only applies to tests using calibration curves. • Clarified that "Q" must be used when any component test used for a calculated result is performed out of holding time. • Clarified that "U" must also be used for reporting limits for tests where MDL is not required, and added the examples of chlorophyll, BOD and bacteria tests. • Revised the “Z” code definition with additions and clarifications: use upper limit of method ideal count range to estimate results; reporting numerical result may not be possible, or greater than 200 non-target

Summary of Changes to Chapter 62-160, F.A.C.

Rule Section	*Rule Section Title*	*Summary of Changes (Effective 4/16/18)*
		colonies maybe present, and "no result" should be reported; comment for confluent growth may be included; verified positive colonies must be reported as detections, when required by rule 62-550.
62-160.800	Documents Incorporated by Reference	• Updated references applicable to current revisions to this Chapter.