

STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
STATE WATER RESOURCES CONTROL BOARD

PROPOSED ORDER 2025-XXXX-EXEC

In the Matter of Environmental Laboratory Network, Inc.

ORDER APPROVING SETTLEMENT AGREEMENT

BY THE EXECUTIVE DIRECTOR¹

This matter comes before the Executive Director of the State Water Resources Control Board (“State Water Board”) following settlement discussions between the State Water Board’s Division of Drinking Water, Environmental Laboratory Accreditation Program (“ELAP”) and Environmental Laboratory Network, Inc. (“ELN”) concerning ELN’s compliance with the California Environmental Laboratory Accreditation Act, Health and Safety Code section 100880, *et seq.* (ELAA).

ELAP is authorized to issue orders and citations for violations of the ELAA or any certificate, regulation, or standard issued or adopted pursuant to the ELAA. (Health & Saf. Code, §§ 100875 and 100880.) Citations shall specify a monetary penalty for each violation, not to exceed \$1,000 for each day for each day that the violation occurred. (*Id.*, § 100880 subd. (d).)

ELAP has determined that ELN violated the ELAA by failing to maintain a quality management system and by performing analyses on environmental samples for a regulatory purpose after ELAP suspended ELN’s certificate of accreditation. To resolve the matter, ELAP and ELN executed the Settlement Agreement (“Agreement”), attached to this order as Exhibit 1. The issuance of a decision or order pursuant to a settlement agreement is authorized under Government Code section 11415.60.

The Agreement requires ELN to pay a monetary penalty, submit required reports to ELAP, and perform additional Proficiency Testing. ELN waives the right to petition for reconsideration of this Order and agrees to the other terms and conditions described in the Agreement. All recitals, terms and conditions of the Agreement are hereby incorporated into this Order.

This is an action to enforce the laws and regulations administered by the State Water Board. The State Water Board finds that issuance of this Order is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 *et seq.*), in accordance with section 15321(a)(2), of title 14 of the California Code of Regulations.

¹ State Water Board Resolution No. 2012-0061 delegates to the Executive Director the authority to issue a decision or order by settlement of the parties under Government Code section 11415.60.

ORDER

IT IS HEREBY ORDERED THAT the attached Agreement between ELAP and ELN is approved. ELN must comply with all terms and conditions of the Agreement, including without limitation payment of \$3,000.00 to the State Water Board's Environmental Laboratory Improvement Fund no later than 30 days after the date this Order is issued. Payment must be made by cashier's check, certified check, or money order made payable to the "Environmental Laboratory Improvement Fund," and properly executed and delivered to:

Environmental Laboratory Accreditation Program
Attn: Michael Head
1001 I Street
Sacramento, CA, 95814

STATE WATER RESOURCES CONTROL BOARD

Eric Oppenheimer

Date

Executive Director
State Water Resources Control Board