



Enforcement News

Two Laboratories Fined for Delayed Reporting of Drinking Water Test Results

BC Laboratories, Inc. and Zalco Laboratories, Inc. ordered to pay after repeatedly failing to submit timely data to regulators

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SACRAMENTO – The State Water Resources Control Board (State Water Board) Environmental Laboratory Accreditation Program (ELAP) fined two laboratories a total of \$8,180 for failing to report drinking water test results within the required time frame.

ELAP's Enforcement Unit responded to separate complaints that both laboratories were exceeding the required time frame for reporting drinking water test results to the State Water Board. Staff confirmed the claims by performing data audits that revealed multiple instances of late reporting by both laboratories.

ELAP issued official orders to correct, with the possibility of civil penalty and potential revocation of accreditation if the problems were not remedied. ELAP later performed verification audits and found the problem persisted in both laboratories.

ELAP then officially cited both Bakersfield laboratories for failing to implement corrective measures in response to notification and reporting violations. BC Laboratories, Inc. was fined \$4,780 and Zalco Laboratories, Inc. was fined \$3,400.

Delayed reporting of test results endangers public health by keeping regulators in the dark when water systems are experiencing threats to water quality.

“The Division of Drinking Water (DDW) relies on timely electronic reporting of water quality data to enable us to identify where contamination is an immediate threat to public health,” said Betsy Lichti, Division of Drinking Water section chief. “These enforcement actions are a message to laboratories that DDW and ELAP are responding to failures to report that critical data.”

Laboratories are required to notify a water system and the State Water Board within 24 hours if acute contaminants such as E. coli or nitrate exceed the maximum safe level established by the State of California. These contaminants can cause short-term health effects within hours or days of exposure. Exceedances of chronic contaminants, such as lead and copper, can cause health effects after continuous long-term exposure.



A laboratory must report any exceedance of a chronic contaminant to the water system within 24 hours and to the Water Board no more than ten days after the month the analysis was performed ends. Water systems can begin more frequent testing and treatment prior to the notification being made to the State Water Board; however, delayed reporting could allow a water system to potentially continue serving unsafe water to its customers.

Laboratories performing drinking water analyses play a critical role in the protection of public health and the environment. These laboratories are required to be ELAP-accredited to prove they meet a minimum level of quality and to give regulators confidence in the data produced. In addition to evaluation and accreditation, ELAP also issues enforcement actions to require laboratories to correct noncompliance issues. If necessary, ELAP can also take civil and criminal action in the cases of persistent problems or laboratory fraud.

“ELAP actively works with laboratories to assist them to come into compliance with state law,” said Christine Sotelo, ELAP chief. “However, enforcement action and citations are critical non-compliance deterrence and helps ELAP ensure state regulatory agencies receive data of known and documented quality for public and environmental health decisions.”