Summary of the TNI NELAP Board Meeting
October 19 2009

1. Roll call

The NELAP Board met at 12:30 PM CDT on October 19, 2009. Aaren Alger chaired the meeting. Those members in attendance are listed in Attachment 1. In addition to those indicated, Cathy Westerman, Susan Wyatt, and David Caldwell also joined the call.

2. Minutes

Minutes from the 9-21-09 meeting were reviewed. A suggestion was made that Eric smith should review the minutes to make sure his responses to questions concerning experimental PTs were properly recorded. Aaren agreed to forward the draft minutes to Eric.

3. Update on renewals and new applications

Lynn Bradley provided the following update on renewals:

IL – the onsite evaluation report was delivered on 10-6-09. Response from the AB is due 11-6-09.

LADEQ –LADEQ responded with adjustments to their corrective action report on October 8, 2009. The evaluation team leader indicated the review would be complete November 2, 2009.

OR –CAR under review by the evaluation team.

VA – onsite scheduled for Oct. 20-22.

MN – awaiting executive approval to submit application.

OK – application in preparation. Estimated submission date summer 2010.

4. Standards interpretation requests

SIRs #26 and #42 had been sent for review prior to the call.

STANDARDS INTERPRETATION REQUEST (26)	
Section (e.g. C.4.1.7.4)	Chapter 2
Describe the problem:	I have been recently inspected by the State of Florida DOH. The inspection was very well done and along NELAC standards.

	The auditor indicated that if we were certified for compound 1,2,4-trichlorobenzene for 8260 we would be required to perform the PT if 1,2,4-trichlorobenzene was offered for any group. It is not currently in the 8260/624 volatile grouping as offered by WIBBY or NIS. It is however listed in the base neutral grouping. We were advised that we would have to perform the volatile analysis using the base neutral sample. We are not currently certified for 8270. If we put this base neutral PT on the volatile instrument we would ruin the column with the very first PT. I emailed Steve Arms the program director at the State of Florida and got a similar response. This is just an example of one parameter there are others that fall into this issue Thank you for your time.
FINAL RESPONSE:	(Proficiency Testing Board / NELAP Board, 11-x-09) In the absence of a written policy from the previous NELAC PT Board regarding proper interpretation of the FOPT table analyte analysis requirements, the TNI PT Board can not comment on what may or may not have been the intent of the NELAC PT Board in this regard. Without previous PT Board policy, interpretation to date of analyte analysis requirements for the FOPT tables has been left to an AB's (Accrediting Body's) discretion. The TNI PT Board believes that there has been a general lack of clarity within the community on how the FOPT tables should be interpreted. The TNI PT Board consensus is that group headers in those FOPT tables must hold significance, and group headers must be utilized to classify when an organic analyte is required to be processed and analyzed using extractable and/or purgeable technologies. The TNI PT Board is currently working to add this clarification to the FOPT tables. Until such time as the revised FOPT tables become available, the requirement for a PT by the AB must take into consideration current FOPT table group headers and whether TNI approved PT providers offer that analyte in their routinely offered products for volatile analysis. It must not be required by an AB that a PT product specifically

	designed and packaged by a PT vendor for extraction (semivolatile) methods be analyzed by purgeable (volatile) analysis. If volatile analysis of an analyte listed under a FOPT Base/Neutral grouping is required by an AB, the analyte must be readily available (from at least the majority of TNI approved PT providers) in PT vendor products that have been designed and marketed to be used for volatile method analysis.

Steve Arms pointed out that this interpretation did not seem to take into account an interpretation received earlier from Barbra Burmeister, previous chair of the PT committee. Barbara's email is pasted below:

From: Burmeister, Barbara [mailto:burmie@mail.slh.wisc.edu]
Sent: Wednesday, January 03, 2001 4:22 PM
To: Arms, Steve A
Subject: RE: New PT questions

Hi Steve,

The PT Committee tried to answer your questions via email since our next teleconference is not until January 16th. Hope these responses help answer your questions:
Question 1: Analytes were placed in groups to make finding a given analyte on the list easier. The requirement still exists that a lab must perform PTs for each analyte regardless of grouping. Naphthalene is an interesting example -- it can be classed as a volatile, a BNA or as a PAH! The lab must make sure that they have picked the PT samples that will best fit their FOT and cover all the analytes that they seek accreditation for. This includes crossing over into other "groups" to get the best coverage of analytes. A lab can get samples where the same analyte appears two or three times. It is up to the lab to assure that its AA only gets one result that had been scored for a given analyte -- submitting more than one scored result per FOT just increases a lab's chances for failure.

Question 2: We don't believe there is an FOT called "nitrate-nitrite". If your state is granting an accreditation for this analyte they can elect to accept nitrate only PT data (preferred) or no PT data at all. The analyte "nitrate-nitrite" is unique to a given method (Cadmium reduction). This method can determine nitrate, nitrite and the combination of the two. Challenging the method with a nitrate sample should suffice since nitrate typically is found at two to three orders of magnitude greater concentration than nitrite.

If you have any further questions on our response, please email or call. Happy New Year to you too!

Barb
Steve stated that he believed that in light of Barb's email, FL did have guidance from the PT committee. Steve suggested that this SIR be held pending additional discussion with LASC and the PT committee. Aaren will discuss with Ilona.

SIR #42:

STANDARDS INTERPRETATION REQUEST (42)	
Section (e.g. C.4.1.7.4)	D.3.1(a)(2)
Describe the problem:	Can the standard be interpreted to mean a sterility blank is not required every 10 samples, as implied in the last sentence of the section, if the funnels are single use? It is assumed that the point of running the blanks every 10 samples is to show proper rinsing technique for multi-use funnels. Because the final sentence in this section begins with "In addition," and is displaced from the sentence that says, "For pre-sterilized single use funnels a sterility check shall be performed on one funnel per lot," it seems to add a requirement to filtration series using all types of funnels, but I do not believe that was the intent.
FINAL RESPONSE:	(Quality Systems Committee / NELAP Board, 11-x-09) It was the intent of QS that single use funnels, provided they are only used once, would not require any additional sterility check beyond once per lot as written in the Standard. However, if the method being followed has more stringent requirements, those requirements must be followed.

Steve Arms moved to accept this final response. Louis Wales seconded. FL, LADEQ, LADHH, OR, PA, TX and UT voted in favor. CA, IL, KS, NH, NJ, and NY will vote by email.

5. Mutual Recognition Policy

Steve Stubbs explained the draft mutual recognition policy. A question was posed about where the requirement for labs to first seek accreditation in their home state was listed. It is

not clear whether or not that requirement should be in the mutual recognition policy. Steve Stubbs will check with Alfredo. This draft policy will be on the agenda for discussion at the next meeting.

6. Feedback from LASC on Experimental PTs

At the last meeting it was proposed that the PT Board should be approached about taking the experimental PT tables off the website while the evaluation of experimental data was ongoing. Brian Boling discussed this approach with the PT Board and reported that the PT providers felt that the tables should stay up until July 2010. The PT providers need 6 months to implement the new tables. They have already prepared materials for the current experimental PTs for the next 6 months. Brian will ask Eric to submit a revised plan for eliminating experimental PTs to the NELAP Board for approval.

7. Insignias and Logos

Aaren reported on the TNI Board's approval of new insignias and logos for TNI. These are available in high resolution. The Board provided the following caveats on use:

ABs can continue to use the current AB logo until July 1, 2011 if
>they have printed certificates or other materials, or if it is
>required by their regulations (the case in Florida for one).
>
>Labs can use either logo until July 1, 2011 on their internal
>materials. Thus, labs would not be required to print new materials
>and destroy old stuff, but could begin to use the new one when they want to.

8. PT report changes

Cathy Westerman asked for the NELAP Board's consideration of the following questions:

Q1: Is it an acceptable practice for an approved provider to issue a modified report at the lab's request? I can't find anything in the 2003 Standard that allows this, or disallows, or specifies when it might be OK or what documentation would be required. This seems dangerous to me, and in light of electronic uploads, it may not be clearly communicated to the AB that a result has been edited in this way.

Q2: Do ANY AB's accept modified reports?

Background Information to my Questions:
I have already had two situations where laboratories have had PT reports modified due to the lab's reporting mistake.

In the first case, the lab requested the amendment, the PT provider told the lab that they would only do it if it was acceptable to VA, and then we received the report after telling the lab they could make the request of the PT provider but that VA may not accept this for compliance purposes. (This was the first we'd ever heard that this was even an OPTION and we wanted to speak to some other AB's before we made our ruling on this, in case we were being inconsistent by rejecting this report). In this case, the lab had reported in ppm rather than ppb and also provided VA with documentation of that error.

In the second situation, the lab apparently requested the amended report and received it, and VA received a copy, from the same PT provider as the first situation, but this time the PT provider did not require VA's pre-approval of the amendment. The lab presented this report to us with a note that the error was discovered once preliminary results were published. The lab had transposed numbers, reporting 326 rather than 362.

In both cases, the PT provider's report was clearly marked as being revised. Still, this practice was a shock to me --- I never knew a lab could make such a request (and have it honored.)

Florida reported that they do not allow changes at all on PT reports unless it is a PT provider error. PA reported that they do not accept amended reports unless it is a PT provider error. LADEQ stated that PT providers shouldn't change a report under any circumstance without the ABs permission. NH allows changes in methods but not in analytical data. MN does not allow amended reports. Since neither the NELAC 2003 standard nor the new TNI standard addresses this issue directly, Cathy will submit an SIR requesting clarification.

9. EPA representative on the NELAP Board

Aaren Alger announced that Kevin Kubik, EPA Region 2, will be the EPA representative on the NELAP Board. Kevin will be added to the distribution list and included on future NELAP Board calls.

10. Complaints against NELAP

Aaren reported that Jerry Parr forwarded two complaints against NELAP ABs to her for resolution in the absence of a dispute resolution SOP. Aaren will contact the specific ABs in question and attempt to resolve the issues informally.

It was also decided that the NELAP Board should have a formal dispute resolution policy. Aaren appointed Brian Boling, Steve Stubbs and Susan Wyatt to form a subcommittee to begin drafting an SOP.

11. Database uploads

Brian Boling stated that uploads to the lab accreditation database should be forwarded to him and he will coordinate with Dan Hickman for uploading.

11. Next meeting

The NELAP Board will meet Monday, Nov. 2, 2009, at 12:30 CST. Potential agenda items include:

Approval of minutes, 10-19-09 and 10-5-09
Update on renewals
QAO report
Secondary recognition policy

Approval of Experimental PTs plan
SIRs
Progress on dispute resolution SOP
SW 846

Attachment 1

STATE	REPRESENTATIVE	PRESENT
CA	George Kulasingam T: (510) 620-3155 F: (510) 620-3165 E: gkulasin@cdph.ca.gov	Yes
	Alternate: Jane Jensen jjensen@cdph.ca.gov	
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: steve_arms@doh.state.fl.us	Yes
	Alternate: Carl Kircher carl kircher@doh.state.fl.us	
IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: scott.siders@illinois.gov	No
	Alternate: TBA	
KS	Dennis L. Dobson 785-291-3162 ddobson@kdhe.state.ks.us F: (785) 296-1638	Yes (Michelle Wade)
	Alternate: Michelle Probasco mprobasco@kdheks.gov	
LA DEQ	Paul Bergeron T: 225-219-3247 F: 225-219-3310 E: Paul.Bergeron@la.gov	Yes
	Altérnate: Cindy Gagnon E: Cindy.Gagnon@la.gov	
LA DHH	Louis Wales T: (225) 342-8491 F: (225) 342-7494 E: lwales@dhh.la.gov	Yes

	Alternate: Ginger Hutto ghutto@dhh.la.gov	
NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	Yes
	Alternate: TBD	
NJ	Joe Aiello T: (609) 633-3840 F: (609) 777-1774 joseph.aiello@dep.state.nj.us	No
	Alternate : TBD	
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568	No
	Alternate: Dan Dickinson dmd15@health.state.ny.us	
OR	Brian Boling T: (503) 229-5823 F: (503) 229-6924 E: boling.brian@deq.state.or.us	Yes
	Alternate: Raeann Haynes haynes.raeann@deq.state.or.us	
PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: aaalger@state.pa.us	Yes
	Alternate: Bethany Piper bpiper@state.pa.us	
TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: sstubbs@tceq.state.tx.us	Yes

	Alternate: Steve Gibson jgibson@tceq.state.tx.us	
UT	David Mendenhall T: (801) 584-8470 F: (801) 584-8501 E: davidmendenhall@utah.gov	Yes
	Alternate: Kristin Brown kristinbrown@utah.gov	
	Program Administrator: Carol Batterton T: 830-990-1029 or 512-924-2102 E: carbat@beecreek.net	Yes
	Evaluation Coordinator: Lynn Bradley T: 202-565-2575 E: Bradley.lynn@epa.gov	Yes
	Quality Assurance Officer Paul Ellingson T: 801-201-8166 E: altasnow@gmail.com	No