

# TNI Board of Directors Meeting Summary December 10, 2014

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## 1. Roll Call

Directors	Present
Jordan Adelson	X
Joe Aiello	
Aaren Alger	X
Steve Arms	X
Justin Brown	X
Scot Cocanour	
George Detsis	X
Judith Duncan	X
Zonetta English	X
Jack Farrell	X
Keith Greenaway	
Myron Gunsalus	X
Sharon Mertens	X
Judy Morgan	X
Lara Phelps	
Patsy Root	X
Scott Siders	X
Alfredo Sotomayor	X
Dave Speis	X
Elizabeth Turner	X
Staff	
Lynn Bradley	X
Carol Batterton	X
Ken Jackson	X
Jerry Parr	X
Iona Taunton	X
Janice Wlodarski	X
Guest: Jeff Flowers	X

## 2. Approval of November 2014 Minutes

**Change: Program Reports, Accreditation Council, 3<sup>rd</sup> bullet – editorial, not an exception to the SOP – “will review the proposed change as an edit”**

**Vote on Edit:**

**In Favor:** All

**Approved:** Unanimous

**Motion to Approve Minutes with Change:** Judy Duncan

**Second:** Alfredo Sotomayor

**Abstentions:** Patsy Root

**Approved:** Approved

### 3. Proposal for Credentialing of Third-Party Assessors (Attachment 1)

This subject was extensively discussed at the November meeting and those minutes should be reviewed. As stated in the minutes, Jerry was requested to find the original language that prompted this effort. That language was in a 2011 AB Task Force Report (Option 4) and is included as Attachment 1.

#### **OPTION 1 – STOP AT STEP 6, REMOVING STEPS 7 & 8**

Steps 5 and 6 need the most discussion– we would agree on what kind of skills, attributes, education, and training would assessors need so we would credential them (Step 5) and what that form of recognition would look like (Step 6). These are still somewhat controversial.

#### **OPTION 2 – NOT TO CREDENTIAL AT ALL**

We would allow contractors to post qualifications on our website, and anyone can go to our website and download some sort of statement of qualifications and call/email them. We would have no role in evaluating performance, skills, etc. Those employing the contractor(s) would make the decision on their own.

#### **Now: Do we proceed, how do we proceed, how far do we proceed?**

##### *Discussion:*

There may be a lot of risks as an organization that we don't understand. We would need to look into this before we start a credentialing program. Don't know if it warrants the effort/benefit.

Some ABs' rules would require them to approve the third-party assessors and not allow them to use someone else's credentialing. Other ABs don't hire an individual but a company that is responsible for making sure their people are credentialed. There could be a benefit to having a common database of CVs per se, but that's all.

We may have already gone past the point of where this would have been the most benefit for ABs. It may be useful when it comes time to renewing contracts. There may be value but not right now because we've already had to build it for ourselves.

Suggestion: Have a list of credentials, a list of criteria, i.e., "what should be included in evaluating a third-party assessor" – this would be valuable. Can be used for bidding criteria (reference TNI as the source of bidding criteria). Create a registrar of sorts, instead of a credentialing system.

Having a fairly standardized process of requirements so ABs don't have to do all the homework and legwork would be of benefit.

Another point: NGABs asked to be TNI-recognized. Third-party assessors have not been heard asking to be credentialed. And, deciding that they were not qualified would severely limit their ability to do work. So there is a difference here. Also the NGABs have a standard they have to follow in terms of what their assessors have to do.

There are other issues as well, including limited use, too much risk, how do we pay for it, etc. – an assessor registry might be better. And we could charge for a registry.

*Where are we now? Here:*

**Limit effort to develop a registry of 3<sup>rd</sup> party assessors and listing of skills and experience that they should possess – a guide.**

Haven't we done this already on the webpage (the templates)? (Lynn) The templates were pretty carefully researched, but we did not try to address the personal attributes. The criteria in the templates to be on the existing registry were vetted through the Board. The registry has the same 4 assessors on it that signed up two weeks after we established it. The "criteria templates" are not a "criteria" resource but fill-in-the-box information to be listed on the registry.

To establish this criteria would require developing a new Standard. "Non-binding guidance." The templates ask the questions but nowhere do we have criteria set, and how do we establish this?

Can we task LAB to establish a "proposed guidelines for qualifications of TNI Assessors"?

New road: Does the LAB need to be working on a new version of the Standard? The AB version is lacking in a lot of things and it can be really improved, this being part of it.

What do we want the motion to continue to be?

1. We want to continue, with what?
2. Registry?
3. Flush out policies & recommendations, training qualifications – everything just short of credentialing – so the registry actually means something.

**Motion to continue with developing a registry for Assessors including the development of policies, recommendations, training qualifications, etc., that any assessor should have (everything just short of credentialing)**

**Motion to Approve:** Jack Farrell  
**Second:** Myron Gunsalus  
**Approved:** Unanimous  
**Abstention:** Zonetta English

#### 4. Proposed Changes to Bylaws and SOP 1-116 (Attachment 2)

During the strategic planning meeting, a discussion on streamlining the process for approval of SOPs and Policies was discussed. Essentially, Policy will have final approval authority for policies and SOPs unless either the Policy Committee or the Board believes that the Board should review individual documents; the exception will be documents originating with Policy Committee, and all of those will require Board review. Policy Committee has prepared revisions to the Bylaws and to the "Policy and SOP Approval" SOP 1-116 that will streamline the approval process for those types of documents. In accordance with the Bylaws, the proposed changes are being provided at this meeting and will be voted on in December (Attachment 2). The revised SOP 1-116 will be presented to the Board after the Bylaws revisions are accepted.

**Motion to Amend the Bylaws as Outlined in Attachment 2:** Judy Duncan  
**Second:** Scott Siders  
**Approved:** Unanimous

We will let the membership know of this change via website, special email, newsletter.

#### SOP 1-116

Comment: Whoever generated the policy or SOP doesn't get notified that it was approved – this piece is missing. It is done informally but is not part of the SOP. Agreed. We will take it back to committee for revision and bring it back to the Board in January.

## 5. SOPs for Board Review and Endorsement

- In September, the Policy Committee provided the Board four SOPs for review and approval:
  - SOP-3-101: NELAP Voting Procedure
  - SOP-3-102: Evaluation of Accreditation Bodies
  - SOP-3-105: Standard Interpretation
  - SOP-3-108: Provisional Recognition
- In September, discussion of these SOPs was tabled to give the Board more time to review them. Based on the proposed changes to the Bylaws and Sop 1-116 in Item 5 above, the Policy committee is providing these SOPs for informational purposes only.

These SOPs are fine to move forward without any additional review by the Board.

## 6. NGAB FEES WORK UP PROPOSAL (Attachment 3)

**Motion to Approve the Proposal for NGAB Funding:** Scott Siders

**Second:** Alfredo Sotomayor

**Approved:** Approved

**Abstentions:** Jack Farrell, Jordon Adelson, Aaren Alger, Lara Phelps

## 7. Program Reports (Attachment 4)

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## Attachment 1 Use of Third-Party Assessors

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### 4. Use of Third Party Assessors

#### Findings

Third party assessors could help facilitate problems with accreditation, especially for assessments of laboratories located in states that are not NELAP-recognized ABs. Third party assessors are already used by one-third of the states who responded to a recent survey. Third party assessors are most often used for radiochemistry in the drinking water program and states often rely upon EPA's contract for this service. Use of third party assessors will not work in all states because of issues including union labor and laws about use of 3<sup>rd</sup> party contractors to replace state employees. Simplification of the contract process for third party assessors would help some states. Qualification or credentialing of third party assessors would assist on many levels and should include development of minimum qualifications, verification of training and annual performance reviews.

#### Next Steps to Implement This Option

- Develop a process for TNI to qualify third party assessors.
- Develop a model solicitation template for states to use in contracting.
- Develop a process for performance review of third party assessors that TNI qualifies.
- Develop a service for a state to contract with TNI to obtain the use of third party assessors.

## Attachment 2 Proposed Change to Article VII, Core Programs, of the TNI Bylaws

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### Section 2 – Principles Governing Core Programs

Each core program will be managed by an Executive Committee of seven (7) to fifteen (15) individuals representing all stakeholder interests whose role is to provide strategic direction, growth and fiscal management of the program.

The core programs work in cooperation towards a common vision. Each core program has the authority to establish policies, procedures, and guidance for its program, make decisions, and operate independently, but with the following restrictions:

- ~~• The Board of Directors reviews all policies, procedures, and guidance to ensure they do not create a program that cannot be funded or puts TNI at risk.~~
- The Policy Committee reviews all policies, procedures, and guidance to ensure the policies, procedures and guidance from different core programs are not in conflict with each other.
- The Policy Committee submits any policies, procedures, and guidance it develops to the Board of Directors for endorsement.
- The Policy Committee submits a report to the Board of Directors of all policies, procedures, and guidance it reviews. The TNI Board of Directors retains the right to review any policies, procedures, and guidance reviewed by the Policy Committee.
- The reviews performed by the Board of Directors and the Policy Committee will be used to provide feedback to the core programs and, as appropriate, each core program will address any issues raised before implementing policies, procedures, and guidance.
- Each core program will provide an annual report to the Board of Directors describing progress towards the goal of the program. The Board of Directors will provide feedback to the program for future efforts.
- Each program will establish strategic goals and objectives that will be reviewed by the Board of Directors to ensure the goals and objectives are aligned with TNI's mission.

A core program accepts by adoption the work product of another core program for use within its program. A core program does not have authority to change the work product of another core program, but it may return the work product to the core program that developed it with recommendations for changes. It will then be the responsibility of the core program that developed the work product to decide on the course of action.

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### Attachment 3 NGAB Fee Work-Up Proposal

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Developing the fee structure for NGABs includes several elements based on the specifications in the recognition SOP and the NGAB Work Group's decisions for staffing the evaluation coordinator and the lead evaluator as follows:

1. Evaluation Coordinator – Staff person, hourly rate compensation.
2. Lead Evaluator – Contractor procured through TNI, compensated at proposed rate

The estimated effort required to complete the process is based on experiences with past AB evaluations and projections for ILAC and NACLA recognized organizations.

1. Accredited NGAB Application & Materials Review
  - Evaluation Team (2) 40 Hours Total
2. Non-Accredited NGAB Application & Materials Review
  - Evaluation Team (2) 40 Hours Total
3. On Site Evaluation (2)
  - Accredited NGAB: 1 – 4 Days
  - Non-Accredited NGAB: 2 – 4 Days
4. Assessment Observation (1)
  - Lead Evaluator: 1 – 3 Days, 24 hours

Travel is the most variable cost component, but a combination of close management and conservative practices should minimize these.

1. Travel Costs - Evaluation Team
  - All travel (transportation & hotel) arrangements managed through the applicant NGAB
  - Use government per-diems as cost guide, using TNI travel policies as the guide.
  - Evaluation team pays for meals and obtains reimbursement through the applicant NGAB
    - (a) Use city per diem rates for meal cost guidance
  - Perform on site and laboratory evaluation in series to minimize travel expenses

An application fee of \$1,000 is proposed, which covers the staff evaluation coordinator.

1. Fixed application & renewal fee
  - Covers evaluation coordinator effort – staff
  - Different Lead Evaluator fee in off years
  - Estimate Lead Evaluator fees in advance and provide to NGAB
  - Annual renewal fee of \$1,000
2. Lead evaluator charges: effort dependent
  - Issue RFP for fixed fee plus travel expenses
3. Reimbursement for evaluation team's travel related costs
  - Evaluation team: on site & assessment/lab observation performed concurrently

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## Attachment 4 PROGRAM REPORTS

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### CONSENSUS STANDARDS DEVELOPMENT

- Proposed corrective actions have been submitted in response to the 3 findings from the American National Standards Institute (ANSI) audit. The auditor has accepted the corrective action response and has forwarded it to the ANSI Audit Subcommittee for their decision.
- Subsequent to last month's conference call of the task force to revise the standards development process, the relevant revised section of SOP 2-100 (Procedures Governing Standards development) has been drafted. Another conference call will be scheduled this month, and it is expected to complete this project early in 2015.
- The Chemistry Expert Committee has posted its Interim Standard on calibration for voting by the membership through January 17, 2015. Voters' comments will be considered during the February 2015 meeting in Crystal City. The committee has also posted a Working Draft Standard (WDS) on Detection and Quantitation, and will hold a public meeting on this WDS by Webinar on December 12.
- The Laboratory Proficiency Testing Expert Committee is continuing to consider the voters' comments on its Voting Draft Standards for V1M1 (laboratory requirements) and V2M2 Accreditation Body requirements).
- Voting is complete on the Stationary Source Audit Sample Committee (SSASC) Voting Draft Standards: V1M1, General Requirements for Stationary Source Audit Sample Providers; and V1M3, General Requirements for Participation in the TNI Stationary Source Audit Sample Program. All 12 SSAS Expert Committee members voted "Affirmative" with no comment. Three additional "Affirmative" votes with no comments were received from non-committee-members. Since there were no persuasive comments, the standard will now be published without further modification as an Interim Standard.
- The Modified Working Draft Standard for Radiochemistry has been completed and has been posted on the TNI website. The committee had their webinar last Friday, Dec 5<sup>th</sup> and comments will be received through January 5, 2015. The committee will be working comments and the Voting Draft Standard at the winter meeting.
- The Microbiology committee finished their Modified Working Draft Standard and it was posted on the TNI website. They will have a Webinar on December 22<sup>nd</sup> and then there will be 30 days for public comment. The committee plans to review comments at the winter meeting and begin work on the Voting Draft Standard.
- The Laboratory Accreditation Body Expert Committee awaits the Board's feedback on its recommended process for verifying credentials of third party (contract) assessors.

### NEFAP

- The Nominating SOP (5-103) and SIR SOP (5-106) updates were reviewed by the committee. Justin will incorporate comments and present Final Drafts for voting at the next NEFAP EC meeting. SOP 5-102 will be the next SOP looked at by the committee.
- During the Strategic Planning meeting in Milwaukee, a concern was raised by the Board to look at the Preliminary Recognition process for ABs. New wording was provided at the last NEFAP EC meeting to help start discussion on this topic. This will be further discussed in December.

- The Mobile Lab Subcommittee did not meet in November.
- The technical evaluation has been completed for a NEFAP AB. The Recognition Committee is still waiting for the Lead Evaluators report. Ilona discussed the report with the Lead Evaluator and it is just about complete. He is out of the country for two weeks, but it is expected to be completed after that.
- A guidance document application is being submitted to the Policy Committee so the committee can start work on a Scope Guidance Document.
- The committee is reviewing new FSMO tools presented by the FSMO Tools Subcommittee. The subcommittee would like to finalize these tools before the new Standard is posted on the website – they'd like to post the tools with the new Standard. Justin is also working on a document to highlight the differences between the old and new standard. This is expected to be complete in December and all new information will be posted in January before the winter meeting.

#### **Field Activities Expert Committee (FAC)**

- The FAC is reviewing the new FSMO tools presented by the FSMO Tools Subcommittee. See note above under NEFAP EC. This is a joint effort.
- The Container Subcommittee. Justin is having a tough time pulling people together to work on this, so he is questioning the need. He asked the committee to think of potential subcommittee members and this will be discussed further at the December meeting.
- The committee is continuing to work with the NEFAP EC on mobile lab issues.
- The committee charter was reviewed and Justin is making updates to be finalized in December.
- The committee has not received any additional information from the NEFAP EC Chair regarding the Scope Guidance Document. Justin is following up on this and any new information will be discussed in December.
- The committee is still looking for a Vice-Chair.

#### **NELAP**

##### **Accreditation Council**

- The AC has approved renewal of Illinois' recognition as a NELAP AB evaluation. The hold-up was a consistency issue -- whether every EPA region requires assessment of every drinking water method at each site visit – and was resolved with the assistance of the AC's Liaison to EPA, Donna Ringel of Region 2. Every NELAP AB now will assess every drinking water method at each site visit, and the 2011-2013 round of evaluations is completed.
- For the current round of evaluations, five additional AB evaluations are underway, with one more renewal letters going out next week.
- SOP 3-103, Standards Review and Acceptance, as recommended to the AC by the LAS EC, was approved and forwarded to Policy Committee.
- The Council continues its discussion about identifying needed policies and their desired content, with the expectation that LAS EC will be asked to "flesh out" those general concepts once agreed upon. The AC understands that the LAB Expert Committee is also willing to assist with preparing this documentation, if the LAS chooses to enlist it.

**Laboratory Accreditation System Executive Committee (LAS EC)**

- LAS EC members (as available) will participate in the various webinars held to discuss Working Draft Standards (WDSs) and Voting Draft Standards (VDS) in the coming months. The first of these occurred last week, for the Modified WDS of V1M6, the Radiochemistry module, and the next occurs later this week, the Chemistry Committee’s Detection and Quantitation WDS. We believe that engaging the committee review informally at the WDS stage will facilitate reviews of the VDS in the future.
- LAS EC has updated the “How to Become an Accredited Lab” flow chart on the TNI Website. This is available at <http://nelac-institute.org/howto.php>.
- LAS EC is processing SIRs as they arrive, whether new submissions or returns from the AC or responses from the expert committees. The “backlog” no longer exists, and as the Board directed at its November meeting, monthly reports will continue through January 2015, and then, reports of SIR status will be delivered quarterly.

- SIR Update:

Total Number	Closed Out	At LASEC Review	At NELAP AC	At Committee
273	245	6	7	15

**PROFICIENCY TESTING**

- The work is continuing on three PT Expert Committee WDS comments. Two deal with FoPT table concerns and the third is a concern about Volume 4 and involves compiling PT data for PTPEC use. The responses are due mid January so they can be discussed by the PT Expert Committee at the winter meeting.
- Michella provided an update on Asbestos. EPA is looking at providing labs with interim accreditation until a PT is made available. EPA is talking to potential suppliers and New York has sent a proposal that is being evaluated.
- An update is being proposed to SOP 4-107 to require that Programs in TNI be notified by the PTPEC when new FoPTs are being worked on for an entity outside of TNI.
- The DW FoPT table footnotes were compared to the EPA Criteria document. There was only an issue with Footnote 1. The requirement for Vinyl Chloride to not be “0” is in the regulations and not in the Criteria Document. It states the lab must achieve quantitative results within +/- 40% of the amount in the sample. EPA considers this statement to mean it has to be present. Michella offered to have an EPA attorney look at this and confirm this interpretation. The committee will finish their discussion after they receive input from Michella.
- Michella asked about the need for EPA Lab ID codes. The person handling Lab ID codes has retired after 50 years of service and they have no one to replace him at this point. They have temporarily stopped issuing federal lab IDs and are assessing impact and need for these IDs. She thinks they may only offer IDs to new DW labs to accommodate the Safe Drinking Water Information System (SDWIS) in the future. Maria will take this information to the IT Committee. Note: Lara Phelps, Dan Hautmann and Brian Krause resolved this issue in late November.
- The PTPEC received a complaint about a Fecal Coliform PT that was determined to be a PT Provider issue and not a PTPEC issue.

- Work is still progressing on the finalization of the new WET FoPT table. Maria will be asking to meet with the NELAP AC to ask if the issue of where footnotes be placed be handled as a separate issue and that the table be finalized at this point. It should not be held up because of a format issue.
- Another complaint was received that is similar to a previous complaint where the PTPEC was asked to review the data that lead to an FoPT analyte limit update. The Chemistry FoPT Subcommittee will look into this complaint and report back to the PTPEC. This is still in progress.
- The FoPT Table Format Subcommittee has elected a new Chair (Craig Huff – ERA) and work is underway again.
- The Chemistry FoPT Subcommittee is continuing the review of SCM data. They are now working on Pesticides.
- The PTP SOP Subcommittee is continuing their work on the Limit Determination SOP. Stacie Metzler is stepping down as Chair of this subcommittee due to a job promotion and need to participate in different areas of TNI. The committee will be meeting this month to decide how to handle leadership in the committee.
- Eric noted that the Policy Committee has finished their review on some PTPEC SOPs and that the committee will need to begin work on updating these SOPs.

## **ADMINISTRATION**

### **Advocacy Committee**

- The Advocacy Committee is helping to plan the 20<sup>th</sup> Anniversary celebration for the Crystal City meeting. We are looking for an attendee list from the 1995 meeting.
- Work has resumed on the PT Position statement.

### **Non-Governmental Accreditation Bodies**

- The NGAB working group and the TNI Non-Governmental Accreditation Body Recognition Committee (TNRC) are continuing to meet jointly. Pending items include: approval of the evaluation SOP by the TNI Board, development of supporting documents and forms for the evaluation process, development of training for evaluators, and development of a budget and fees for the program.
- The target date for implementation of the program is February 2015.

### **IT Committee**

- Based on feedback from the Future's workshop in DC this summer, TNI's IT Administrator has reorganized the website to make it easier for individuals to find information. A beta test version of this site can be found here: <http://nelac-institute.org/indexbeta.php> The IT Committee will be reviewing this new site in detail with plans to have the new site live in time for the Crystal City meeting.

### **Policy Committee**

- Policy Committee reviewed the AC's Standards Acceptance SOP 3-103, and will decide at its next meeting whether the necessary edits can be accomplished without returning it to the AC for a re-vote.

## Training

- In Progress: The review of the ethics training has been expanded to add information about a 5 minute portion of the training where the microphone was not working. Language has been agreed on to provide information about using the Ethics training for annual and refresher training. Jack has decided to prepare a 5 minute webcast that will be added to the training. Update: Ilona will work on the update in December and get Jack's input. Plan to complete this in December so labs can use the information to provide Ethics Training. Ilona will also work on a document to support this training by providing details on what the lab needs to complete their training if using the webcast.
- A webinar is being planned by the Chemistry Expert Committee on December 12<sup>th</sup> and by the Microbiology Expert Committee on December 22<sup>nd</sup>.
- Certificates for webcasts have been requested and distributed.
- The Board of Directors will be providing direction to form a committee to determine training needs and process moving forward.

## Winter Meeting

- Registration has opened for the 2015 meeting in Crystal City.

## Summer Meeting

- NEMC 2015 is up on the website.
- All information and instruction documents for 2015 have been prepared and/or updated.
- The abstract upload process has been activated.
- Marketing the exhibit program has started.

## Quality Management Plan Update

- Jerry discussed the organization of the draft QMP with Lara and based on comments will reformat the QMP later in December and then forward to the Policy committee.
- The TNI Internal Audit Process Subcommittee has met. A written summary of the process and example checklists are being reviewed by the subcommittee. Two more programs are being incorporated and then all information will be sent to the Policy Committee for review.

## Membership Report

- There were three new committee applications this month.
- **Active Members:** 821.

Note: As suspected at last month's meeting, automated membership renewals were not going out. This issue has been corrected as evidenced by all the new memberships in November.