



SAN LUIS OBISPO COUNTY  
**DEPARTMENT OF PUBLIC WORKS**

Wade Horton, Director

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September 16, 2016

State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95812-2000



Subject: Comment Letter – ELAP Regulations Development/Laboratory Standard

Ladies & Gentlemen:

On September 6, 2016 the State Board gave notice that a Workshop on proposed changes to California laboratory accreditation regulations would be held. The focus of the proposed changes is ELAP's proposal to use Volume 1 of The NELAC Institutes 2016 documents as the basis for its laboratory accreditation.

The San Luis Obispo County Water Quality laboratory would like to submit the following comments to the Board and Board staff for consideration on this proposed Workshop.

- 1) As a small environmental laboratory supporting utility services throughout the County of San Luis Obispo, we are an important resource to the people of the County for protection of their health and the environment. To meet these demands, we must be able to plan and judiciously utilize our staffing and monetary resources. It is difficult to make these plans and to comment on the proposal when essential documents (2016 TNI Volume 1(TNI)), or a document describing the extent which ELAP is intending to implement the TNI document as the laboratory standard in California, are not made freely available. These proposed changes to regulations have the potential to have significant impacts on our laboratory operations and accreditation. It is unreasonable to expect us, as an agency tasked with utilizing public funds, to purchase a document to simply comment on a proposed change to regulation.
- 2) While this notice has been given to provide notice of the informal workshop for the development of regulations for CA ELAP, implicit in the language of the notice is that Board staff has already decided to fully commit to the TNI standard as the laboratory standard for California. Whether or not this is a correct assessment by our staff, it is what appears to have been decided by Board staff and a document describing the extent of commitment should be made available before the informal workshop.
- 3) It is important to remember that specific samples have very short holding times. Having an accredited lab nearby is critical to meet regulatory compliance criteria. For example, reclaimed wastewater samples for bacteriological analysis have a maximum transportation and holding time of 6 hours from time of collection to processing in the laboratory for analysis. San Luis Obispo County is considerably geographically removed from many of the

commercial laboratories. It is vital for Public Works to fulfill its mission of protecting the health of the citizens and environment they live in to have available an accredited laboratory. Increasing the overall costs without allowing our input is not in keeping with the intent of the Administrative Procedure Act (APA) and APA regulations.

- 4) There appears to be no indication that this workshop will have a web-based alternative to participate on the day of the workshop. This vital avenue needs to be made available to effected agencies (small labs) that will not be able to send staff to Sacramento for this workshop. It is critical that stakeholder input be made available at all stages of laboratory accreditation regulation development.

Thank you for your attention.



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