

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT AND NOTICE OF PUBLIC WORKSHOP

ASSESSMENT OF PROGRESS AND FINAL RECOMMENDATIONS BY THE EXPERT REVIEW PANEL FOR THE STATE OF CALIFORNIA'S ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM – YEAR 2 FINAL REPORT

NOTICE IS HEREBY GIVEN that the State Water Resources Control Board (State Water Board) will receive public comments on the assessment of progress and final recommendations in the Year 2 Final Report by the Expert Review Panel for the State of California's Environmental Laboratory Accreditation Program (ELAP).

NOTICE IS ADDITIONALLY HEREBY GIVEN that the State Water Board will hold a public workshop to provide information and answer questions on the report.

The workshop is an opportunity for interested persons to provide oral comments to the State Water Board Members. A quorum of the State Water Board Members may attend this workshop. This will be an informational workshop only and the State Water Board will not take any formal action at this meeting. Details of the workshop are provided below.

WEDNESDAY, MAY 3, 2017 – 9:00 A.M.
Joe Serna Jr. – CalEPA Headquarters Building
Coastal Hearing Room
1001 I Street, Second Floor
Sacramento, CA 95814

BACKGROUND

An Expert Review Panel (the Panel) was convened in 2015 to conduct an external examination of the State of California's Environmental Laboratory Accreditation Program (ELAP or program). During its initial review, which was presented to the California State Water Resources Control Board (State Water Board) in November 2015, the Panel identified a number of fundamental weaknesses that hindered the program's ability to achieve its mission of ensuring the State has high-quality data for use in environmental decision-making. The Panel made a series of recommendations to help ELAP reestablish itself as a respected accreditation program. Over the course of a year, the Panel followed ELAP's progress during quarterly public webinars, then reconvened in January 2017 to conduct a second year review of the program to assess whether the program had successfully implemented those recommendations and improved as a result.

During the follow-up review, the Panel found that ELAP made significant progress in implementing the majority of the Panel's recommendations. The Panel believes ELAP is regaining credibility with clients and the laboratory community; is working toward an accreditation process with State and stakeholders support; and has created proficiency testing and enforcement units to help ensure the competency of laboratories producing environmental data. With the extensive programmatic improvements ELAP implemented in the last year, the Panel has confidence ELAP's leadership understands its organizational charge and is well-positioned to accomplish the final Panel recommendations outlined in this report.

While the Panel applauds ELAP's progress during the past year, the program is still not meeting its programmatic goals. Specifically, the Panel notes that ELAP still lacks adequate staff to properly perform onsite assessments of applicant laboratories, which has resulted in a significant programmatic backlog, and an accreditation standard has not been adopted, which hinders the investments the State Water Board has made for staff training. The Panel has identified supplementary recommendations that should help resolve the remaining programmatic shortcomings:

- Adopt an accreditation standard

In its initial review, the Panel urged ELAP to immediately adopt an accreditation standard. The process took considerable time, but the Panel congratulates ELAP for working well with its stakeholder communities to vet options and reach a decision to adopt The NELAC Institute (TNI) 2016 Standard with 58 modifications proposed by the stakeholder community. The Panel recommends ELAP now move quickly to adopt that standard and develop an implementation process that facilitates laboratory participation. The Panel also recommends ELAP address the 58 modifications "through clarifying comments and implementation guidance that provides examples of compliance techniques," rather than as modifications to the underlying standard. Adopting a modified standard would isolate California from invaluable training resources available from the national program.

- Expand resources

During its initial review, the Panel found that ELAP was not able to carry out its mission because the program lacked the proper tools, as well as the broad expertise needed among its assessor staff, to conduct all required laboratory assessments. The Panel recommended that ELAP consider using third-party, private-sector assessors to help clear a programmatic backlog. Instead, ELAP pursued expansion and reorganization of in-house capabilities and resources, and has yet to attract or fully retain the in-house staffing it needs. The Panel strongly urges ELAP to immediately begin accepting third party assessments. The Panel also recommends that ELAP acquire software tools and external training resources to help meet workload demands and to ensure consistency when processing laboratory accreditation applications.

Panel Facilitator Dr. Stephen Weisberg of Southern California Coastal Water Research Project (SCCWRP) and Lara Phelps, United States Environmental Protection Agency, Office of the Science Advisor, Senior Advisor for Measurement, Monitoring, and Modeling, and Chair of the Panel, will present the report to the public and attending Board Members. Two members of the commercial and municipal laboratory community will present their perspective and the Division of Drinking Water Deputy Director, Darrin Polhemus, and ELAP Chief, Christine Sotelo, will also make presentations on management perspective and program plans.

DOCUMENT AVAILABILITY

To access the Expert Review Panel report, visit <http://www.sccwrp.org/ELAP>.

SUBMISSION OF WRITTEN COMMENTS

The Panel report is final; however, the public may submit comments to the Board and is encouraged to submit comments electronically. Comment letters must be received by 12:00 Noon on Monday, May 1, 2017. Comment letters received after that deadline will not be accepted unless the State Water Board determines otherwise. Send comments to Jeanine Townsend, Clerk to the State Water Board, by email at commentletters@waterboards.ca.gov (**must be no more than 15 megabytes**); fax at (916) 341-5620; or mail or hand delivery at:

Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Please indicate in the subject line, **“Comment Letter – ELAP Year 2 ERP Report.”**

PROCEDURAL MATTERS

While a quorum of the State Water Board may be present at the workshop, the Board will not take formal action. The State Water Board and its staff may ask clarifying questions. To ensure a productive and efficient meeting in which all participants have an opportunity to participate, oral comments or presentations at the workshops may be time-limited. For other presentation recommendations, please go to the State Water Board’s website at: www.waterboards.ca.gov/board_info/meetings/board_presentations.shtml.

WORKSHOP LOCATION, PARKING AND ACCESSIBILITY

For directions to the Joe Serna, Jr. (CalEPA) Building and public parking information, please refer to the map on the State Water Board web site at: <http://www.calepa.ca.gov/headquarters-sacramento/location/>. The CalEPA Building is accessible to persons with disabilities. Individuals requiring special accommodations are requested to call (916) 341-5880 at least five working days prior to the meeting. Telecommunications Device for the Deaf (TDD) users may contact the California Relay Service at (800) 735-2929 or voice line at (800) 735-2922. An audio broadcast of the meeting will be available via the Internet and can be accessed at: <https://video.calepa.ca.gov/>. All visitors to the CalEPA Building are required to sign in and obtain a badge at the Visitor Services Center located just inside the main entrance (10th Street entrance). Valid picture identification may be required. Please allow up to 15 minutes for receiving security clearance.

FUTURE NOTICES RELATED TO THESE WORKSHOPS

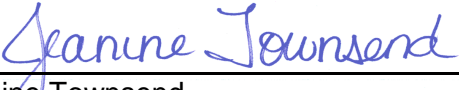
The State Water Board will hold the public workshops at the time and place noted above. Change in the date, time, and place of these public workshops will be posted to the State Water Board main web page at http://www.waterboards.ca.gov/drinking_water/programs/index.shtml under “Announcements”.

CONTACT INFORMATION

Please direct any questions about this notice to Christine Sotelo, Chief, Environmental Laboratory Accreditation Program, State Water Resources Control Board, at (916) 341-5175 or Christine.Sotelo@waterboards.ca.gov.

April 19, 2017

Date



Jeanine Townsend
Clerk to the Board