Agri-Center Of The World

WASTEWATER/SEWER DIVISION

September 14, 2016

Jean Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-2000

Dear Jean,

I am writing in concern that the Environmental Laboratory Accreditation Program (ELAP) will recommend to the State Water Resources Control Board (SWRCB) the adoption of the NELAC Institute Standard (TNI) for development of the new ELAP regulations. By doing so, ELAP set aside the ELTAC recommendation to adopt an alternative Quality Management Systems (QMS) United States Environmental Protection Agency (USEPA) Standard.

On September 6, 2016 the SWRCB sent a notice of opportunity for public comment and notice of public workshop for October 6, 2016 regarding ELAP regulations development and preliminary staff recommendation for laboratory standard. The deadline to submit written comments is due at noon on September 16, 2016, amounting to less than 10 days for the public to purchase (for $130 per user), read all 200 pages, and comment on the TNI Standards.

These standards are designed by and represent medium to large commercial labs. It is very important to recognize that the vast majority of laboratories in this State are smaller labs, with five or fewer employees. The TNI accreditation standards will impose significant additional costs on California municipal laboratories to comply. They will need additional staff and need to purchase LIMS and document-tracking software. In the case of very small (1 to 3 person labs) this budget increase calls into question the continued survival of the lab.

Of particular concern are many "on site" laboratories, which provide real time and quick turnaround results for many regulated entities. These laboratories perform very important testing for process control and regulatory compliance. Many of these laboratories are associated with government water utilities, wastewater treatment plants, and county public health laboratories. NELAC will increase cost for all labs; NELAP certification can be at least three times more expensive than typical state certification. Aside from costs "in house" laboratories often have limited staff, the additional administrative burden on such laboratories will be tremendous.

ELAP has already increased their annual fees, which does not even take into account the considerable hours that will be required to develop new SOPs, laboratory manuals, laboratory documents and bench sheets. It has been quoted that it could take between a year and a half to two years of full-time hours dedicated to getting all of the initial documentation established. Educational and training needs, and associated costs will also increase if TNI is implemented. Small agencies simply do not have the resources.

Another area of concern is the lack of technical certification recognition in the TNI document. The 2016 standard does require a Bachelor's degree for top lab staff, but the past regulations have recognized technical certifications. The 2016 standard does not. The technical certification is currently recognized as equivalent (as currently stated in Title 22, ELAP regulation, Article 9) and both CWEA and AWWA certifications both serve this purpose for Utility labs. Wastewater testing and documentation procedures are not specifically included or required within any major college. The certificate holders must have the appropriate degree of work experience and education in addition to passing proficiency exams to gain their certifications. I have been working with the City of Tulare wastewater laboratory for 26 years with a CWEA Laboratory Analyst Grade 1, I hope you understand my concern for my future employment as Laboratory Supervisor and the future of the laboratory community.

Sincerely,

Susan Webb
City of Tulare/ Laboratory Supervisor