



October 20, 2016

California State Water Resources Control Board Members
PO Box 100
Sacramento, CA 95812-0100

Subject: Comment Letter – ELAP Regulations Development/Laboratory Standard by Bay Area Clean Water Agencies (BACWA)

Submitted via email: commentletters@waterboards.ca.gov

The Bay Area Clean Water Agencies (BACWA) is a joint powers authority whose members own and operate Publicly Owned Treatment Works (POTW), provide sanitary sewer collections services and operate not-for-profit Environmental Laboratory Accreditation Program (ELAP) accredited laboratories to support these services for 6.5 million people in the nine-county San Francisco Bay Area.

POTW laboratories represented by BACWA have always reported high quality data following Environmental Protection Agency (EPA) and ELAP stipulations with the goal of environmental and public health protection. We support all actions that enhance achieving these goals. Since the Board is moving towards the adoption of TNI standards, we request that the State adopt only elements of TNI that contribute to improving data quality and drop elements that require any unnecessary and burdensome paperwork.

Specific comments based on the “Notice of Opportunity for Public Comment and Notice of Public Workshop” dated September 6, 2016 are as follows:

1. **Revisions to TNI Standard:** ELAP states it will consider “*revisions to portions of the standard*”. Without knowing exactly the content of the proposed revised standard it is not possible to provide a comprehensive, thoughtful input.
2. **TNI Standards Implementation Costs:** While not necessarily improving data quality, adopting TNI standards in full will pose a formidable financial burden to laboratories. Initial cost may include: the need to hire staff to handle TNI-related paperwork; hiring consultants to setup the TNI documentation framework; purchasing Laboratory Information Management System (LIMS); and purchasing documents and training material from TNI. In particular, small laboratories supporting utility operations and compliance monitoring will be hard-pressed to find the resources to comply.

3. **Laboratory director/technical manager qualification:** The qualifications spelled out in 22 CCR 64817 are incorporated into job descriptions in many public agencies; these provisions have served the State well over the years. While TNI has a provision for grandfathering, it is too narrow and may lead to job losses and burden POTWs in their efforts to find suitable leaders for their laboratories.
4. **Importance of small agency laboratories:** Small agency laboratories play a vital role in protecting public health and the environment. In states, such as Florida and New York, mandating TNI accreditation led to the closing of many municipal laboratories, an outcome we should seek to avoid in California.

We thank you for your thoughtful consideration.

Respectfully submitted,

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