

Summary of the NELAP Accreditation Council Meeting

April 16, 2012

1. Roll call and Approval of Minutes

The NELAP Accreditation Council (AC) met at 1:30 pm EST on April 16, 2012. Minutes of the April 2, 2012, meeting were approved. Those members in attendance are listed in Attachment 1.

2. Action Items Pending

- Open Meeting of AC for May 7, 2012 – create draft agenda, compare email address list with managers' list from the state assessor group, send announcement
- Draft Response to TNI Board regarding Use of DoD-DOE reports (AB/TF Option #5)
- SIRs – discussion of “needs discussion” votes, 1-2 each AC meeting
- Approval of TIA for PT corrections to the TNI Standard (V1,V2)
- Follow new Task Force addressing third party AB option
- Follow-up to commitments made in Sarasota – complaint process, consistent FoAs, and item from TNI Board letter of 3/10/10 requesting review of AB Operations
- Discussion of item raised by Michelle Wade concerning difference in “Technical Director” between 2003 NELAC and 2009 TNI standards.
- Policy Committee Review and request for revisions to Voting SOP (3-XXX, Rv 1)
- Suggestion to have Kathy Gumpfer meet with AC to discuss consistency (on indefinite delay – keep?)

3. Follow-Up on Open AC Teleconference, Planned for May 7, 2012

Aaren noted that she had not yet emailed the invitation, and promised to do that promptly. She asked whether AC members had any additional agenda items to add, but none were suggested.

4. TNI Board Activities

Susan Wyatt and Scott Siders have been elected to the TNI Board; Aaren and Joe were re-elected. The new Board chose its officers to be Sharon Mertens as Chair, Aaren as Vice Chair, and retained Alfredo Sotomayor as Secretary and David Spies as Treasurer.

The Board considered a rough draft of a statement of support for the NELAP program. After discussion, the draft was returned to the Executive Director for refinements, and will be re-considered at the next Board meeting.

5. Follow-up from New Task Force Addressing Non-Governmental AB Involvement in National Accreditation (ABTFII)

This group was chartered by the TNI Board to continue addressing how “third party” (now referred to as “non-governmental”) Accreditation Bodies (NG/ABs) can become part of a truly national program for accrediting environmental laboratories to the NELAP standards. The members named by the Board are Judy Duncan (Chair), Alfredo Sotomayor (Vice

Chair), Keith Greenaway (ACCLASS), Aaren (NELAP AB), Sharon Mertens (lab), Elizabeth Turner (lab), Sue Boutros (lab), Judy Morgan (lab), with Carol Batterton as staff and both Jerry and Lynn as resource people. Steve Arms will serve as an associate member, and Stephanie Ostrowski and Michelle Wade have also asked to be associate members of this group.

Aaren discussed the group's first meeting on April 9, as being organizational in nature – drafting the charter and establishing twice-monthly meeting dates. The initial activities of the group will be to prepare a plan for implementing use of NG/ABs to offer accreditation to the NELAP standard to labs not intending to do work in or for a NELAP state, so that the plan can be presented at conference in Washington. The mission was approved as follows:

The purpose of this task force is:

- 1) To propose an implementation plan to allow non-governmental ABs to grant accreditation in accordance with the TNI Environmental Laboratory Sector Standard;
- 2) To develop a concept for a national accreditation program that incorporates both governmental and non-governmental accreditations, and
- 3) To facilitate mutual recognition among all recognized accreditation bodies.

6. Vote on Recommendation of KS Evaluation Team

The Team's recommendation that Kansas be renewed was accepted and voted upon. Three AB representatives were absent and have been asked to vote by email, no later than Monday April 30. During the teleconference, there were 11 "yes" votes with KS abstaining. (NOTE: two additional "yes" votes have been received as of April 19.) The motion to accept the recommendation for renewal specifically included the team's recommendation that "the KS DHE ELIPO program voluntarily notify the NELAP Accreditation Council if the proposed 120 day timeline cannot be met for hiring the Program Manager or if the one year time frame cannot be met for completion of all required training. Should either or both of these commitments be missed, KS-DHE should include revised completion date(s) along with a justification(s) for the change."

7. Temporary Interim Amendment to the Standards, addressing WET PTs

The AC was asked to approve the TIA adopted by the PT Expert Committee on Thursday April 12 and sent to the Chair on Friday April 13. At its October 17, 2011 meeting, the AC had requested this TIA to resolve certain issues that did not carry into the TNI standard from the previous (NELAC) standard, and a draft TIA had been posted for comment prior to conference in Sarasota. The final language of the TIA was slightly different but not objectionable.

The AC discussed the TIA and the process for adopting it, at length, as well as how the varied state mechanisms might apply. The NELAP ABs that incorporate the standards by reference will need to do nothing, since the TIA-amended standard will become the referred-to version, but ABs that adopt by regulation will need to conduct rule-making before the TIA-amended version can be adopted. Steve Stubbs of TX stated that TX needs this standard to be approved before the July round of PTs so that the WET PTs don't otherwise have to be done twice yearly (the DMRQA only required once.)

Despite urging from outsiders, the AC declined to take formal action, and tabled the discussion until a future meeting. Our reasoning was that there is no officially adopted process for the AC to receive and approve or accept this TIA-amended standard, but with

all other steps to implement the TNI Standards, they came to the AC through the LAS EC rather than directly from the Expert Committee, as well as the extremely short time period allowed to actually consider and review the amended standard (only a few hours for most of the AC, at maximum.) NOTE: the LAS EC met on Wednesday April 18, and Aaren participated. The LAS EC did vote to approve the TIA-amended Standard and will recommend it to the AC for a future-but-early vote.

8. Consideration of Sample Report from a DoD AB, for AB/TF Option #5 Assigned to the AC

The AC has discussed this referred Option on several different occasions, but declined to make any firm decision until one or more example reports could be reviewed. Despite several offers, none became available until early April, when a redacted report was provided (with insistence that it NOT be distributed beyond the AC) by a lab which received its accreditation from one of the Defense Department's contracted ABs.

Several ABs noted that this example differed from reports shared by labs which they accredit, so it seems clear that each AB has its own format. Also, no report is available from a lab accredited by the DOE program. Still, some ABs indicated that they could use the reports for "pre-assessment activity" while others indicate certainty that from the information provided, their state attorneys would not allow use of the reports in any way. TX was the only AB indicating that the DoD AB report could "probably" be used to reduce its workload. Others had concerns over what the other standards referenced in the report actually are, and whether the credentials of the assessors would meet the NELAP requirements, and CA noted that each lab's activities are highly dependent on the language of its specific contract with the federal department, so that the methods used may not be those normally reviewed by NELAP ABs and other concerns.

The general consensus of this discussion was similar to all previous discussions of this topic, that for most ABs, the reports would be somewhere between "interesting" and "useful" but that it will not be possible to accept such another organization's report as the sole basis for granting a NELAP accreditation. It may still be that joint assessments can be performed, and site visits tailored to focus more on items not reviewed by the other AB.

Lynn agreed to draft a response back to the TNI Board concerning this assignment, and circulate it for AC review, refinement and eventual approval.

9. Next meeting

The next AC meeting will be the OPEN MEETING on Monday, May 7, 2012, at 1:30 pm EDT. Teleconference information and an agenda were sent on April 17, and a reminder will be issued the week before. The agenda will include:

Roll Call by state

Brief update on how the NELAP program operates within The NELAC Institute (TNI)

Agenda items are received from participants, to include:

- o What your concerns are with the NELAP program,
- o What obstacles keep your state from participating more fully in NELAP,
- o Whether you would like to receive routine updates about NELAP activities by e-mail, and if so,
- o What issues are important for you to follow.

Attachment 1

STATE	REPRESENTATIVE	PRESENT
CA	Jane Jensen 510-620-3174 F: 510-620-3471 E: jjensen@cdph.ca.gov	yes
	Alternate: Fred Choske 510-620-3175 F: 510-620-3471 E: fchoske@cdph.ca.gov .	no
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: steve_arms@doh.state.fl.us	yes
	Alternate: Carl Kircher E: carl_kircher@doh.state.fl.us	yes
IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: scott.siders@illinois.gov	no
	Alternate: Janet Cruse T: 217-785-0601 E: Janet.Cruse@illinois.gov	no
KS	Michelle Wade E: MWade@kdheks.gov Ph: (785) 296-6198 Fax: (785) 296-1638	yes
	Alternate: none	
LA DEQ	Paul Bergeron T: 225-219-3247 F: 225-325-8244 E: Paul.Bergeron@la.gov	yes
	Altérnate: TBD	
LA DHH	Donnell Ward T: E: donnell.ward@la.gov	yes
	Alternate: TBD	
MN	Susan Wyatt T: 651.201.5323 F: E: susan.wyatt@state.mn.us	yes
	Alternate: Stephanie Drier E: stephanie.drier@state.mn.us	yes

NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	no
	Alternate: TBD	
NJ	Joe Aiello T: (609) 633-3840 F: (609) 777-1774 E: joseph.aiello@dep.state.nj.us	yes
	Alternate : TBD	
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568 E: seo01@health.state.ny.us	no
	Alternate: Dan Dickinson E: dmd15@health.state.ny.us	no
OR	Gary Ward T: 503-693-4122 F: 503-693-5602 E: gary.k.ward@state.or.us	yes
	Alternate: Scott Hoatson T: (503) 693-5786 E: hoatson.scott@deq.state.or.us	no
PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: aaalger@state.pa.us	yes
	Alternate: Dwayne Burkholder E: dburkholde@state.pa.us	no
TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: sstubbs@tceq.state.tx.us	yes
	Alternate: Steve Gibson E: jgibson@tceq.state.tx.us	yes
UT	David Mendenhall T: (801) 584-8470 F: (801) 584-8501 E: davidmendenhall@utah.gov	yes
	Alternate: Kristin Brown E: kristinbrown@utah.gov	no
VA	Cathy Westerman T: 804-648-4480 ext.391 E: cathy.westerman@dgs.virginia.gov	yes

	Alternate: Ed Shaw T: 804-648-4480 ext.152 E: ed.shaw@dgs.virginia.gov	no
	NELAP AC Program Administrator and Evaluation Coordinator Lynn Bradley T: 540-885-5736 E: lynn.bradley@nelac-institute.org	yes
EPA Liaison	Marvelyn Humphrey T: (281) 983-2140 E: Humphrey.Marvelyn@epa.gov	yes
	Quality Assurance Officer Paul Ellingson T: 801-201-8166 E: altasnow@gmail.com	yes
	Oklahoma: David Caldwell	no
	Guests: none	