

TNI Advocacy Committee Minutes for March 1, 2007

1. Welcome.

LastName	FirstName	PRESENT
Autry	Lara	N
Carter	Mark	Y
Coats	Kevin	N
Duncan	Judy	Y
Eaton	Andy	Y
English	Zonetta	Y
Finazzo	Barbara	N
Jackson	Kenneth	Y
Moore	Marlene	N
Parr	Jerry	Y
Perry	Michael	Y
Pletl	Jim	Y
Shields	Aurora	Y
Ward	Gary	Y
Wichman	Michael	Y
Wyatt	Susan	N
Wyeth	Bob	N

2. Minutes from Denver - Useful ideas (See e-mail attachment)
3. TNI Newsletter (Publication scheduled for March 30) – Jerry

Newsletter content:

Articles on programs. Jerry will assign to program administrator. The articles should include the purpose of the program and include any subcommittees of the program and updated on activities.

Denver article: Short article about the Denver meeting indicating that additional information can be found in the web site - Jerry

Pictures of receptions in Denver - Jerry

Promotion for Boston - Jerry

Election results and announcement of the TNI strategic planning meeting in April - Jerry

Membership Information – General demographics of current members.

Also include information for members that were grandfather at the time of combining the 2 organizations. - Jerry

If policy for joining TNI committees is finalized, include a summary of this policy – Alfredo

Advocacy committee will review the content of the newsletter and Jan will do layout and format.

Article from the chair of the board will be included for the next newsletter with a summary about the strategic planning meeting.

4. Updates from TNI BoDs/TNI Advocacy stakeholders subgroups:
 - a. WEF/NACWA - Jim
 - b. ACIL - Gary
 - c. APHL - Michael
 - d. AWWA - Andy (See e-mail attachment minutes from the February 21, 2007 call)
 - e. Next steps - All

WEF/NACWA: 3 representatives at the Denver meeting, 2 municipals and 1 industry. A lot of municipalities do not attend the annual meetings. Same issues presented in the WEF and NACWA letters were discussed. Since Denver – NACWA, Water quality committee discussions took place; they want to continue to have discussions with TNI. They are not interested to promote NELAC but something in the form of what was discussed at the Denver meeting: A standard based on quality systems and performance approach. The standard should have an impact on data quality. How does the requirement in the standard impacts data quality?

ACIL – Concerns about state dual programs. Concerns about EPA buy in. They would like to see a single standard for the nation. Small labs have successfully implemented NELAC, so they know that it can be done.
Next step – Met with Mike Shapiro: EPA is in favor of demonstrated lab competency and agree for the need of a national accreditation but can not tell states what to do. NELAC represents a bad name within some stakeholder communities. EPA OW has not responded to the letters from WEF, AWWA, and NACWA. A response to the meeting with NELAC will be sent soon. Recommended we start meeting with the National Rural Water Association. EPA homeland security – requires ISO 17025 or NELAC accreditation and can be found in the environmental laboratory response network. ACIL newsletter will have an article in response to the WEF, AWWA, NACWA letters. Gary will send a copy to this committee.

APHL – is establishing a subcommittee to discuss what they want for state laboratories. See attached APHL comments submitted to the TNI NELAP Board.

AWWA – The subgroup started a series of interviews with municipal water labs that have implemented the NELAC standard. The concerns expressed are similar to the ones expressed in the AWWA letter to EPA. The subgroup will schedule other calls with other AWWA members that have implemented the standard to get their input establishing a focus group. They will also talk to others that are more outspoken against NELAC once we have a better handle on their concerns.

Next step – Collect all this information and present it to the new TNI BoDs, during the Monday afternoon presentations during the April strategic planning meeting. Jerry, Judy, and Aurora will work on this March 21 at 12:00 CST.

5. NFS International study (See e-mail attachment). Advocacy committee recommendations for an expanded study are:
 - Look at the states that have implemented the standard for all labs as part of an expanded study (ie. TX and PA and FL).
 - Look at non participating states.
 - Look at the commonalities between the comments made by the state and the laboratory communities about the standard.
6. Preparation for the next meeting with EPA, April 24. - Lara, Jerry, Aurora
 - This is a FEM and 1 ½ hour was allocated for the TNI presentation. TNI should have 2 or 3 members at this conference. Lara indicated that she can schedule separate meetings with:
 - Mike Shapiro to discuss OW issues
 - Gregg Carol
 - Mary Smith
 - OSW
 - Jerry, Lara, and Aurora will work on getting this done. More details on the message we are taking to EPA should be defined after the strategic planning meeting in April.
7. Strategic Planning continues. (See e-mail attachments forms 1, 8, 9, and 13)
 - Jerry needs to schedule conferences with volunteer subgroup to complete this project.
8. Adjourn.

Attachment (APHL comments)

TNI Concerns expressed by State Environmental Laboratories

1. TNI with EPA develop and adopt standards for laboratory accreditation for all programs.
2. Some state laboratories are concerned about perception of certification/accreditation from home state.
3. Some state laboratories are concerned about necessity of seeking certification/accreditation from accrediting authorities (AA – Now accrediting bodies (AB)).
4. State laboratories prefer that EPA become an accrediting authority (AA) for all programs beyond drinking water for state laboratories/programs.
 - Dr. Leibovitz (Rhode Island) proposes development of Regional TNI accrediting authorities from state programs.
5. Potential problems with ISO 17025 – standards must be open and available to community – all participants.
6. ISO 17025 restrictions may also cause issues with state statutes. Suggest that standards are published by or with the EPA.

7. NELAP Board – reviews and approves applications from prospective accreditation bodies (AB). Please continue to utilize staff from EPA Regional Offices and other states to evaluate accrediting bodies.
8. Some mechanism must be developed to adopt performance based measurement systems in the environmental laboratory community based on pre-established data quality objectives.

Points 1 – 4 and 8 also expressed to the Environmental Laboratory Advisory Board (ELAB)

Compiled information provided by APHL members serving on the Environmental Health and Environmental Laboratory Committees.

SUGGESTIONS TO THE TNI BOARD

RHODE ISLAND:

The recent reorganization of NELAC and INELA into a new organization called The NELAC Institute (TNI) opens new opportunities and possible ways to attract the majority of the states' environmental laboratories and environmental laboratory certification programs. (This was always the goal of NELAC members.) As TNI develops and adopts the national laboratory standards for accreditation and an organizational structure to become a national laboratory accreditation program, there exists an immediate opportunity to find common ground that is attractive to all states including the (former) NELAC participating members, NELAC participating non-member and non-participating states.

The following are two recommendations to the TNI Board to organize the Accreditation Body structure and laboratory accreditation standards so that they would attract majority participation by member, non-member states and non-participating states:

1) Creation of Regional TNI Accreditation Bodies (AB) – Regional TNI Accreditation Body Offices staffed by certification officers from member states.

Advantages and Attraction of Regional TNI Accreditation Bodies (AB):

- Composed of multiple states rather than individual state ABs
- Non-competitive ABs.
- Elimination of competition that currently exists between NELAP state ABs
- Uniform certification fees
- Regionally shared responsibilities and costs of operation allow state members to contribute lab certification staff to the operation of TNI Regional ABs. Staff can be rotated periodically
- TNI ABs sole function could be to accredit state laboratory certification programs, state laboratories and EPA regional laboratories. States will maintain state laboratory certification programs for in-state laboratories.

- Allowing NELAP states to reduce costs by reducing or reallocating staff currently required to accredit states and laboratories other than their own.
- Regional TNI ABs continue to provide state laboratory, EPA Regional Laboratories and state laboratory AB inspections every three years and meet the requirements of the EPA Office of Water.
- EPA ability to endorse the TNI standards and AB requirements instead of endorsing individual NELAP state ABs.
- EPA may option to transfer primacy to Regional TNI AB for the purpose of accrediting EPA laboratories and state accreditation programs.
- State accreditation by regional TNI ABs is politically more palatable to state legislators than accreditation by other states (current NELAP ABs)

2) TNI standards include meeting ISO 17025 requirements and the requirements of the EPA Office of Groundwater and Drinking Water Quality Manual for Certification of Laboratories Analyzing Drinking Water.

Advantages of requiring ISO 17025 in addition to TNI standards

- A universally accepted laboratory standard that are accepted by many state and Federal programs, initiatives and offices within the following organizations including Public Health, DHS, EPA OGWDW, OSWER, CDC, DOD, CDC. The standards currently followed by state lab certification programs and laboratories would require minimal modification.

VERMONT:

- Concern about **ISO fees being too high:** Vermont got some feedback from their attorney about ISO language below. Given what I understand EPA had to pay to use ISO language in the NELAC standards I think that Vermont would consider the fee too high to put the standard into regulation or statute.
- With respect to any needed statute change in VT: if the standards are **not** National Environmental Laboratory Accreditation Conference standards published by or with EPA, then I believe we will need to make a change. We have flexibility with respect to the recognition of AAs. Our Statute reads in part: (a) *"The commissioner may certify a laboratory to perform the testing and monitoring required under 10 V.S.A. chapter 56 and the federal Safe Drinking Water Act if such laboratory meets the standards currently in effect of the National Environmental Laboratory Accreditation Conference and is accredited by an approved National Environmental Laboratory Accreditation Program (NELAP) accrediting authority (AA) or its equivalent."*
- Concerns that:
 - NELAC was formally created by EPA, other federal partners and importantly the States and territories to form a national program and adopt national standards;

- That there have been significant funds and resources put into NELAC by all parties and all associated outcome efforts;
 - That NELAC and the program are not being dismantled in a formal way [from my perspective].
-
- We are also concerned about **future fees** in VT [PTs and accreditation costs for our lab and our commercial labs, TNI member fees]. From a State Primacy lab point of view we still want EPA to be the lead certifying/accrediting agency or accrediting body for our laboratory environmental work - using any set of standards developed or adopted.

UTAH:

- Recommend that The NELAC Institute, jointly with EPA, develop standards for lab accreditation of all programs.
- Recommend that EPA to be the lead certifying agency who uses these standards to certify/accredit laboratories.