Public Comment
ELAP Year 2 ERP Report
Deadline: 5/1/17 by 12 noon

Sent via ELECTRONIC MAIL to commentletters@waterboards.ca.gov

RECEIVED
5-1-17
SWRCB Clerk

CITY OF ROSEVILLE CALIFORNIA
2005 Hilltop Circle,
Roseville, CA 95747

May 1, 2017

State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95814

SUBJECT: California Environmental Laboratory Accreditation Program's (ELAP's) recommendation to adopt The NELAC Institute's (TNI) 2016 Standard

Dear Chair Marcus and Members of the Board,

The City of Roseville appreciates the opportunity to comment on the California Environmental Laboratory Accreditation Program's (ELAP) recommendation to adopt The NELAC Institute's (TNI) 2016 Standard as the basis for the quality management system (QMS) for California laboratory accreditation.

The City of Roseville has a Water Quality Laboratory at each of their two Waste Water Treatment Plants. Both our on-site laboratories are small two person laboratories that perform basic time sensitive and simple compliance monitoring to quickly process data and report results; to help our treatment plants operate efficiently in a manner that is protective of public health and the environment and remain compliant with our NPDES permits.

These laboratories play a key role in Water Quality, since on-site laboratories are aware of the Waste Water Treatment Plants' trends, see results in context and can re-sample quickly to confirm unusual testing results or if an analytical problem occurs. Critical time sensitive tests such as BOD, Total Coliform etc., if sent to outside laboratories, may not provide results in a timely manner to allow for immediately required process corrections that maybe necessary to prevent violations and may compromise water quality.

The City of Roseville uses a contract laboratory for the more complex compliant testing requirements.

Continued Concerns:

The SWRCB staff proposal to impose the full TNI standard continues to be a significant concern for the City of Roseville as 'Full TNI' is not practical for small and simple water quality laboratories, adds many additional requirements that offer little or no added value to the testing quality and may lead to laboratories closing due to prohibitive costs.

Additionally, the TNI Standard is a Quality Management Standard that by itself does not increase accuracy, reliability or data quality. TNI was developed to facilitate interstate commerce and doesn't directly promote quality assurance for data produced by regulated laboratories. This is accomplished by the EPA approved Standard Methods that we already use. Therefore TNI is unlikely to provide the data integrity that the State is looking for by itself.

Closing of small laboratories is a major concern especially in areas that do not have ready access to commercial laboratories. As an example: TNI Volume1, Module 2 Section 4.1.7.2 (d) on Technical Manager Requirement states '..One Technical Manager cannot be the Technical Manager of more than one accredited Environmental laboratory without prior authorization from the Primary Accreditation Authority... 'This requirement by itself can cause a huge financial burden on small treatment plants/laboratories that are currently managed by a single Technical Director. Economic impacts that lead to closure of on-site laboratories will directly affect the ability of Water Treatment Plants (WTPs) and Waste Water Treatment Plants (WWTPs) to comply with their permits as it will be impossible to collect samples and analyze for typical tests within time limits required by the standard methods that ensure quality. The TNI requirements will additionally create a compliance problem for NPDES permit holders that must report data generated by an ELAP certified laboratory to their Regional Water Quality Control Board (RWQCB) every month. This could also put the RWQCB in the difficult position of enforcing requirements that are logistically impossible to meet.

ELAP has stated an intent to use Third Party Accessors (TPA's) to conduct on-site assessments of their regulated laboratories and may want the regulated laboratory community to hire the TPA's. This arrangement potentially creates a conflict of interest and may lead to reduced data quality. Agencies will now have to consider this cost - both administrative and actual - of maintaining contracts with TPA's in addition to the expense of incorporating and maintaining TNI in the laboratories.

After the October 2016 workshop where the State Board recommended ELAP consider using a 'lighter' version of TNI with portions requiring irrelevant administrative paperwork removed, members of the Environmental Laboratory Technical Advisory Committee (ELTAC) recommended sections to be deleted, changed or delayed. ELAP chose to only clarify or delay implementation but rejected the deletions recommended. Currently, the Expert Review Panel (ERP) prefers that ELAP implement 'Full TNI 2016' in the regulations and use a guidance document for clarifications of TNI sections. It should be mentioned that members of the ERP are all affiliated with NELAC and TNI.

Recommended Solutions:

We believe that TNI should be available as an option for any laboratory that wishes to engage in interstate commerce. However, for those organizations that do not have a need or desire to work across state lines, the full TNI program should not be required.

We also implore ELAP and the State Board to exempt simple, time sensitive tests such as pH, turbidity, BOD, TSS, Coliform etc. from the TNI certification requirement. These tests are critical to the efficient operation of the WTPs and WWTPs and thus play a very important role in maintaining water quality and sustaining the health and safety of the community and the environment.

We appreciate the direction the Board gave ELAP staff to develop a 'TNI Light' program at the October 2016 workshop. We respectfully ask the Board to re-direct staff to develop this option. Implementing 'Full TNI 2016' as the standard will produce an enormous and unnecessary administrative workload that potentially dilutes a laboratory's focus from producing quality data and will work against ELAP's intent to improve data quality. A practical limited version of TNI should be developed that would serve the needs of ELAP, State Agency Partners and the smaller, less complex laboratories.

The City of Roseville appreciates the continued leadership and guidance from the State Water Board towards making CA-ELAP, a premier program that meets the needs of the laboratory community, the data users and the regulators.

Thank you for the opportunity to comment on this report. Should you have any questions, please contact me at kglotzbach@roseville.ca.us

Sincerely

Subramanian

FOR Kenneth J. Glotzbach, P.E.
Wastewater Utility Manager

cc: Raji Subramanian
EU Compliance Administrator