Notice of Public Release of Laboratory Records
December 16, 2019

ELAP has received a request under the Public Records Act to release all files related to accreditation decisions made by the program from January 1, 2016 through September 5, 2019. Under this request, all records in ELAP’s possession during that time period related to any laboratory that was accredited or sought accreditation will be released to the requestor. This includes, but is not limited to:

- Certificates of Accreditation and Fields of Testing Lists
- On-site Assessment Reports and Corrective Action Responses
- Proficiency Testing results
- Quality Assurance Manuals
- Application documents
- Correspondence and communications
- Enforcement actions
- Any and all documents collected during the accreditation process (such as laboratory Standard Operating Procedures, data packages, training records, equipment records, personnel information, etc.)

How to Request a Trade Secret Exemption

A laboratory can identify information provided to ELAP as a trade secret and request those documents not be publicly released. (See 22 CCR Section 64825). A trade secret is defined in the California Civil Code Section 3426.1 as information, including a formula, pattern, compilation, program, device, method, technique, or process, that:

(1) Derives independent economic value, actual or potential, from not being generally known to the public or to other persons who can obtain economic value from its disclosure or use; and

(2) Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

If you wish to request exemption from release of any of your laboratory’s records under the Trade Secret provision in current regulation, contact ELAP at
elapca@waterboards.ca.gov with the subject line “Requesting Trade Secret Exemption – Certificate #xxxx”. Be sure to include your certificate number so that an ELAP staff member can assist you.

You must contact ELAP prior to December 31, 2019 to request exemption.