

Field Activities Committee Meeting Summary October 29, 2009

1. Roll call and approval of minutes:

Chair Marlene Moore called the FAC meeting to order on October 29, 2009 at 4pm EST. Attendance is recorded in Attachment A. Eric Winchester (EPA) and associate members Steve Greason, Glen Green, Michelle Henderson, Dana Haenner and Terrance Romaine were also in attendance. The meeting was adjourned at 5:10 PM EST.

After receiving no objections from any committee member, the minutes from the September 30, 2009 meeting are approved as written and will be posted on the TNI website.

2. NEFAP Board

The TNI Board has approved the recommended NEFAP Board. The NEFAP Board will have its first meeting next Monday at 3pm EST. A number of documents have been sent to the new Board members to familiarize them with what has been done thus far. They will need to develop a charter and mission.

Their first agenda includes:

Welcome

Define Assignments

- See attached for NEFAP responsibilities

- Develop policies, procedures, program documents

Develop Timeline

Define Financial Requirements. (Business Model input information)

Expected Date for Program Operation, Initiation

Other Business

3. Environmental Lead Subcommittee Report

An update was provided by Bob. A Final Draft TNI Recommendation was distributed this morning by Marlene (Attachment B).

The Subcommittee is proposing a 3 tier program. The distinction between personnel certification (Tier1) and the other tiers is the production of analytical data for decision making purposes. The proposal is included in Attachment B.

1. Personnel Certification – based on attending training courses. No data for decision making purposes is produced. They can do sampling and use test kits for screening.

2. FSMOs - Certification of Firms. Accreditation as described in TNI standard. Accreditation for both sampling and analysis.
3. Fixed Lab Assessment. (A2LA and AIHA). Possible role for TNI to have over-site if other Accreditation Bodies would want to join in.

Bob summarized the recommendation and pointed out possible roles for TNI in this proposed program. FAC will focus on the development of the standard and the NEFAP Board should focus on the accreditation of the Accreditation Bodies. He then reviewed the action items needed to move forward.

Eric Winchester commented that they would like an operational program by next April.

FAC now needs to approve this and then pass it on to the NEFAP Board. The NEFAP Board will need to look at it from both an implementation and financial standpoint. We will also need to prepare a presentation for Chicago.

Mike Miller asked for more information about the registry. The registry is for the people who are able to provide the training. Eric said EPA may have something already in this area – we need to follow-up on this.

Our focus needs to be on the Tier II and then some of the Tier I items will be raised and addressed as we work through Tier II. The subcommittee will work on putting more detail together for Tier II.

We also need to take this to the TNI Board because there are some actions expected of them – specifically an MOU. Need to begin work with the NEFAP Board too. FAC will need to begin working on standards to meet an April deadline. All three need to be working on this at the same time.

Action Items:

Get a copy of the recommendation to the TNI Board. It needs to be on their next Agenda. A TNI Board member needs to work with Eric. The expectation is that the TNI Board will get back to FAC regarding progress on the MOU.

A move to accept the subcommittee's recommendation (Attachment B) was made by Jan Wilson and seconded by JoAnn Boyd. It was unanimously approved.

The subcommittee will be meeting frequently to move this forward quickly.

4. Rotation of Committee Members.

Michael Perry, Elaine Sorbet and Jim Eychaner will be rotating off the committee. If any of the associate members are interested in being a part of the committee, please complete an application. It is available on the TNI website.

5. TNI Newsletter Article

Marlene put an article together. This can be found in Attachment C.

6. FAC Charter

Mike Miller commented that there is a lot missing in the Charter. He feels there should be some mention that FAC supports NEFAP. Should something about the LEAD program also be included? We should list what the committee is working on. He feels it is too general.

Marlene and Bob pointed out that the NEFAP Board does not know yet how the FAC will be involved in the implementation so it would be difficult to put more detail in the Charter. Bob emphasized that this committee needs to be focused on standards development only. Marlene commented that there is some overlap in what is in the FAC Charter and what is expected to be in the NEFAP Board Charter. JoAnn commented that we need to leave things the way they are and then revisit after the NEFAP Board is up and running.

The committee decided to put a put this topic on the Back-burner – Revisit charter based on the development of the NEFAP Board.

Iiona will update the membership list on the website.

7. Open Action Items

See chart.

8. New Items

- STAC Testers
Acid Rain program. Marlene needs an update on this. Mike Miller will follow up on this.
- Justin gave a poster presentation at the Midwest Groundwater Conference. He feels it may have been a little too technical. He will forward it to the committee and look for some input to improve it for other conferences. We need a couple of different posters based on the audience. JoAnn and Justin will work on a list of what has been done and what is needed. This is something the Advocacy Committee will probably use.

9. Next Meeting

The next meeting of the FAC will be November 24, 2009 at 3pm EST.

Action Items are included in Attachment D and Attachment E includes a listing of reminders.

The meeting was adjourned at 5:10 pmEST.

**Attachment A
Participants
TNI Field Activities Committee**

Members	Affiliation	Balance	Contact Information	
Marlene Moore (Chair) Present	Advanced Systems, Inc	Other	(302)368-1211	mmoore@advancedsys.com
Dane Wren Present	Wren Engineering, P.A.	Other	(407)833-0061	dwren47@aol.com
Jim Eychaner Absent	USGS, Water Resources, Western Region	Other	(916)278-9555	eychaner@usgs.gov
John Moorman Present	Water Quality Monitoring Division, South Florida Water Management District	FSMO	(561)753-2400 x4654	jmoorma@sfwmd.gov
David Speis Absent	Accutest Laboratories	Accred. Lab.	(732)329-0200	davids@accutest.com
Jan Wilson Present	CAMMIA Environmental	Other	(360)904-8416	WQL@aol.com
Jo Ann Boyd Present	Southwest Research Institute	Accred. Lab.	(210)522-2169	joann.boyd@swri.org
Michael Perry Absent	Southern Nevada Water Authority,	Accred. Lab.	(702)856-3513	michael.perry@snwa.com
Elaine Sorbet Present	Louisiana Dept. of Environmental Quality E44(DEQ)	Accred. Lab.	(225)219-9800	elaine.sorbet@la.gov
Michael Miller Present	Consultant	Other	(908)233-9624	mwmilleranaly@yahoo.com
Brian Conner Present	A2LA	AB	(301)644 3216	bconner@a2la.org
Robert P. DiRienzo Present	AIHA (ALS)	AB	(801)266-7700	dirienzo@datachem.com
Justin B. Brown Present	EMT	FSMO	(847)324 3350	jbrown@emt.com
Ilona Taunton (Program Administrator) Present	The NELAC Institute		(828)712-9242	tauntoni@msn.com

Attachment B

Final DRAFT TNI Lead Proposal

Recommendation to USEPA on Environmental Lead Regulations

Current Regulations

1. Categories to do the Lead abatement work include; Certified Inspectors, Certified Dust Sampling Technicians, Certified Risk Assessors, Certified Supervisors, Certified Project Designer, Certified Abatement Workers, and Certified Renovators. The certification of these personnel is every 3 years. The certification criteria are in 40 CFR Part 745.226(a)-(e).
2. Laboratories performing the Lead analyses need only to be "Recognized" by EPA. There is also EPA Recognition of Test Kits used for Lead analyses.
3. There is Accreditation of Training Programs used to certify the personnel involved. The training program accreditation is every 4 years. The criteria for accreditation of training programs are at 40 CFR Part 745.225. There are requirements for initial training courses and refresher training courses.
4. There is also certification of firms doing the Lead work. There appear to be 2 principal activities that the firms do: (a) Lead-Based Paint Activities, and (b) Renovations. The certification of firms is every 5 years. The criteria for certification of firms is at 40 CFR Part 745.226(f).
5. The other critical element of all this is Work Practice Standards. 40 CFR Part 745.86(b)(7) describes the required activities in removal of lead paint, and 40 CFR Part 745.85 has the work practice standards for this activity. For Lead Based Paint Activities, the work practice procedural order appears to be (a) Inspection, (b) Risk Assessment, and the (c) Abatement.
6. The Certified Renovator responsibilities appear to be at 40 CFR Part 745.90.
- 7) All paint chip, dust, and soil samples must be collected by a Certified Inspector or Certified Risk Assessor.

TNI Executive Summary

TNI is recommending a three tiered approach of training and accreditation activities. The distinction between personnel certification (Tier1) and the other tiers is the production of analytical data for decision making purposes.

TNI Recommendation

The TNI recommendation is for the USEPA to establish a tiered approach to Environmental Lead regulations. Each tier below will summarize in bullet form requirements and also establish roles and responsibilities for the USEPA and TNI in each tier.

It is not the objective of this recommendation to complete all the details for each tier but to outline those elements needing further discussion and the development of specific approaches.

Tier I. Personnel Certification

Summary Requirements:

- This tier does sampling but does not produce any testing data used for decision making.
- Personnel Certification is based solely on training courses provided by qualified individuals and organizations and includes but not limited to Inspectors, Dust Sampling Technicians, Risk Assessors, Supervisors, Project Designer, Abatement Workers, and Renovators.
- Training Certificates of Attendance are required for any Personnel Certification.
- USEPA sets requirements for training courses which includes but not limited to applicable regulations and other elements (documentation, records and safety issues) for training which will be discussed during subsequent meetings of this subcommittee.
- A registry can be setup to recognize certified personnel but is not required.
- Applicable regulations already establish this type on certification needed.
- This tier may use screening methods but data is not available for regulatory decisions.

Tier I - Standards and Requirements:

- 40 CFR Part 745.226
- 40 CFR Part 745.225
- 40 CFR Part 745.86
- 40 CFR Part 745.85
- 40 CFR Part 745.90

USEPA Role:

- Develop training curriculum/requirements for personnel certifications.
- Establish MOU and Grant with TNI for Training Registration Program

TNI Role:

- Registration of Training Programs
- Review training program to specified requirements.

Tier II. Field Sampling and Measurement Organization (FSMO) Accreditation

Summary Requirements:

- This tier does sampling and produces testing in the field used for decision making.
- Internal or external training based on Tier 1 is appropriate competency for field sampling personnel
- This tier requires accreditation for field activities and analyses.
- Requires TNI FSMO standard for FSMO (Volume 1).
- Testing Methods, Instruments, and Test Kits must be approved by USEPA.
- Accreditation requirements must include TNI standard and LQSR3.



LQSR Version 3

- Scope includes types of sampling and testing/instrumentation/test kits for data production.
- Scope includes matrix type (i.e. paint, dust and soil)
- Maintain website of accredited FSMO for Environmental Lead

Tier II - Standards and Requirements:

- LQSR Version 3
- TNI FSMO Volume 1
- TNI FSMO Volume 2

USEPA Role:

- Require third party accreditation for Tier II.
- Establish MOU with TNI for the oversight of accreditation bodies.
- Establish grants for the development of an accreditation website.
- Participate in standards development with TNI to address Environmental Lead.

TNI Role:

- Provide oversight and accreditation for FSMO Accreditation Bodies (AB) for the Environmental Lead programs in accordance with TNI FSMO Volume 2. (NEFAP)
- Develops, revises and implements standards through consensus process for FSMO and AB specific to Environmental Lead programs.
- Maintains accreditation website for accredited FSMO
- Liaison between accreditation bodies, accredited FSMO and USEPA

Tier III. Fixed Laboratory Testing for Environmental Lead Accreditation

Summary Requirements:

- This tier produces testing data for decision making.
- Use existing MOU through NLLAP for laboratory accreditation.
- Accreditation requirements must include LQSR3.
- Scopes must include approved EPA methodology by matrix.
- If field sampling is performed, this tier requires additional elements in TNI FSMO standard and scopes used in Tier II.

Tier III - Standards and Requirements:

- LQSR Version 3
- TNI FSMO Volume 1
- MOU – AIHA and A2LA

USEPA Role:

- Approve MOU's with accreditation bodies for laboratory accreditation.
- Begin dialog with TNI on oversight of NLLAP accreditation bodies.

TNI Role:

- Provide standards development process for LQSR.
- Provide oversight of Environmental Lead Accreditation Bodies (AB) for the NLLAP laboratories in accordance with TNI FSMO Volume 2 and LQSR3.

Conclusions

Outcomes from this proposal are:

TNI NEFAP MOU will build a structure for oversight of accreditation bodies through consensus and dialog between USEPA and all Environmental Lead stakeholders.

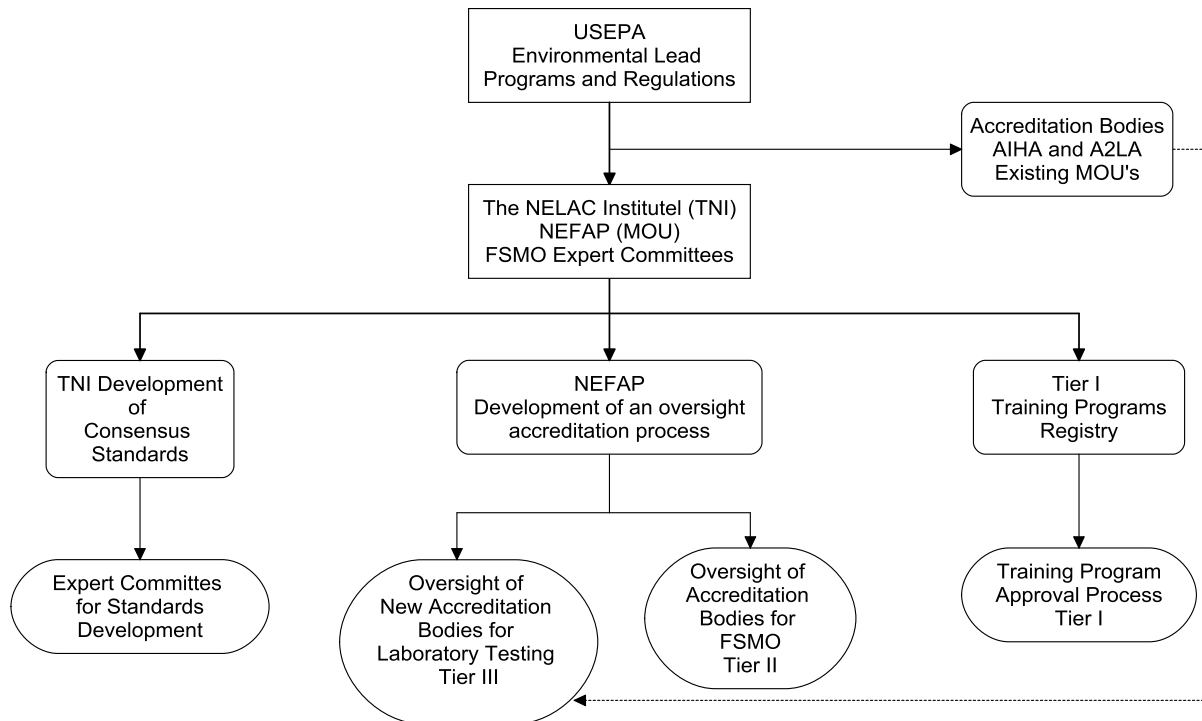
Standards development using an existing voluntary consensus standards development process in an organization in compliance with OMB Circular A-119 and ANSI approved.

Revised and develop standards to address environmental lead program for FSMO, laboratories and accreditation bodies.

Develop of a progressive process for accreditation that allows small organizations and individuals to participate in Environmental Lead Programs.

Maintain and provide information for public access on accreditation and training.

Flow Diagram of Process:



Next Steps:

TNI Board of Directors approves recommendations in this memorandum.

USEPA requires Tiered approach as proposed for Environmental Lead Programs.

USEPA establishes MOU with TNI for FSMO accreditation body oversight.

NEFAB develops process for accreditation body oversight.

Attachment C

TNI Newsletter Article

The TNI Board has confirmed the TNI Field Activities committee recommendation for the membership and establishment of the National Environmental Field Activities Program (NEFAP) Board.

The NEFAP Board has representatives from all interested parties. The initial term is for one year. During the first year, the board members are charged with developing the program procedures and policies for operation of the field activities accreditation program. If you have input or questions, please feel free to contact any of the members.

Chair: Marlene Moore

Accreditation Bodies: Scott Evans – STAC, Cheryl Morton – AIHA, Brian Connor - A2LA, Keith Greenway – ACLASS, Douglas Berg - PJLA

Other: Jan Wilson, Mike Miller, Patrick Conlon (ESI), Michelle Henderson (EPA)

Field Sampling Measurement Organizations: Dane Wren, Kim Watson (Stone Environmental Inc), Calista Daigle (Shaw - National Air Measurements Group), Justin Brown (Wastewater), John Moorman (Water Quality, South FL Water Management Dist)).

The Field Activities committee and NEFAP board are developing standards, policies, procedures and implementation programs for the USEPA Environmental Lead Regulations and stack testing requirements as defined in ASTM D7036. These programs are using the TNI FSMO standards and program specific requirements as the basis for the recognition process. Discussion of these kick-off programs will be presented during the January 2010 TNI forum. Input from all parties is encouraged either at this meeting or by email.

Attachment D

Action Items – FAC

	Action Item	Who	Expected Completion	Actual Completion
2	Get feedback from Ed Hartzog regarding NEFAP. Update: Nothing to report yet. They are still not supporting our program.	Marlene	7/09	
9	Prepare summary and proposal for lead program.	Chair: Bob	End of September	Complete
14	Write article about NEFAP for TNI newsletter.	Marlene	10/28/09	Complete
15	Review Justin's poster presentation.	All	When available.	
16	Review committee charter and get comments back to Marlene.	All	10/ 26/09	Complete
17	Update FAC membership list on website.	Iлона	11/24/09	
18	Give Lead Proposal to TNI Board before their next meeting.	Iлона	12/4/09	
19	Get STAC update for next meeting.	Mike	11/24/09	
20	Prepare a list of what marketing material is available and what is needed. Consider Justin's poster he used at the Midwest Groundwater Conference.	Justin Jo Ann	12/31/09	

Attachment E

Backburner / Reminders – FAC

	Item	Meeting Reference	Comments
1	Review FAC Charter after NEFAP Board responsibilities are established.	10-29-09	
2			
3			
4			