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September 12, 2016

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



RE: Comment Letter – ELAP Regulations Development/Laboratory Standard

To the Members of the State Water Resources Control Board,

On September 6, 2016 the State Board gave notice that they would be holding a workshop on proposed changes to the laboratory accreditation regulations. The deadline for submittal of comments is noon, Friday September 16, 2016. The focus of the proposed changes is the Environmental Laboratory Accreditation Program's (ELAP) proposal to use Volume 1 of the NELAC Institute's (TNI) 2016 documents as the basis for laboratory accreditation. The Town of Windsor would like to respectfully submit the following comments to the Board for consideration on this topic.

Extensive Work

California has a substantial amount of ELAP accredited laboratories with only one or two full time staff members, the Town of Windsor being one of them. The paperwork and documentation requirements alone under TNI would be extremely difficult for a small laboratory to sustain. It is critical to public health for public agencies to maintain in-house laboratories. Burdensome TNI requirements do not necessarily directly relate to better or more reliable data. Many of the requirements are focused on documenting irrelevant items. For example, Module 5 in TNI requires documented quarterly monitoring of glassware volumes. Class A glassware comes accompanied with a Certificate of Accuracy and glassware volumes do not change over time. This is just one example of an extensive list of items that will unnecessarily consume laboratory time and energy, but will not improve data quality. Instead, what they will lead to is an increase in public agencies refusing to certify their own laboratories, and instead simply send out all analysis. Contracting out critical data analysis to outside laboratories leaves a delay in communication of results and creates a disconnect between water/wastewater operators and the laboratory, potentially compromising operational processes and public or environmental health.

Increased Costs

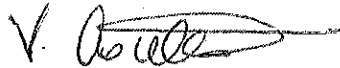
ELAP has already significantly increased their annual fees, and has made it clear that fee increases will continue. Implementing TNI will simply compound the rising budget needs of maintaining a water quality laboratory. For example, the requirement to double the frequency of PT Studies from once per year to twice per year is enough to cause some agencies significant financial hardship. That 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 or budget to dedicate to such a monumental task.

Conflict With ELTAC

On August 24, 2016 the Environmental Laboratory Technical Advisory Committee (ELTAC) voted not to endorse TNI, and instead encouraged a "California Plus" model that would add to and improve current regulations and procedures already in place. ELTAC was under the impression that TNI was no longer being considered as a quality management system by ELAP because they had already realized the excessive cost and resource drain this would cause to water quality laboratories, especially those with limited staff. It is concerning that ELAP would chose to ignore recommendations made by ELTAC, which, based on its Mission Statement, was a committee specifically designed to "facility transparency, as an inclusive conduit for the fair and balanced exchange of information and dialog between the laboratory community [...] and ELAP." All communication by ELTAC to the laboratory community indicated that ELAP did not support a full implementation of TNI. Discovering that ELAP had in fact recommended the opposite to the State Water Board does not encourage the laboratory community to believe that their relationship with ELAP is transparent or fair.

The water quality laboratory community values data integrity and quality. The Town of Windsor is not disagreeing with improving quality management systems, but rather the TNI standard that is being recommended by ELAP. Just because an accreditation program is available in a quick to implement, off-the-shelf model, does not mean that it is the best option. The decision made by the State Water Resources Control Board will have implications for many years to come and will cause a ripple effect in the water quality laboratory community, public health and the environment. I respectfully encourage that these factors be seriously considered in the decision making process.

Thank you,



Veronica Astells
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