

Summary of the NELAP Accreditation Council Meeting
June 18, 2012

1. Roll call and Approval of Minutes

The NELAP Accreditation Council (AC) met at 1:30 pm EDT on June 18, 2012. Minutes of the May 21 and June 4, 2012, meetings were approved. Those members in attendance are listed in Attachment 1.

2. Action Items Pending

- Final Response to Complaint from ACIL – interim communications sent June 21 to Board and ACIL
- Approval and adoption of WETT TIA
- Follow-up to commitments made in Sarasota – staff actions to add complaint processes of states to listing of ABs, along with several corrections (to be completed before July 16)
- Draft Response to TNI Board regarding Use of DoD-DOE reports (AB/TF Option #5)
- Request from LAB Expert Cmte to consider surveillance assessments and whether/how to revise V2 to lengthen the mandatory reassessment time beyond 2 years
- SIRs – discussion of “needs discussion” votes, 1-2 each AC meeting
- Follow new Task Force addressing third party AB option
- Policy Committee Review and request for revisions to Voting SOP (3-XXX, Rv 1)

3. Update on ACIL Complaint Letter to TNI Board

Aaren had circulated several drafts and sought clarification about the process to be followed per TNI’s Complaint Resolution SOP (SOP 1-106, which does not appear to be posted to the web site.) The latest draft was discussed and several possible options fleshed out.

Following the AC meeting, the TNI Policy Committee Chair advised, and the Board Chair affirmed, that the AC is the “decision body” for the ACIL complaint. Aaren determined, in turn, that the AC will consider the Evaluation Team to be the “investigative body” for the purposes of this complaint. Once that issue was resolved, on Thursday, June 21, Aaren sent two letters, one that directed to the TNI Board and one to ACIL regarding the NELAP AC’s initial response to the May 1 complaint from ACIL. AC members were copied on the email to the Board, conveying these letters.

4. TIA for PT Modules V1, V2 and V3 Concerning WETT

Susan worked diligently with the PT Expert Committee since our June 4 meeting, to address MN’s documentation and information needs, so that it will be possible to accept the WETT PT TIAs. Shortly before this June 18 meeting, the redline-strikeout versions of V1, V2 and V3 standards, plus the language approved by the PT Expert Committee, documenting rationale for changes, was circulated to the AC. Final versions of the rationale, on TNI letterhead, will be circulated prior to the next AC meeting.

A vote on the WET TIA is anticipated for the July 16 AC meeting. The LAS EC will have

considered the TIA documents at its June meeting, so that all prerequisite approvals will again have been accomplished.

5. Update on the ABTFII

Aaren described how this Board-appointed Task Force has most recently addressed the issue of which group should have the role of either recognizing or approving (wording to be determined) the ability of non-governmental ABs (NGABs) to grant accreditation to the TNI Environmental Laboratory Sector Standards (ELSS, or the NELAP Standard.) She asked for discussion about the possibility of having NGABs become part of the AC, full members except for the “mutual recognition” aspect.

Consensus was that the AC is a “mutual assistance agreement” among state ABs granting NELAP accreditations, that includes the enforcement of the standard as well as the administrative aspects, problem resolution and standards implementation aspects, and that NGABs could not be integrated into the enforcement aspects for 2 reasons: as non-governmental bodies, they have no enforcement authority and no obligation to report to government any fraud issues they might detect during an assessment, and also, the NGABs are bound by contract confidentiality, per ILAC, and couldn’t discuss individual lab assessments.

The core activities of each state’s recognition programs ought to be identified and classified as either inherently governmental, or not.

If a separate Non-Governmental ELAP (NGELAP?) were formed, the AC and NELAP states would need to remain connected to that “partner” aspect of the granting of accreditations, and the possibility of a tripartite coordinating group was offered, comprised of NELAP, NEFAP and NGELAP.

6. TNI Board Response to Florida Request for Information (RFI)

Aaren also discussed the Board’s submission to Florida’s RFI, which closed on Friday June 15. Since such submissions were to be sent to the FL representative on the AC, she made certain that Steve Arms was NOT on the call before she spoke. She discussed the concept of which core features define an AB, and to what extent the activities can be contracted while having the AB remain eligible for NELAP recognition. Certain ISO standards (17043 and Guide 34, for example) specify certain activities that may not be contracted.

Consensus was that the AC may need to adopt policies for aspects of this question that are not addressed in ISO 17011. The AC envisions that these policies will begin with the policy requested from the LAS EC several months ago – the policy concerning what degree of modification of a program structure would warrant re-evaluation of an AB’s program.

7. Follow Up Actions from ACIL Meetings at Sarasota Conference

The commitments made in Sarasota were reviewed, as listed below.

- Examine possibility of consistent in Fields of Accreditation (avoiding the need for second “primary AB,” but deemed unlikely-to-impossible since each AB must

address the requirements of its state's environmental programs, not the national need)

- Single, uniform application (in development by LAB Expert Committee)
- Desire for uniform SW846 method designations and removal of "outdated" methods (again, due to state ABs' need to serve the specific state's environmental programs, this is deemed unlikely-to-impossible)
- Exploring some way for labs to submit effective complaints with no possibility of retribution (again, deemed unlikely-to-impossible, since non-specific complaints are not actionable, as demonstrated by the recent ACIL complaint.) NOTE: The AC did request that staff add the state-specific complaint processes (internet URL or contact information) to the listing of NELAP ABs on the TNI website; this will be done before conference in DC
- Desire for consistent chemical nomenclature (unclear what this means? CAS numbers, method descriptions, PT analytes?)
- Consistent practices concerning accreditation of "prep methods" (again, state-specific environmental programs govern the AB's practices on this matter.)
- More timely action on requests to amend certificates of accreditation by expanding the scope, adding analytes. (States' chronic staffing shortages make this an intractable issue)

A survey was considered, asking the commercial labs or those having multiple Abs, to share where they find inconsistencies among NELAP ABs. Not operational practices but in interpretation and implementation of the standard, across various assessors and PT compliance determinations. It was agreed that no one within the AC has this expertise, but that perhaps we could work with Judy Morgan and ACIL to see if ACIL would be willing to provide definitive information about the "inconsistency" complaints. Further conversations about this need to occur, possibly in DC during conference.

The report from TNI's Consistency Improvement Task Force has now been delayed for nearly a year, so that the AC does not believe it wise to await that document as a useful information source.

8. Standards Interpretation Requests

Aaren noted that the Board has requested semi-annual status updates on the backlog of SIRs. AC representatives who serve on Expert Committees agreed to help in formulating the initial responses, by ensuring clear prose statements to clarify the standard(s,) without expressions of "intent" or opinion.

9. Next Meeting

The next AC meeting will be Monday, July 16, 2012, at 1:30 pm EDT; following that meeting, the AC will also meet on July 30 (the 5th Monday of July,) and then at conference in Washington, DC, on Thursday morning, August 9, 2012. This schedule change is designed to accommodate the need for a full quorum for accreditation issues (2/3 of participants) because a vote on the WET TIA will be scheduled for the next AC meeting, and the holiday week will likely not provide sufficient members to initiate a vote.

Teleconference information and an agenda will be sent the week before. The agenda will include:

Actions as needed to reach a decision on TIA for WET PT

Update on the complaint status, if any

Actions from Sarasota – update on actions and accomplishments since June 18

Other priority issues from #2, as time permits (the DoD/DOE draft or the LAB's question about surveillance assessments)

SIRs 91 and 93 (third try)

Attachment 1

STATE	REPRESENTATIVE	PRESENT
CA	Fred Choske 510-620-31745 F: 510-620-3471 E: fred.choske@cdph.ca.gov	yes
	Alternate: Dave Mazzera : 510-449-5600 E: david.mazzera@cdph.ca.gov .	no
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: steve_arms@doh.state.fl.us	no
	Alternate: Carl Kircher E: carl_kircher@doh.state.fl.us	no
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: N. Myron Gunsalus ngunsalus@kdheks.gov 785-291-3162	no
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	no
	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	yes
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
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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	no
	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	no
	Quality Assurance Officer Paul Ellingson T: 801-201-8166 E: altasnow@gmail.com	no
	Oklahoma: David Caldwell	no
	Guests: none	