

Committee Request for Board Action: None

Regular meeting: 28 attendees via Zoom, including representatives from 21 agencies, the Regional Water Board, and three guest speakers from ELAP

ELTAC Update

Christopher Hand (ELAP) shared that the Division of Drinking Water is accepting applications for five vacancies on the [Environmental Laboratory Technical Advisory Committee](#) (ELTAC). This body meets approximately quarterly in Sacramento, and provides an important opportunity for wastewater agencies (and not just commercial labs) to have a voice in ELAP's governance. There is a virtual option for meeting attendees from the public, but ELTAC members may need to attend in person. There are currently two vacancies for scientific advisors, two vacancies for community implementation advisors, and one vacancy for an accreditation advisor ([reference](#)). Nominations are due Oct. 1st. More information is available [here](#).

ELAP Fee Proposal

Katelyn Hilty and Jennifer McClaren (ELAP) joined the meeting to discuss [proposed changes](#) to ELAP fees. As noted at an August 4th stakeholder meeting hosted by the State Water Board, proposed ELAP fees for FY24 are projected to increase by 30% (see page 4 of [handout](#)). ELAP attributes the increase to several factors: there has been a 25% drop in the number of participating laboratories; 75% laboratories are paying third party assessors instead of hiring ELAP to perform certification assessments (more than expected); and fees have not been increased in ten years. To reduce the impact of future fee increases on small laboratories, ELAP has been instructed to revise its fee structure to add a volume-based charge. There was not time to revise the fee structure for FY24 to add this charge, but ELAP is proposing draft regulations that the State Water Board will consider on September 19th that would require laboratories to submit sample counts to ELAP. The sample counts would inform a future fee revision effort. ELAP staff noted that the number of accredited FOAs does not closely align with the number of tests being run by each lab, which is why they are proposing to use sample counts in addition to FOAs for setting fees.

The proposed reporting requirement would go into effect on January 1, 2024 and would require labs to track and report “the total number of tests run per method performed at the laboratory **for regulatory purposes.**” Committee members shared possible interpretations of the phrase “for regulatory purposes.” ELAP staff noted that the intent was to only require labs to track samples that are required by regulation. Committee members noted that many labs analyze more samples than are strictly required, yet “optional” samples are used for regulatory compliance purposes. The BACWA Laboratory Committee is planning to submit a comment letter to ELAP about the proposed regulation (*note: this letter was finalized after the meeting and is available [here](#)*).

ELAP staff also shared some common enforcement findings, which included: (a) Critical notifications not being made in the prescribed time; (b) Incomplete chain of custody; (c) Changing sample designation from regulatory to non-regulatory after a sample is run; (d) Problems with relocations not being reported to ELAP soon enough; (e) Problems with staff training records; and (f) QAM/SOPs not being reviewed annually. Compliance advisories are shared via the ELAP email subscription list ([subscribe here](#)), and notable enforcement actions are listed on [ELAP's enforcement website](#).

BACWA Updates:

- SFEI is working on preparing a final report summarizing the findings from Phase 2 of the PFAS Regional Study. Results will also be shared at the [2023 Regional Monitoring Program Annual Meeting](#) on Oct 12th.
- The Regional Water Board has developed a [Tentative Order](#) chlorine blanket permit amendment, which was circulated to the committee for review.

Agency Reports and Group Discussion

- Staff from Central San and Palo Alto reported out on recent audits. For Palo Alto, this was the lab's first TNI audit; there were 17 findings and Palo Alto laboratory staff are preparing a response with a detailed action item for each finding. For Central San, the auditor has not yet provided official findings, but has provided an opportunity to address some items informally before they are listed as official findings.
- Proposals for the [CWEA 2024 Annual Conference](#) are due August 25th.

TNI Training and Implementation

- Upcoming TNI training sessions are scheduled for August 15th, October 17th, and December 19th. The sessions are now in Q&A format; submit your questions ahead of time to [Diane Lawver](#).

Next Regular Meeting : Tuesday, October 10, 2023, 10 AM on Zoom