

# Introduction to data credibility laws & their impacts

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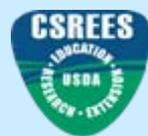
# Premise

- 💧 It was selfish...
- 💧 Wisconsin's volunteer water monitoring program is growing
- 💧 3 Levels
  1. Educational
  2. Management decisions (status/trend monitoring)
  3. Research projects
- 💧 Co-sponsored by DNR, UW-Extension, River Alliance



# Premise

- 💧 DNR Admin. submitted request for WI to consider data credibility legislation
- 💧 This action brought many questions to the surface...
  - 💧 What exactly does a data credibility law do?
  - 💧 Who creates it?
  - 💧 Who does it apply to?
  - 💧 Who “enforces” it?
  - 💧 What does it mean for our volunteer monitoring programs?



# What does it mean for data to be credible?

- 💧 Credible data are those which meet specific quality assurance requirements
- 💧 These data can be used for specific, defined purposes (often regulatory)



# What are credible data laws?

- 💧 Credible data laws define standards about the data that state agencies are able to use to make regulatory decisions



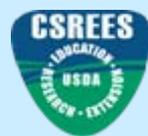
# Why have such a law?

- States might use credible data to:
  - Develop TMDLs for water bodies of the state
  - List water bodies as impaired on 303(d) lists
  - Determine if surface waters are meeting their designated uses



# What does having such a law mean to a state?

- 💧 These laws provide a defined level of quality assurance about data used in making regulatory decisions.
- 💧 They help address a fear of state agencies, which is having to defend data used for regulatory decision-making which they didn't generate



# What does having such a law mean for citizen scientists?

- 💧 These laws provide a framework for citizens to contribute data to assist states in making regulatory decisions about environmental issues.



# Which states have credible data laws?

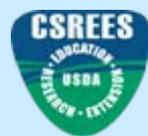
💧 At least six states have credible data laws:

- 💧 Arizona
- 💧 Iowa
- 💧 Missouri
- 💧 Montana
- 💧 Ohio
- 💧 Washington



# General requirements of credible data laws

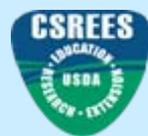
- Data must have been collected following an approved quality assurance plan
  - Good record keeping
  - Written procedures
  - Training of volunteers and/or staff
  - Supervision of staff



# General requirements of credible data laws (cont.)

- 💧 Frequency of sampling (minimum requirements)
- 💧 Location and dates of sampling
- 💧 Chain of Custody (from field to lab)
- 💧 Data Quality Objectives / Data Standards

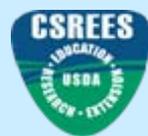
Remember, all programs receiving EPA funding must have a QAPP, which provides them with a certain level of credibility.



# Alternatives to data credibility laws

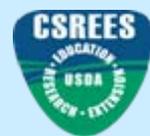
In order to accept citizen-generated data for regulatory decision-making, states might:

- 💧 Develop a memorandum of agreement between state environmental agencies and volunteer groups
- 💧 Require all labs to be state-certified if they perform analytical tests on water
- 💧 Form a monitoring collaborative with defined data quality objectives



# States that use citizen-generated data for regulatory purposes (without a data credibility law)

- 💧 Illinois
- 💧 Kentucky
- 💧 Oregon
- 💧 New Jersey
- 💧 Rhode Island
- 💧 Virginia



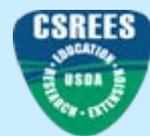
# A start to pros/cons of these laws

## For Volunteer Monitoring Programs:

- ☺ Benefit by having increased data credibility with QAPP
- ☹ Is the law so stringent that “no one” meets data credibility requirements?

## For state agencies:

- ☺ Benefit by having defined data standards
- ☹ Costs associated with defining guidance documentation to ensure all parties submitting data meet requirements
- ☹ Costs associated with “enforcing” law requirements



# Acknowledgements

- 💧 This presentation was based in part on research conducted by Andrew Hanson, former attorney with Midwest Environmental Advocates, Inc.

