



VALLEJO SANITATION &
FLOOD CONTROL DISTRICT

*Protecting public health
and the San Francisco Bay
since 1952.*

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DISTRICT MANAGER

Melissa A. Morton

October 20, 2016

Via email: commentletters@waterboards.ca.gov

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I St, 24th Floor (95814)
Sacramento, CA 95814



Dear Board Members and Staff,

The Vallejo Sanitation and Flood Control District has provided written comments prior to these, and provided testimony at the hearing. Now in a last attempt to reach you, we are providing further comment. While we applaud ELAP's efforts to improve their internal processes and controls, the message received at the hearing was that because ELAP was having difficulties with its own certifications, there must be similar issues with the laboratories under its review. This is entirely untrue.

ELAP had problems with uninformed inspectors, inconsistent findings between inspectors and not meeting TNI standards, which led to TNI no longer recognizing ELAP as an accrediting body. How will requiring all labs to switch to TNI address these issues? It is misguided to think that requiring regulated laboratories to adhere to an unnecessary quality management system will fix all of ELAP's problems.

In addition, ELAP has been unresponsive when laboratories have asked for substantive data on the deficiencies that TNI is supposed to correct. With State agencies' nebulous demands on one side; and laboratories' need to run accurate, but cost effective testing programs to achieve regulatory compliance in real time, on the other; ELAP by definition is dulling the process by not providing concrete data to either side in this process. Instead of accepting the role of mediator, ELAP is shunting its responsibility to administer a fair program that achieves the necessary compliance results to an unwieldy off the shelf solution, TNI.

The Board and staff heard numerous laboratories testify that their labs could be shut down as a result of these changes. This would be a huge loss to both the water and wastewater utilities. Real time data from onsite laboratories catch issues in treatment processes that can often be amended before there is any danger to the public or the environment. Even in the best of circumstances, a lot can occur in the time it takes to get results back from a private laboratory. In addition, there are several tests that can only be done in house due to their timing.

Labs are not opposed to enhancing and improving their documentation or QC; we are constantly striving to make sure we are following current methods, keeping up with updates to regulations and maintaining rigorous QC. Laboratories are opposed to meaningless busywork with no direct correlation to meaningful data quality improvements, which is what is being proposed by ELAP. We urge you to consider a two tier system similar to the one adopted in Virginia that would allow you to provide the option of TNI to labs that need that level of QA/QC for commercial purposes, yet not force small municipal labs to choose between meeting certification requirements or closing.

Sincerely,

A handwritten signature in black ink, appearing to read "Melissa Morton". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

MELISSA MORTON
District Manager