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May 1, 2017

Ms. Jeanine Townsend, Clerk to the Board  
State Water Resources Control Board  
P.O. Box 100  
Sacramento, CA 95814



**Re: Association of California Water Agencies' and California Municipal Utilities Associations' Comments regarding the Progress Assessment and Final Recommendations in the Year Two Final Report by the Expert Review Panel for the State Water Resources Control Board's Environmental Laboratory Accreditation Program**

Dear Ms. Townsend:

The Association of California Water Agencies (ACWA) and the California Municipal Utilities Association (CMUA) appreciate this opportunity to provide comments to the State Water Resources Control Board (State Water Board) regarding the progress assessment and final recommendations in the Year Two Final Report by the Expert Review Panel (ERP) for the Environmental Laboratory Accreditation Program (ELAP or Program). ACWA represents nearly 430 public water agencies that collectively supply approximately 90% of the water delivered in California for domestic, agricultural, and industrial uses. CMUA represents 40 water agencies that deliver water to over 70% of Californians. Many of ACWA's and CMUA's public agency members are entrusted with the responsibility of supplying the public with safe and reliable drinking water. Ensuring the safety of drinking water supplies by complying with all relevant state and federal standards is the highest priority of these agencies.

High-quality drinking water laboratory results are vital to the protection of public health and the environment. Accordingly, ACWA and CMUA believe that it is essential that ELAP be able to ensure that laboratories are providing public health officials and other data users with high-quality results to enable informed decision-making. A number of our member agencies operate in-house laboratories and have committed substantial time, energy, and resources over a number of years in an effort to improve ELAP and its practices. We appreciate the willingness of both the State Water Board staff and the

ERP to invest time and effort to develop recommendations intended to ensure that the Program is able to discharge its intended functions.

ACWA and CMUA have reviewed the Year Two Final Report and support the majority of the recommendations of the ERP. ACWA and CMUA would like to thank the ERP for the effort that it has put into the report.

ACWA and CMUA refer to concerns raised by our joint comment letter dated September 16, 2016. ACWA and CMUA are concerned about the ERP's recommendations to develop regulations based on The NELAC Institute's (TNI's) 2016 accreditation standards and to include third-party, private-sector assessor contracting as elements of ELAP. These recommendations do not directly address the core issue of ensuring ELAP's effectiveness as a state program. The costs and complexity associated with implementation of a TNI-based standard would create a significant burden for small laboratories and jeopardize the ongoing viability of many smaller laboratories around the state. On the issue of third-party assessors, the ERP recommendation to allow laboratories to contract with third parties would raise those laboratories' costs. These cost increases would occur in the wake of two ELAP fee increases that have been implemented in the past 18 months. ACWA and CMUA stand ready to assist State Water Board staff in addressing these concerns.

Ensuring that any new accreditation standard and regulations are workable will require the State Water Board to continue to engage with representatives from laboratories of all sizes. ACWA and CMUA believe that with continued leadership and effort on the part of State Water Board management and staff, ELAP will be able to fulfill the Program's vital mission and mandate through the adoption of a laboratory accreditation standard and regulations that work for laboratories of all sizes.

ACWA and CMUA appreciate the efforts of both the State Water Board and the ERP to improve the effectiveness of ELAP. If you have any questions regarding these comments, please contact Adam Borchard, ACWA Regulatory Advocate, at AdamB@acwa.com or (916) 441-4545 or Danielle Blacet, CMUA Director for Water, at DBlacet@cmua.org or (916) 326-5802.

Sincerely,



Adam Borchard  
Regulatory Advocate



Danielle Blacet  
Director for Water

cc: Ms. Christine Sotelo, Chief, Environmental Laboratory Accreditation Program,  
Division of Drinking Water, State Water Resources Control Board