

3796:4-1-06

**Testing laboratory certificate of operation.**

- (A) A provisional licensee is prohibited from operating as a licensed testing laboratory and performing any analytical testing activities until a certificate of operation is issued by the department. The information and plan submitted by a provisional licensee shall become mandatory conditions that must be met before a certificate of operation can be awarded.
- (B) A provisional licensee shall have six months from the date they are notified of selection to obtain a certificate of operation. A certificate of operation shall be issued once all applicable inspections are passed and the provisional licensee demonstrates that it conforms to the specifications of the application, as well as the requirements imposed by law and rules. If a certificate of operation is issued, the provisional license becomes null and void.
- (C) The department shall not award a certificate of operation to a provisional licensee if the provisional licensee has not met all of the specifications in the application and passed all applicable inspections under rule 3796:4-3-01 of the Administrative Code within six months of written or electronic notification of the applicant's selection. If the provisional licensee fails to remedy the deficiencies in accordance with rule 3796:4-3-01 of the Administrative Code or otherwise satisfy the six-month time period established under paragraph (B) of this rule, the director, at his or her discretion, may extend the time period for the testing laboratory to obtain a certificate of operation or take action pursuant to rule 3796:5-6-01 of the Administrative Code.
- (D) The certificate of operation, along with a copy of the current certificate of occupancy for the facility and any other certificate, business license, or other authorization required to conduct testing activities, shall be posted in a conspicuous place within the facility and made available to the department and all fire code and building officials upon request.

Effective: 09/08/2017

Five Year Review (FYR) Dates: 09/08/2022

CERTIFIED ELECTRONICALLY

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Certification

08/14/2017

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Date

Promulgated Under: 119.03  
Statutory Authority: R.C. 3796.03  
Rule Amplifies: R.C. 3796.03, R.C. 3796.09