

Summary of the NELAP Accreditation Council Meeting

April 3, 2017 1:30 pm Eastern

1. Roll Call and Approval of Minutes

The NELAP Accreditation Council (AC) met at 1:30 pm on Monday, April 3, 2017. Those present are listed in Attachment 1. Minutes from March 6, 2017, were approved as written.

2. Checklist of Additional Drinking Water Items for EPA State Primacy Recognition

Steve Arms presented the history and genesis of this list, which grew out of Advocacy Committee efforts to address an item from the TNI Strategic Plan about harmonizing EPA state certification and NELAP accreditation. Donna worked with the Drinking Water Technical Support Center and the EPA Regional Certification Officers (COs) to identify items that the COs look for when auditing for state certification programs for the purpose of primacy designation.

All NELAP ABs comply with the checklist's requirements that are codified in regulation, but there are a few items on the list that the Agency treats as "requirements" which are, in fact, only "guidance" from the Certification Manual – per their state laws, some NELAP ABs cannot comply with those non-regulatory requirements. During discussion, it became clear that those non-regulatory items could not be written up as findings because 1) they are not part of the TNI standard and 2) some ABs would not be able to provide corrective actions agreeing to abide by them. If EPA evaluators participate in the NELAP site visit, these items would be addressed by EPA personnel, but if EPA conducts a separate audit of the NELAP AB for state primacy purposes, then no purpose is served by the NELAP Lead Evaluator posing those questions.

NELAP ABs require that accredited labs meet the EPA regulatory requirements, but do not necessarily require that NELAP-accredited labs comply with all of the Certification Manual. In C. Dougherty's 2009 memo stating that the Agency accepts NELAP accreditation in lieu of drinking water certification, there is no mention of requirements beyond the TNI standard. The standard does require that labs meet all regulatory requirements. Both the checklist and the 2009 memo were attached to the March 6, 2017, AC minutes and are not duplicated here.

The discussion was tabled indefinitely, with the caveat that, if EPA were to ask that NELAP evaluations include all items on the checklist, and all EPA regions agreed to cooperate with that plan, the issue could be re-opened. Meanwhile, many ABs will utilize the checklist as prepared by Donna for their internal use but it will not become part of the formal evaluation process. Donna agreed to provide a revised version of the checklist (with at least one additional citation to a regulation) for posting to the NELAP web page on the TNI website.

3. MN Evaluation Team Recommendation

An updated recommendation, including a description of MN's self-identified and self-corrected finding with updated Field of Accreditation table, was distributed prior to this AC meeting. Scott moved and Sara seconded to accept the team's recommendation to renew the recognition of MN as a NELAP AB. Nine "yes" votes were cast during the meeting, with one abstention.

NOTE: four additional “yes” votes were cast by email, with the last vote arriving on April 5, 2017. This action closes out the 2014-2016 round of NELAP evaluations.

4. Status of LA DHH

Aaren and Paul spoke with Steve Martin on March 15, 2017, about the status of LA DHH, and Steve followed up with a letter affirming its status. LA DHH has received applications for a replacement staff person and is nearing the end of the contracting process to bring Louis Wales back on contract to support the program in the interim as well as to share information with the new hire. There was no further discussion about LA DHH’s status.

5. Discussion with Chemistry Expert Committee about Planned Revision to V1M4

The Chemistry committee had asked that both the AC and LASEC provide at least an informal approval of the technical edits already agreed to, prior to re-opening V1M4 for revision. LASEC had no adverse comments on the edits.

Several more revisions were requested by the AC, to §1.5.2.1.1:

- when talking about each applicable instrument, replace the word "replicate" with "at least one spike sample and routine method blanks", since the term replicate may be thought to imply that at least two samples per instrument must be performed.
- concerning the note -- since there is no specific document reference, the note should be deleted. If there is a TNI-controlled document (as opposed to an EPA document) that can be used as permanent reference placed on the TNI website, then it would be acceptable to keep the note with that reference included. The MDL SOP is at https://www.epa.gov/sites/production/files/2016-12/documents/mdl-procedure_rev2_12-13-2016.pdf but the Method Update Rule (MUR) that was supposed to promulgate that procedure has not yet been published and may never be. A link to an unnamed, non-regulatory EPA document is not appropriate, even on the TNI website – Council members strongly believe that, if it's going to be referred to in the TNI standard, it needs to be a TNI document on TNI website that TNI controls.

NOTE: There is a note published at <https://www.epa.gov/cwa-methods/methods-update-rule-2016> stating that the MUR has been withdrawn but Donna advises that even though it has been withdrawn from the Office of the Federal Register, it is still under consideration within the Agency, and the Office of Water is seeking a way forward to its publication.

6. LASEC Recommendation that NELAP AC Accept V2M2 with Edits

LASEC provided a recommendation that the AC accept the technical edits made to the PT Module of Volume 2 (V2M2.) These edits were made so that V2M2 matches the edits made to the laboratory PT module, V1M1. The recommendation text is in Attachment 2, below.

Scott moved and Vanessa seconded that the AC accept the recommendation from LASEC, affirming that the edits are acceptable. Nine “yes” votes were cast during the meeting, with five “yes” votes cast by email. The motion was formally approved on April 6, 2017, with fourteen “yes” votes.

7. USE of NEFAP Accredited Sampling Organizations

Paul asked that, where possible, all NELAP ABs encourage their accredited labs to utilize

NEFAP-accredited samplers, to better ensure that their data are of known and documented quality. In response to questions, Paul indicated that perhaps a half dozen sampling organizations are accredited, and noted that LDEQ requires its air samplers to be accredited and recognizes NEFAP accreditations for that purpose.

8. Updating the Evaluation SOP to Include the Amended COI “Participation” Form

Since there were no objections to the use of the updated Participation Form that was introduced during the March 6 meeting, Lynn asked if anyone objected to formally updating the Evaluation SOP 3-102 to include it, and correcting a few typos identified during the evaluator training. The new form was included with the March 6 minutes and will not be duplicated here; it was approved at the close of an email vote, last month, with all votes affirmative.

The draft NELAP Evaluation SOP 3-102 Revision 4.1 was distributed with the meeting reminder for this April 3 AC meeting. Since there were no objections, Revision 4.1 was presented to Policy Committee on April 7, and approved for presentation to the TNI Board of Directors. This revised version will be updated on the website once finalized and approved.

9. Updated Charter

An updated charter for the NELAP AC was distributed with the meeting materials, but there was inadequate time to address it. Charters are due to the TNI Board in May.

Aaren asked that all representatives look at the proposed charter and send any edits to Lynn, so that the document may be finalized at the May 1 AC meeting. The draft charter is included as Attachment 3, below.

10. Next Meeting

The next teleconference meeting of the Council will be on Monday, May 1, 2017, at 1:30 pm Eastern time. Teleconference information and meeting materials will be distributed with the meeting reminder.

Attachment 1

STATE	REPRESENTATIVE	PRESENT
FL	Carl Kircher E: carl.kircher@flhealth.gov	Yes
	Alternate: Vanessa Soto E: Vanessa.sotocontreras@flhealth.gov	Yes
IL	Celeste Crowley T: 217-557-0274 F: 217-524-6169 E: celeste.crowley@illinois.gov	Yes
	Alternate: Becky Hambelton Rebecca.Hambelton@Illinois.gov	No
	For information purposes: Kathy Marshall Kathy.Marshall@Illinois.gov	
	For information purposes: John South John.South@illinois.gov	
KS	Sara Hoffman shoffman@ks.gov	Yes
	Alternate: N. Myron Gunsalus 785-291-3162 E: ngunsalus@ks.gov	No
LA DEQ	Paul Bergeron T: 225-219-3247 E: Paul.Bergeron@la.gov	Yes
	Altérnate: TBD	
LA DHH	Steve Martin stephen.martin@la.gov	No
	Alternate: Errin Rider 225-219-5235 Errin.rider@la.gov	No
MN	Lynn Boysen E: lynn.boysen@state.mn.us	Yes
	Alternate: Stephanie Drier 651-201-5326 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: Tyler Croteau Tyler.Croteau@des.nh.gov	No
NJ	Michele Potter T: (609) 984-3870 F: (609) 777-1774 E: michele.potter@dep.nj.gov	Yes
	Alternate : Rachel Ellis E: rachel.ellis@dep.nj.gov	No
NY	Victoria Pretti 518-485-5570 victoria.pretti@health.ny.gov	No
	Alternate: Lynn McNaughton lynn.mcnaughton@health.ny.gov	No
OR	Scott Hoatson Agency Quality Assurance Officer Oregon Department of Environmental Quality 503-693-5786 E: hoatson.scott@deq.state.or.us	Yes
	Lizbeth Garcia Lizbeth.garcia@dhsosha.state.or.us	No
	Included for information purposes: Stephanie Ringsage, Manager, Laboratory Compliance Section 503-693-4126 stephanie.b.ringsage@state.or.us	No
	Included for information purposes: Chris Redman christopher.l.redman@dhsosha.state.or.us	
PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: aaalger@pa.gov	Yes
	Alternate: Yumi Creason E: ycreason@pa.gov	No
TX	Ken Lancaster T: (512) 239-1990 E: Ken.Lancaster@tceq.texas.gov	Yes
	Julie Eldredge E: Julie.Eldredge@tceq.texas.gov	Yes

UT	Kristin Brown T: (801) 965-2540 F: (801) 965-2544 E: kristinbrown@utah.gov	No
	Alternate: Jill Jones T: (801) 965-3899 E: jilljones@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 PA and EC	Lynn Bradley T: 540-885-5736 E: lynn.bradley@nelac-institute.org	Yes
EPA Liaison	Donna Ringel T: 732-321-4383 E: Ringel.Donna@epa.gov	Yes
California	Christine Sotelo Christine.Sotelo@waterboards.ca.gov	No
Oklahoma	David Caldwell E: David.Caldwell@deq.ok.gov	Yes
Guests:	Steve Arms, NELAP Lead Evaluator Arms.steve@comcast.net	

Attachment 2

Recommendation of LASEC to NELAP AC

TNI Standard V2M2, Proficiency Testing, now includes technical clarifications to match the final version of V1M1 (PT for labs) as approved by the NELAP AC on January 23, 2017. This revision has been approved by PT Expert Committee on February 3, 2017, meeting, and the changes were approved as “only editorial” by CSDEC on February 27, 2017. The revised V2M2 was submitted to LASEC on February 3, 2017, for review and formulation of revised recommendation to the NELAP AC.

APPROVED BY LASEC March 28, 2017

The LASEC has reviewed the re-edited Proficiency Testing Module V2M2 as revised and approved by the PT Expert Committee at its February 3, 2017, meeting and recommends that the NELAP AC find the revised edits in the accompanying version. All edits to V2M2 were made to match the editorial revisions to V1M1 that addressed the AC’s objections and additional comments from the NELAP AC. Those V1M1 revisions were approved by the NELAP AC as of January 23, 2017.

The editorial revisions to V2M2 follow:

AB definition

The definition of Accreditation Body has been deleted.

Successful PT

The “note” in V2M2, §4.1.5 (c) was revised to replace “real” with “routine” as was done when the note was copied into V1M1. The revised note reads:

*“Note: “Acceptable” PT study scores from a PT Provider do not automatically result in a successful evaluation of a PT study by an AB. For example, failure to report an analytical method or reporting of an incorrect method, failure to provide the PT Provider with a release of results to the AB before the close of the study, failure to report results to the PT Provider before the closing date, failure to handle PT study samples in the same manner as **routine** environmental samples, etc. may be cause for an unsuccessful evaluation by an AB.”*

PT Provider

Throughout sections 4 and 5, PTP was replaced with “PT Provider” for clarity.

NELAP Accreditation Council

2017 Charter

(Revised: **Draft for Review Spring 2017**)

Mission

The NELAP Accreditation Council (AC) has final authority for implementation of the program for the accreditation of environmental laboratories within The NELAC Institute (TNI.) Ensures a national program through mutual recognition.

Composition of the Committee

1. The NELAP Accreditation Council consists of one individual appointed by each recognized Accreditation Body (AB,) with an alternate if desired, and one Ex-Officio member representing EPA.
2. The nature of the committee's operations makes it inappropriate to allow associate members.
3. Balance of stakeholders is not appropriate for the AC.

Objectives

1. Review and approval of existing and prospective ABs to become or remain NELAP-recognized.

Success Measures:

- Periodically evaluates all NELAP-recognized ABs to ensure their conformance to the requirements established by this organization.
- Evaluate applicant ABs with equivalent processes to those of current ABs.

2. Coordinate with the Laboratory Accreditation Systems and Proficiency Testing Program Executive Committees for program management activities:

- i. LASEC -- Inclusion of new standards into the NELAP program, interpretations and clarification of the NELAP standards and adopt policies and procedures prepared for use within the AC
- ii. PTPEC -- Adopt relevant acceptance limits for proficiency testing developed by the PT Executive Committee.

Success Measures:

- Continued smooth operation of the program.

3. Implement a national program for the uniform and consistent accreditation of environmental laboratories.

Success Measures:

- Participant ABs actively work towards consistency of program operations, resolving inconsistencies as they are identified.

4. Work Plan: the AC will create or review its Work Plan on at least an annual basis and as part of any internal audit process.

• Success Measure

- Work plans are presented to the TNI Board for review on at least an annual basis.

Decision Making

- Decisions of the NELAP AC are made by following the NELAP Voting SOP 3-101.

Available Resources:

- Appointed AB representatives
- Teleconference and A/V services
- Program Administrator support
- On-line storage, maintenance and archiving of SOPs, Policies and related documents

Anticipated Meeting Schedule:

- Teleconferences: regular schedule of calls to be published on the TNI website.
- Face-to-face meetings as needed at TNI conferences.