

Summary of the NELAP Accreditation Council Meeting

April 7, 2014

1. Roll Call and Approval of Minutes

The NELAP Accreditation Council (AC) met at 1:30 pm EST on Monday, April 7, 2014. The minutes from March 3, 2014, were approved with one edit (made prior to posting to the website) and the minutes from March 17 were approved as well. Later in the meeting, Myron introduced the new KS staff person and AB alternate, Rudy Ghijzen.

Those members in attendance are listed in Attachment 1.

2. Action Items Pending

- Prepare and issue new certificate to LDEQ for renewal date 9/10/13, to expire November 16, 2015; PA will notify the Regional Office once copy of certificate is available.

3. Assessor Call Adjustment

The May 5 assessor call will be led by Aaren, on the topic of supervisor qualifications and the Technical Director position, covering how to evaluate transcripts and related issues. This is a “hot topic” in PA now, and since the previous volunteer needed to withdraw, she is happy to have the opportunity to get more input on this issue. A “hold the date” announcement has been sent.

4. Meeting Scheduling and SIRs

Aaren noted that several months back, she had asked about changing the AC meeting schedule to once per month (as other committees typically meet), but that we had kept the second meeting of each month for discussing SIRs. Since there are only a handful of SIRs on the AC voting site, she asked if the AC could drop the second meeting now.

Lynn noted that the LAS EC Chair, Judy Morgan, wants to discuss two particularly problematic SIRs with the AC this month, so that the April 21 meeting will be retained.

Aaren asked that AB representatives keep the time open for the second meeting (third Monday of each month), but unless there is SIR business to be discussed, that meeting will normally be cancelled in the future.

5. Mobile Labs

Now that information about AB handling of mobile lab accreditations is gathered (see Minutes of March 3, 2014, on the TNI website), the Council is able to discuss this issue with the NEFAP EC. Paul noted that he chairs the NEFAP Mobile Lab Subcommittee,

which is gathering information and will likely survey the mobile lab stakeholder community and the non-NELAP states as well, to clarify accreditation requirements and definitions of mobile labs.

The underlying issues are avoiding the necessity for a rapid granting of primary accreditation when a mobile lab moves into a state to perform work, and the potential restraint-of-trade issue that a mobile lab cannot be considered qualified to perform work in some states until it obtains primary accreditation, so that use of a mobile lab in a proposal for work in some states actually requires that the lab already have primary accreditation.

Various scenarios for accommodating this were discussed:

- secondary accreditations and the testing of state-unique analytes
- fees and time-on-location for the mobile lab
- need for a site visit during the time it is located in a different state than the one holding its primary accreditation
- whether the primary accreditation must be the state where the samples are being obtained
- what should occur when mobile lab vehicles are equipped with needed equipment prior to locating at a new site, so that a previous site visit wouldn't have assessed the current configuration
- what should occur when the "mobile lab" is simply a trailer that normally resides and is used at the parent lab's fixed address, but can be hauled offsite at which time it would require a separate accreditation.

NY noted that it had a case where a mobile lab had been working in-state for two years with a non-NY primary accreditation, before requesting a secondary accreditation in NY, and that the outcome of this case may have been the underlying cause of the major complaints. NY now determines the necessity for primary accreditation on a case-by-case basis; for short terms in-state, secondary accreditation might be acceptable, but that two years definitely makes a mobile lab "resident" for NY purposes. NJ noted that they had tried to create an SOP to address this issue, but found it impossibly difficult and stopped. KS noted that its regulations are under revision and this information will all be helpful in attempting to create clear rules.

LA DEQ indicated that most of its accredited mobile labs are in the in-state program, not its NELAP program, which would make secondary accreditations unavailable. This may or not be the case in other ABs. Another complicating factor is the fact that all current NEFAP ABs are non-governmental may make it difficult for some NELAP ABs to grant secondary accreditations even if a mobile lab is NEFAP-accredited. One participant with historical memory noted that someone from NY spent a year trying unsuccessfully to identify and document the various factors that need to be accommodated in mobile lab accreditation and recognition, about a decade ago.

The AC concluded that the best course is to await the outcome of the NEFAP EC and subcommittee survey and decision-making process. With Paul being active in both groups (NELAP and NEFAP), any needed exchange of information will be easily handled.

6. Transfer of Primary Accreditation to a New AB

The AC agreed that there is no value in doing more than gathering the information about

NELAP state practices for this issue, and that, for ordinary circumstances, any lab seeking to transfer its primary accreditation should do its own research in accordance with the change it desires. As has happened previously, with IL ceasing out-of-state accreditations and also the withdrawal of CA, the Council will reach out to labs if there is a large scale event that would require multiple labs to seek new primary ABs.

7. New Business – SIR 200

This SIR received its two-week notice for voting purposes, and there were several responses and a changed vote, as a result. Unfortunately, Lynn was not copied on this email, but upon hearing the news, intervened to request copies of the emails and to say that she would take this SIR back to the LAS EC's SIR subcommittee which already had a planned meeting for the following day. After some discussion, it was clear that while a standard change may be needed, there is also a need for an interpretation for this SIR. NOTE: this SIR along with SIR #180 will be the topics for the April 21 AC meeting.

8. Next Meeting

The next regularly scheduled meeting of the AC will be on Monday, April 21, 2014. This meeting will be a SIR discussion, primarily. An agenda and teleconference information will be sent out before the meeting.

Attachment 1

STATE	REPRESENTATIVE	PRESENT
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: steve.arms@flhealth.gov	Yes, but departing early
	Alternate: Carl Kircher E: carl.kircher@flhealth.gov	no
IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: scott.siders@illinois.gov	Yes
	Alternate: Janet Cruse T: 217-785-0601 E: Janet.Cruse@illinois.gov	No
KS	N. Myron Gunsalus ngunsalus@kdheks.gov 785-291-3162 Fax: (785) 296-1638	Yes
	Alternate: Rudy Ghijsen rghijsen@kdheks.gov 785-296-6198	yes
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	Lynn Boysen E: lynn.boysen@state.mn.us	no
	Alternate: Susan Wyatt T: 651.201.5323 F: E: susan.wyatt@state.mn.us	no
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 : Rachel Ellis E: rachel.ellis@dep.state.nj.us	no
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568 E: seo01@health.state.ny.us	Yes
	Alternate: TBD	
OR	Gary Ward T: 503-693-4122 F: 503-693-5602 E: gary.k.ward@state.or.us	No
	Shannon Swantek T: 503-693-5784 E: Shannon.swantek@state.or.us	yes
	Included for information purposes: 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@pa.gov	Yes
	Alternate: Yumi Creason E: ycreason@pa.gov	Yes
TX	Alice Colt T: (512) 239-3927 Alice.Colt@tceq.texas.gov	Yes
	Ruthie Wedig Ruth.Wedig@tceq.texas.gov	No
UT	Kristin Brown T: (801) 965-2540 F: (801) 965-2544 E: kristinbrown@utah.gov	Yes
	Alternate: Robert Aullman T: 801-965-2541 F: 801-965-2544 E: raullman@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	Marvelyn Humphrey T: (281) 983-2140 E: Humphrey.Marvelyn@epa.gov	No
Oklahoma	David Caldwell David.Caldwell@deq.ok.gov	Yes
Guests:		