



Board Members,

I am writing to you today as the Laboratory Supervisor for the City of Vallejo at the Fleming Hill Water Treatment Plant. We are an ELAP certified municipal laboratory with four FTEs, including myself.

On September 1, 2016 the Environmental Laboratory Accreditation Program (ELAP) informed the Environmental Laboratory Technical Advisory Committee (ELTAC) that ELAP will recommend to the State Water Resources Control Board (SWRCB) the adoption of the 2016 (The) NELAC Institute Standard (TNI 2016). This standard would be used to certify all environmental labs in California to analyze their regulatory compliance required samples. When the recommendation for adoption of this standard was announced, ELAP set aside the ELTAC recommendation to adopt a Quality Management System (QMS) building on the USEPA Quality Management System guidelines and adding in elements that the agency partners desired, referred to as "California Plus".

On September 6, 2016 the SWRCB sent a notice of opportunity for public comment and notice of public workshop for October 6, 2016 regarding ELAP regulations development and preliminary staff recommendation for laboratory standard. The deadline to submit written comments is noon on September 16, 2016, a relatively short time after being noticed.

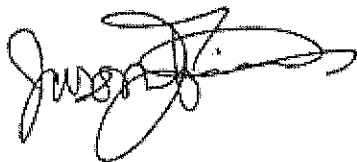
- I feel the comment period is too short given the complexity of the TNI document. I purchased the TNI document for review. Let me first say, the 180+ page document is a lot to get through considering all the other work I have to do in order to run the lab. The inadequate time for review of the document to review undermines the importance of the matter at hand. TNI just made the 2016 TNI standard document available only last month (in August 2016); as yet there has not been any significant external vetting or review of these standards. I would request an extension of the public review period for written public comments to allow sufficient time to obtain and review this newly published document. These written comments are an extremely important opportunity for members of the affected laboratory community to review these standards and raise specific concerns, as travelling in person to the workshop is difficult or impossible for many, especially smaller agencies. The written comment period may be their only opportunity to have their voices heard and to advise the California ELAP on the areas of greatest compliance concern.
- Another area of concern for me is the implementation of some of the 'general requirements' specifically around the staffing. I think it is naïve of ELAP to think municipal laboratory personnel can control Human Resources Departments and bargaining units. In Volume 1 Module 2, 5.2.4, "The laboratory shall maintain current descriptions..." First question is, what's current? Then I believe it has been looked over

how quickly a “laboratory” can make the changes necessary to comply with 5.2.4. There are many factors outside the “laboratory” that will hinder the ability to comply with that piece alone. In our job descriptions specifically, the technical certification is currently recognized as equivalent (as currently stated in Title 22, ELAP regulation, Article 9) and both CWEA and AWWA certifications both serve this purpose for Utility labs. I believe that recognizing CWEA and AWWA technical certifications is a critical component in any standard for municipal laboratories the state adopts to ensure that lab staff have the requisite knowledge, skills and abilities in the very specific field of water/wastewater analysis. The certificate holders must possess the appropriate degree of work experience and education in addition to passing proficiency exams to gain their certifications.

- In some of my other research regarding the topic of a new ELAP certification program, I have noticed the word enforcement. I hope that ELAP is not using the adoption of TNI QMS in order to become an enforcement agency instead of just having enforcement capability.

An adoption of a new lab standard by which to certify labs is a watershed moment in California’s environmental laboratory history. The process of choosing and evaluating the potential impacts of implementing a new lab standard should be carefully and thoughtfully undertaken, without being rushed through the public review period. The impact on laboratory staff water/wastewater treatment plant process control, regulatory monitoring and reporting and the environment would be better served by a thorough review and comment period. From my perspective as a municipal laboratory supervisor, I think it should be remembered that the purpose for our laboratories is to protect the health of the public. Please give the regulated community of laboratories time to properly review these proposed standards and advise the State ELAP on areas of likely difficulty and recommend improvements to better serve water/wastewater treatment facilities, environmental laboratories and the health of California’s citizens and its environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Frink", with a stylized flourish at the end.

Jason Frink

Laboratory Supervisor

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