

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF DRINKING WATER
MARCH 1, 2022**

ITEM 7

SUBJECT

PROGRESS UPDATE ON THE FIRST YEAR OF IMPLEMENTATION OF THE ENVIRONMENTAL LABORATORY ACCREDITATION PROGRAM (ELAP) NEW REGULATIONS AND THE ANNUAL REPORT TO THE BOARD BY THE CHAIRPERSON OF THE ENVIRONMENTAL LABORATORY TECHNICAL ADVISORY COMMITTEE (ELTAC).

DISCUSSION

Responsibility for the administration of the California Environmental Laboratory Accreditation Program (ELAP) was transferred from the California Department of Public Health to the State Water Board (the board) on July 1, 2014. Following the transfer, the board contracted for an Expert Review Panel to conduct a comprehensive examination of ELAP, which released a final report of findings on October 22, 2015, and included these major recommendations:

1. Establish a management system
2. Adopt laboratory accreditation standards
3. Ensure relevant analytical methods
4. Expand resources
5. Enhance communication

A regulatory update was needed to accomplish some of these recommendations, specifically the adoption of laboratory accreditation standards. After consulting with the Environmental Laboratory Technical Advisory Committee (ELTAC) and the ELAP State Agency Partner Committee, both of which are advisory bodies to ELAP, ELAP proposed the 2016 TNI Standard as the laboratory accreditation standard to be included by reference in the new regulations.

ELAP staff engaged in a multi-year, collaborative regulation development process, releasing three preliminary administrative drafts to stakeholders and making changes based on feedback. On May 5, 2020, the board adopted the proposed comprehensive regulatory update with direction to staff to help laboratories in transitioning to the new requirements. The regulation became effective on January 1, 2021. The regulation was subsequently challenged by an organization representing a group of laboratory stakeholders who specifically opposed the inclusion of the TNI Standard, but was upheld by the Sacramento County Superior Court of California.

This informational item is a progress report on ELAP's first year of implementation of its new regulatory scheme as requested by the board. This informational item will also include the annual report by the ELTAC Chairperson that is part of the ELTAC's bylaws.

ELAP's informational item will include a panel of speakers from the program, each of which will discuss:

- Issued guidance and implementation assistance in 2021
- Events and board sponsored training hosted in 2021
- Impacts of the new regulations to the program
- Implementation and effects observed in the regulated laboratory community

ELTAC's informational item will include:

- Summary of activities in 2021
- Availability for support for all board programs

POLICY ISSUE

None. This is an informational item only.

FISCAL IMPACT

None. This is an informational item only.

REGIONAL BOARD IMPACT

None. This is an informational item only.

STAFF RECOMMENDATION

None. This is an informational item only.