

Summary of the TNI NELAP Board Meeting August 24, 2009

1. Roll call

The NELAP Board met at 12:30 PM CST on August 24, 2009. Dan Hickman chaired the meeting. Those members in attendance are listed in Attachment 1. In addition to those indicated, Cathy Westerman from Virginia DCLS joined the call and Lynn Boysen from MN DoH also participated.

2. Minutes

Minutes from the 8-12-09 meeting were reviewed and approved for posting. It was noted that minutes from the 8-3-09 meeting had not been approved for posting yet. Those minutes will be on the next agenda.

3. Standards adoption

Dan Hickman stated that for the benefit of those who were not in San Antonio, he would like to review the issues and resolutions on the new standards that had been discussed in San Antonio. The first issue was PT reporting limits for DW PTs and the apparent conflict in the standards. Dan indicated that the issue could be resolved by using the definition of quality control in V1M2 5.9.3 (c) which states that labs must follow state and federal regulations. Aaren Alger stated that she was putting explicit language in her regulations to make this point clear. Aaren provided the Board with the following draft language from the PA regulations:

§ 252.501. Proficiency test study requirements.

(a) By February 27, 2006, the Department will publish a list in the Pennsylvania Bulletin of fields of accreditation for which proficiency test studies are available. The Department may update the list of available fields of accreditation by publishing a revised list of available proficiency test studies.

(b) An environmental laboratory shall participate in proficiency test studies, when available, as specified in subsection (a), for each field of accreditation for which the laboratory seeks to obtain or maintain accreditation.

(n) An environmental laboratory seeking to obtain or maintain accreditation in the drinking water matrix shall participate in proficiency test studies that meet the requirements of 40 CFR, Part 141.

(o) An environmental laboratory shall evaluate and report the analytical result of each proficiency test study sample to the proficiency test reporting limit for each field of accreditation, when available, as outlined in subsection (a).

Steve Arms suggested that another solution would be to codify the EPA regulatory detection limits in state regulations. Dan also indicated that the NELAP Board would

submit a standards interpretation request to the LASC immediately after adoption of the standards so that the PT expert committee could go on record with clarification of this issue.

The second issue of concern was that of copyright language in state regulations and checklists. Dan indicated that the attorneys giving the copyright presentation had indicated that using the ISO language in checklists and deficiency letters was OK as long as labs had an official copy of the TNI standards with ISO language. It was also suggested that states adopt the TNI standards by reference. Stephanie Ostrowski, NY, indicated that because of ongoing litigation in NY in another program, NY may have difficulty adopting the new standards by reference or at all.

The third issue was the continuation of experimental PTs. It was learned at the San Antonio meeting that the PT Board intends to move experimental PTs to the regular FoPT tables or to drop them by the first of the year. This action will resolve the issue of continuing experimental PTs.

Steve Stubbs then moved for adoption of the new TNI standards. Paul Bergeron seconded.

Dan asked for discussion. Aaren Alger commented that she hoped that during the next round of standards revisions, there could be earlier discussion among the LASC and Expert Committees to resolve issues before final voting on the standards. Steve Arms suggested that the NELAP Board should come up with a list of items that will need to be inserted into state regulations in order to make the standards implementable. Having such a list would promote consistency.

Dan called for a vote and all present voted in favor with NH being absent and NY abstaining. NH and NY will be allowed two weeks to vote electronically.

4. Standards implementation date

Dan polled the ABs on the time needed to implement the standards. Most of those present indicated that they would need 12-18 months to amend state regulations. It was noted that there may not be anything in the new standards that was more restrictive than the 2003 standards and range of implementation dates might be workable.

Aaren moved that the new TNI standards be implemented by the ABs on Sept. 1, 2010. Joe Aiello seconded. Dan indicated that there would need to be a gentlemen's agreement to continue secondary recognition during the transition. Steve Arms suggested that this agreement be captured in the secondary recognition policy. George Kulasingam offered an amendment to the motion stating that implementation should begin no sooner than Sept. 1, 2010, but no later than July 1, 2011. Aaren agreed to the amendment. All present voted in favor with NH being absent.

Dan asked Carol to circulate the draft secondary recognition policy prior to the next meeting.

5. Method codes

Dan indicated that he wanted to retire some method codes used in the national database in order to streamline. He proposed retiring old EPA method codes with dates attached when the dates did not indicate a method revision. He indicated that in most cases these codes did not represent revisions to the method but just a new CFR promulgation date. For instance, in the database currently there is Method 150.1 with no date, 150.1 (1979) and 150.1 (1982). These are all the same method. The consensus of the Board was to use the method number without the date and retire the others.

6. SW 846

For the benefit of those not present in San Antonio, Dan stated that all ABs present in San Antonio had agreed to grant accreditation for SW 846 without using letter designations. The ABs agreed that an accredited lab would indicate in SOP which version of the method they were using and that would be evaluated onsite. He also pointed out that EPA representatives at the meeting did not think the letter designation was meaningful for accreditation purposes. Joe Aiello, NJ, indicated that NJ could not accept that position. NJ accreditation for a method has to include the letter designation.

Dan stated that the primary and secondary accreditations for a method have to be consistent in the national database. This would not allow some state to accredit with letter designations and some without. The NELAP Board will continue to discuss this issue to find a resolution.

8. Next meeting

The NELAP Board will meet Tuesday Sept. 8, 2009 CDT. Potential agenda items include:

- Approval of minutes
- Update on renewals
- QAO report
- Secondary recognition policy
- SW 846

Attachment 1

STATE	REPRESENTATIVE	PRESENT
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NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	No
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OR	Dan Hickman T: (503) 229-5983 F: (503) 229-6924 E: hickman.dan@deq.state.or.us	Yes
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TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: sstubbs@tceq.state.tx.us	Yes

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	Quality Assurance Officer Paul Ellingson T: 801-201-8166 E: altasnow@gmail.com	No