**ELAP is accepting feedback on the draft regulatory language below until August 15th!**

**Future Changes to ELAP Fee Structure**The State Water Resources Control Board has directed ELAP to change the program’s fees by adding a new fee component based on the number of tests run by a laboratory for regulatory purpose (as required in a state law, regulation, order, or permit). This change will align ELAP fees with the methodologies used by other Water Board programs that charge higher fees to higher producers.

Before making this change, ELAP needs informational data on the number of regulatory samples being run by accredited laboratories for regulatory purposes. ELAP will propose adding the following language to our fee’s regulation at the State Board meeting on September 19th so that we can begin collecting this information. We are asking for informal comments on the draft language to be submitted by August 15, 2023 to [elapca\_comments@waterboards.ca.gov](mailto:elapca_comments@waterboards.ca.gov). Formal comments may be submitted to the State Board once the meeting agenda is released.

**Draft Regulatory Language**

“(a) Beginning January 1, 2024, accredited laboratories shall track the total number of tests run per method performed at the laboratory for regulatory purposes. Test results for regulatory purposes may not necessarily be directly uploaded to the state agency by the laboratory. The totals will be used in the future by The State Board for calculating and setting fees.

(b) Laboratories shall report to ELAP quarterly the total number from subsection (a) for the previous three months ending March 31, June 30, September 30, and December 31, aggregated by method in computer readable tabular format. Laboratories shall report these aggregate totals by 20th day of the month following the end of each three-month period beginning on April 20, 2024.

(c)The laboratory’s reported totals in subsection (b) shall be verifiable in accordance with the laboratory’s system of record compliant with Section 64814.00(n).”

**Compliance Assistance** Though ELAP expects laboratories to know which tests it performs for regulatory purpose and which tests are run for other purposes, we recognize some laboratories may not have this information at this time. ELAP plans to release compliance assistance that will help laboratories through this identification and tracking process. We welcome comments on tools or types of assistance that would be most useful.

**How to Submit Feedback**Informal comments on the regulatory language above should be submitted to [**elapca\_comments@waterboards.ca.gov**](mailto:elapca_comments@waterboards.ca.gov) **by August 15, 2023**. ELAP will present any changes made based on these preliminary comments to the community at the [August 22nd ELTAC Meeting](https://lnks.gd/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDAsInVyaSI6ImJwMjpjbGljayIsInVybCI6Imh0dHBzOi8vd3d3LndhdGVyYm9hcmRzLmNhLmdvdi9kcmlua2luZ193YXRlci9jZXJ0bGljL2xhYnMvZWx0YWNfbWVldGluZ3MuaHRtbCIsImJ1bGxldGluX2lkIjoiMjAyMzA4MDkuODA4OTg3OTEifQ.nUZ_IPrRrWBdStfVDzxWGHD6GfVjJ7Up3HUU7UaxPbI/s/2977599445/br/223980116561-l). An additional 10-day comment period will be held prior to the September 19th Board Meeting.