
State Water Resources Control Board

TO: Stephen Clark, Chairperson
Environmental Laboratory Technical Advisory Committee

FROM: Christine Sotelo, Chief
California Environmental Laboratory Accreditation Program

DATE: April 26, 2019

**SUBJECT: RESPONSE TO ENVIRONMENTAL LABORATORY TECHNICAL
ADVISORY COMMITTEE (ELTAC) RECOMMENDATION**

ELAP is in receipt of the ELTAC formal recommendation (Attachment 1) based on two (2) motions at the April 17, 2019 ELTAC meeting (Attachment 2).

The process following a formal recommendation by ELTAC is identified in section VI.D.2 of the ELTAC By-Laws which states ELAP will respond no later than thirty (30) days after the receipt of the recommendation and identify whether ELAP will accept or deny the recommendation, or if more time is needed.

As I hope you are aware, ELAP truly values the role that ELTAC plays and takes great heed in considering its recommendations. However, because the ELTAC Quality Management System (QMS) subcommittee desires to continue moving forward quickly, ELAP has the following responses:

Response to Motion 1: ELAP denies the recommendation, but not in totality. ELAP does not oppose the Subcommittee on QMS continuing work, but ELAP cannot agree to providing staff to work in the “auditability” functions that the alternative proposal lacks. ELAP staff is already fully engaged in developing its recommended approach to the draft regulations and with its existing workload cannot provide staff time for the drafting of alternatives. While we strive to be as helpful as possible in considering alternative approaches, assisting in the drafting of these alternatives is not a luxury we are afforded. As a substitute, we recommend the Subcommittee on QMS reach out to the ELTAC members who identified shortcomings to the alternative proposal to provide expertise from their experience base.

Response to Motion 2: ELAP denies the recommendation and will not “combine the CA QMS with the 4th draft ELAP regulations” because ELAP does not support the alternative proposal. ELAP must consider recommendations of others beyond ELTAC

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

and apply its own reasoning in developing the draft regulations it proposes. ELAP is moving forward with the formal rulemaking process with ELAP's draft regulations that incorporates the NELAC Institute (TNI) laboratory standard. As stated during the ELTAC meeting, ELAP will include the Subcommittee's proposal as an alternative in ELAP's draft regulations rulemaking package for consideration during the rulemaking process. Considering alternate proposals is an important part of this process.

As you are aware, ELAP engaged substantially with the public and interested stakeholders on the draft regulations that will be going to the Office of Administrative Law later next month. ELAP appreciates all comments, discussion, and hard work that has gone into making ELAP's proposed draft regulations clear, concise and well-reasoned. Although ELAP will be recommending to the State Water Resources Control Board that it adopt the TNI laboratory standard into the ELAP draft regulations, with two previously described exceptions, this does not preclude the Subcommittee or others from providing their alternative proposals and ideas as part of the public comment period during the rulemaking process.

ELAP appreciates your leadership as Chairperson of ELTAC, the work of the ELTAC Subcommittee on QMS, and the overall dedication of ELTAC to fulfill its [mission](#).

cc: ELTAC Members

ATTACHMENTS:

Attachment 1 – ELTAC Recommendation

Attachment 2 – April 17, 2019 ELTAC Meeting Motions Summary