

(I) MAKE APPROPRIATE APPLICATION TO THE DEPARTMENT ON THE TERMS AND CONDITIONS THAT ARE ADOPTED BY THE DEPARTMENT;

(II) SHOW THAT THE APPLICANT MEETS OR EXCEEDS THE MINIMUM STANDARDS AND QUALIFICATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SECTION FOR WATER QUALITY LABORATORIES IN THIS STATE; AND

(III) PAY A REASONABLE APPLICATION FEE SET BY THE DEPARTMENT.

(3) A WATER QUALITY LABORATORY FROM ANOTHER STATE MAY RENEW ITS CERTIFICATION ACCORDING TO THE PROVISIONS OF SUBSECTION (F) OF THIS SECTION.

(I) SUBJECT TO THE HEARING PROVISIONS OF SUBSECTION (J) OF THIS SECTION THE SECRETARY MAY REPRIMAND OR REVOKE OR SUSPEND THE CERTIFICATION OF ANY WATER QUALITY LABORATORY WHICH:

(1) FRAUDULENTLY OR DECEPTIVELY OBTAINS OR ATTEMPTS TO OBTAIN A CERTIFICATION;

(2) FRAUDULENTLY OR DECEPTIVELY USES A CERTIFICATION; OR

(3) OTHERWISE FAILS TO MEET SUBSTANTIALLY THE STANDARDS AND QUALIFICATIONS ADOPTED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION.

(J) (1) BEFORE THE SECRETARY TAKES ANY ACTION UNDER SUBSECTION (I) OF THIS SECTION, HE SHALL GIVE THE WATER QUALITY LABORATORY AGAINST WHICH THE ACTION IS CONTEMPLATED:

(I) WRITTEN NOTICE OF THE CHARGES FILED AGAINST THEM; AND

(II) AN OPPORTUNITY FOR A HEARING BEFORE THE SECRETARY.

(2) THE NOTICE AND HEARING REQUIRED BY THIS SUBSECTION SHALL MEET THE REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT.

(K) (1) ANY PERSON AGGRIEVED BY A FINAL DECISION OF THE SECRETARY IN A CONTESTED CASE MAY TAKE A DIRECT JUDICIAL APPEAL.

(2) THE APPEAL SHALL BE MADE AS PROVIDED FOR JUDICIAL REVIEW OF FINAL DECISIONS IN THE ADMINISTRATIVE PROCEDURE ACT.

(L) (1) A PERSON MAY NOT ATTEMPT TO OPERATE OR OPERATE AS A WATER QUALITY LABORATORY IN THIS STATE UNLESS CERTIFIED BY THE DEPARTMENT.