



DEPARTMENT OF PUBLIC WORKS
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Public Comment
ELAP Regulations Development/Laboratory Standard
Deadline: 10/20/16 12:00 noon

October 18, 2016

Jeanine Townsend
Clerk to the State Water Board
State Water Resources Control Board
PO Box 100
Sacramento, CA 95812-2000



Via email to: commentletters@waterboards.ca.gov

Subject: Comment Letter - **ELAP Regulations Development/Laboratory Standard**

The City of San Mateo Waste Water Treatment Plant Laboratory (CSMLab) is certified by Environmental Laboratory Accreditation Program (ELAP) and provides non-profit environmental testing services to demonstrate discharge compliance with the City of San Mateo's NPDES permit and the Waste Water Treatment Plant (WWTP) process performance. Currently, CSMLab is staffed with one Lab Supervisor and three Lab Analysts.

On the Notice dated September 6, 2016, the State Water Resources Control Board notified that the Environmental Laboratory Accreditation Program (ELAP) would propose that the document, *Volume 1 of The NELAC Institute's (TNI) 2016*, be adopted as guidance for laboratory accreditation. CSMLab is concerned that this proposed Regulations Development/Laboratory Standard will greatly impact on the operations of small agency laboratories like CSMLab. As a typical small agency laboratory in California, CSMLab would like to submit the following comments on that proposal.

1. TNI Standard Implementation Time

The proposed standard has over 1,000 separate requirements. Small laboratories like CSMLab will have to comply with at least hundreds of the TNI requirements. CSMLab positively supports spending appropriate time on necessary testing recordkeeping process. However, excessive and unnecessary documentation under the TNI requirements might occupy a lot of time, which should be focused on bench analysis. Furthermore, nothing in the TNI requirements changes both the analytical methods and the technical requirements specified in regulation, 40 CFR 136.

For example, for the purchasing of services and supplies, at least four clauses need to be followed and documented: Clause 4.6.1 requires that each laboratory shall have a policy and procedures for the selection and purchasing of services and supplies. Procedures shall exist for purchase, reception and storage. Clause 4.6.2 requires that requirements be established for services and supplies and that records that all services and supplies meet those requirements. Clause 4.6.3

requires that laboratories retain documents and that they shall be reviewed for technical content before they are released. Clause 4.6.4 requires that laboratories evaluate suppliers of services and supplies and keep records of those evaluations.

2. TNI Standard Implementation Cost

Adopting TNI 2016 Standard will be a financial hardship. In order to meet the requirements of the Standard, especially in the initial phase, implementation will require CSMLab a large financial investment. This might include purchasing/designing a new Laboratory Information Management System (LIMS), increasing the number of Proficiency Testing Studies per year, contracting with a TNI-related technical consultant, and a sharply increased cost of audits, not only in staff time, but also in the cost of hiring TNI approved auditors. It's likely that additional staff may need to be hired and trained as well.

The additional cost for TNI implementation will be a burden for small agency environmental laboratories such as CSMLab.

3. Negative influence on the plant operation process

As a municipal wastewater laboratory, CSMLab is responsible for monitoring the WWTP process to support efficient operation of the plant. The increased staff time required for non-essential (to data quality) documentation under TNI will undoubtedly lead to longer turn-around time in the delivery of process control results, and will greatly delay optimization of the plant's performance.

4. Lack of relevant requirements on contracting out samples in TNI

As a typical small agency laboratory with limited resources, CSMLab has to contract some constituents to commercial laboratories. Before samples are sent out, every step is critical to ensure the data accuracy such as sample collection, sample preservation, and sample holding time. These elements related to contract samples are not covered at all by TNI. On the contrary, for CSMLab, these elements are vital, to some extent, to ensure that the plant continues to operate in compliance with the NPDES permit and continues to safeguard environmental health.

We thank you for your thoughtful consideration.

Respectfully submitted,

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