# BEFORE THE JOINT COMMISSION ON ADMISTRATIVE RULES

## REGARDING
## ENVIRONMENTAL LABORATORY CERTIFICATION REGULATIONS

## COMMENTS OF GRACE A. LEROSE
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## CITY OF RICHMOND DEPARTMENT OF PUBLIC UTILITIES
## WATER & WASTEWATER TREATMENT PLANTS

## DECEMBER 12, 2007

Mr. Chairman and Members of the Commission:

Thank you for the opportunity to address the pending environmental laboratory certification regulations today.

My name is Grace LeRose and I am the Chief Chemist for Quality Assurance for the City of Richmond Department of Public Utilities' Water and Wastewater Treatment Plants. I have worked in the laboratory field for 24 years; in the manufacturing, private consultant and now, municipal arenas including in both certified and non-certified laboratories.

The City of Richmond supports the performance based quality program for producing laboratory data rather than the NELAC based approach. A results oriented approach, with clear data quality objectives can yield defensible, accurate and precise data critical for a self-reporting regulatory program that the citizens can trust.

The Water Treatment Plant produces roughly 25 billion gallons per year of clean and safe drinking water for over 3 million Central Virginia residents and businesses. The laboratory that supports that critical service operates 365 days a year, performing in excess of 20,000 analyses. We are certified annually by the Division of Consolidated Laboratory Services (DCLS) for Microbiological and Chemical analyses and inspected annually. We are inspected twice per year by the Virginia Department of Health. We participate in an annual national program of proficiency testing prescribed by the EPA. We follow standard methods accepted by both the U.S. EPA and the American Waterworks Association and employ a robust quality assurance program.

The Wastewater Treatment Plant treats approximately 15 billion gallons of water (both storm water and wastewater) every year. That laboratory also operates 365 days per year performing 15,000 analyses. We are inspected regularly by the Department of Environmental Quality and participate in annual proficiency testing, administered by the U.S. EPA. We also follow approved methods at this facility and implement a robust quality system at this laboratory.

A typical day in the life of a laboratory analyst includes:

1. calibration of laboratory equipment,
2. preparation of quality control samples and standards,
3. sample analysis, and
4. data and quality assurance review.

Documentation of each step is mandatory. ***The two points I want to emphasize are that (1) quality control requirements comprise about 25% to 30% of the work load and sometimes even more and (2) that NELAC-based regulation will only add to the burden of these analysts without adding anything to the bottom line quality of the data produced.***

The City of Richmond is committed to the preservation and protection of James River water quality. Our slate of projects we currently support include: Combined Sewer Overflow (estimated cost $35 million); plant upgrade for reducing nutrient discharge to the Chesapeake Bay ($113 million); storm water treatment ($44.8 million). We believe these investments will produce quantifiable improvements in the water quality of the Commonwealth.

We support and in fact ascribe to the principle of an auditable quality system, and/or a performance based approach similar to that supported by the Virginia Association of Municipal Wastewater Agencies (VAMWA) and American Waterworks Association for producing laboratory data. ***We do not believe that additional NELAC regulations and requirements will enhance laboratory competence, data quality, or in the end the water quality in Virginia.***

I would like to thank the entire Commission and especially Senator Henry Marsh for his help and support of the work the Department of Public Utilities in Richmond.