

Have these changes resulted in a better ELAP?

Christine Sotelo, Chief
California ELAP

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Metrics

- **Has the development of a management system lead to a more effective staff structure?**
- Has the creation of a Proficiency Testing Unit led to better evaluation of PTs?
- Has the creation of an enforcement unit led to better enforcement?
- Has the creation of complaint process led to better resolution of complaints?
- Has the separation of assessment duties led to a decreased backlog?
- Did all of this lead to good feedback from US EPA?

Results from implementing our internal management system

- 8 staff have left ELAP
 - 30% turnover
- 2 staff have been reassigned
 - We are setting expectations and ensuring staff meet them
- Major cultural shift

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Proficiency Testing Unit

- Drastic improvement
 - PTs were not being examined regularly before
 - They are being examined now
- We are still working through a backlog
 - But we are on track for reviewing Annual PTs in the appropriate timeframe

What have we found?

- About 40% of our laboratories do not complete all required tests
- About 10% of our labs have failures

Action Plan

- Laboratories are not getting a free pass anymore
- We have denied certification requests for approximately 800 analyses to 45 laboratories since September 2016
 - 777 for results being absent
 - 27 for failures
- We will begin revoking certification for analyses for laboratories who do not submit results every year

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Our Enforcement Unit is Active

- We have received 31 referrals and conducted 25 investigations
 - 12 unannounced on-site visits
 - 13 data audits
- Those investigations have resulted in 18 actions
- This is a major change from where we were before
 - ELAP had never taken a single independent enforcement action

Results

- 11 Notices of Violation
- 1 Certificate Revoked
- 4 FOT/Methods Revoked
- 1 FOT Suspended
- 1 Criminal Charge

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Complaints

- 6 complaints since transition
 - 4 against program policies or processes
 - 2 against staff
- 5 resolutions
 - 3 resulted in a change in policy or procedure
 - 2 resulted in staff counseling
- 1 pending

Improvement

- We inherited over 150 complaints
 - They were not addressed or tracked by former management
- We now have a process to formally resolve complaints
 - And we are taking action to prevent complaints of the same nature in the future

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Requirements for Assessments

- New laboratories
 - On-Site Assessment required before certification
- Drinking Water laboratories
 - Must be assessed every three years
- Non-drinking water laboratories
 - No present requirement

Backlog for New Laboratories

- We've had 24 new laboratories apply in the last two years
- There are 4 labs that had to wait over six months
 - We've caught up on 2, but there are 2 still pending
- Our inability to get to them is preventing them from doing business in CA

Drinking Water Laboratory Backlog

- 313 are current
- 41 laboratories are not current
 - 9 are over 5 years
 - 14 are over 4 years
 - 18 are over 3 years

Non-Drinking Water Laboratory Backlog

- There is no requirement for assessing non-Drinking Water laboratories
 - But we want to assess those laboratories every three years as well
- 147 are current
- 144 are not current
 - 21 labs are over 5 years
 - 35 are over 4 years
 - 88 are over 3 years

Improvement

- We are not happy with these numbers
- However, as bad as they are, they do represent an improvement over the past

Root Cause

- We have fewer assessors now than we did a year ago
- This is, in part, a temporary problem
 - We have 2 open assessor positions
- In part, it is not temporary
 - Some assessor positions have been reassigned to perform other critical tasks

Solutions

- Reciprocity
- Risk-based prioritization
- Hire more assessors
- Obtain assessment services elsewhere

Reciprocity

- We are accepting certifications from recognized accrediting bodies
 - EPA correctly points out that we need to improve our procedure
- This is already reducing the number of assessments ELAP is required to perform
 - Though not at a number high enough make our backlog manageable

Risk-Based Prioritization

- We are prioritizing assessments of non-drinking water laboratories based on risk factors
 - Critical findings on previous On-Site Assessment Report(s)
 - Proficiency Testing problems
 - Enforcement referrals and complaints
- This allows us to focus our efforts on the laboratories that need it most
 - But it also means that the non-prioritized laboratories have an even longer time between assessments

Hire More Assessors

- This is the direction we have been trying to take
 - We have not been successful to date
- We haven't been able to attract and retain the type of candidates we need
- We don't have enough qualified staff

Obtain assessment services elsewhere

- We're considering a new option
 - Laboratories can obtain their compliance assessments from another provider
 - We would give them a cost reduction
- We see this as an extension of our reciprocity process
- However, we are early in our thought process on this
 - We haven't even begun to discuss with ELTAC yet

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US EPA Audit

- They are also concerned about our assessment backlog
- The report identified areas for improvement:
 - Procedural issues in our reciprocity process
 - Insufficient documentation from on-site assessments
 - Process for downgrading a laboratory's certification
- We agree, and we have begun taking corrective actions



Questions