

Summary of the NELAP Accreditation Council Meeting September 7, 2010

1. Roll call

The NELAP Accreditation Council (AC) met at 12:30 PM CDT on September 7, 2010. Aaren Alger chaired the meeting. Those members in attendance are listed in Attachment 1.

2. Minutes

Minutes from the 8-16-10 meeting were reviewed and approved for posting.

Steve Arms commented that FL has an issue with the new PT standard that he was not aware of during the discussion of Item # 5 in previous minutes. Specifically, FL cannot accept PT samples from non-accredited PT providers. This referenced in Section 4.1.2 and 4.2.1 (c) of the new standards.

3. Update on next round of AB renewals

Lynn Bradley reported that no applications were working currently. The new Evaluation SOP has been approved by the Accreditation Body Expert committee and sent to the LAS EC for review and approval. A courtesy copy has also been sent to the Policy Committee and the NELAP AC for preliminary review. It was determined that no additional changes to the AB application were needed beyond adding the requirement for including the dates of last assessment for accredited labs, and this document is final as well.

Carol will send out the SOP along with the completeness checklist and application for NELAP AC review. This item will be on the next agenda. Review and approval need to be expedited so that training for the evaluators can be developed in time for the Savannah meeting.

4. Accreditation Body Task Force

Judy Duncan reviewed the document shown in Attachment 2 and explained the role of the AB task force. Judy reviewed the list of potential services that the task force was considering to help ABs and asked for feedback on this proposal. Comment and suggestions included:

- TNI can help by providing accurate information about what ABs are doing with respect to out of state accreditations. Who can and cannot do them? This information should be on the website.
- It would be good for TNI or other non-profit to be an AB. It would be easier than using contract assessors.
- FL regulations don't specify that an AB has to be government entity. It just says a

recognized AB.

- Some state regs specify that an AB cannot recognize accreditation issued by a non-government entity.
- MN could not accept TNI as AB because of conflict of interest issue.
- Some states cannot use contract assessors because it takes work away from union state employees.
- TNI as an AB may take a standard change.
- Some 3rd party assessors have been contacting IL out of state labs and suggesting which ABs they should use. In other words, use the AB that the assessor works for.
- FL will accept IL labs if the onsite is done within the last 2 1/2 years.
- Some FL labs are shopping for a new AB. FL will still do labs in Region 4 and maybe those with legitimate business in FL.
- MN can accept out of state primary applications beginning Oct. 1 and will accept another AB's assessment report.
- Previous survey of NELAP ABs with respect to out of state primary applications should be sent to Judy.

Judy asked for suggestions about the summary paper and ideas for other services that would help ABs. Comments included:

- Completion of the TNI database would help the most (MN, NH, and OR)
- IL requested that the statement in the paper referring to IL action as “most drastic move” be removed from the summary paper and replaced with softer language.

5. Vote on DW FoPTs

Carol reported that on the motion to approve the DW FoPT tables, there were a total of 15 votes, with 9 yes and 5 no with one abstain. This in only 64.28 % in favor and the motion failed. Aaren asked Carol to make sure that Eric Smith was aware of this.

AB	Vote
CA	Y
FL	N
IL	Y
KS	N
LADEQ	Y
LADHH	Y
MN	Y
NH	N
NJ	Y
NY	N
OR	Y

PA	N
TX	Y
UT	Y
VA	Abstain

6. Status of action items from TNI Board memo

Paul Ellingson reported that he had not yet received information from two ABs that he needs to begin his review of AB practices on the action items in the NELAP AC's response to the TNI Board. After Paul and Lynn look at the responses, Paul will tabulate for discussion. We may want to consider some presentations in Savannah on best practices.

7. SW 846

Steve Arms reported that there were no new developments. ELAB is continuing to work on this issue and we are waiting for a proposal from EPA.

8. Additional discussion on PT requirements in the new standard

Aaren asked the ABs to have some additional discussion on the PT requirements in the new standard to determine if there is a significant problem and what needs to be done. Comments included:

- NY and PA cannot accept "less than" reporting on PT results
- FL cannot accept non-accredited PT providers
- TX cannot require analysis of experimental PTs
- Some thought they could work around these issues, but are now finding out they cannot
- Need to determine what is a problem so TIAs can be done
- Need to tell PT Expert committee that ABs cannot be consistent on these issues due to state regulations and statutes.

The ABs agreed to continue discussing options for how to deal with these issues and how it will impact mutual recognition.

9. Next meeting

The next regular conference call of the NELAP AC should be on Sept. 20, 2010. Potential agenda items will include:

- Approval of minutes
- Review of Evaluation SOP and associated documents
- Review of implementation guidance document
- Action items from TNI Board memo

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	Yes
	Alternate: TBA	
KS	Dennis L. Dobson 785-291-3162 ddobson@kdhe.state.ks.us F: (785) 296-1638	Yes
	Alternate: Michelle Wade MWade@kdheks.gov	
LA DEQ	Paul Bergeron T: 225-219-1244 F: 225-219-8244 E: Paul.Bergeron@la.gov	Yes
	Altérnate:	
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	
MN	Susan Wyatt T: 651.201.5323 F: E: susan.wyatt@state.mn.us	Yes
	Alternate: Stephanie Drier stephanie.drier@state.mn.us	
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 joseph.aiello@dep.state.nj.us	Yes
	Alternate : TBD	
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568	Yes
	Alternate: Dan Dickinson dmd15@health.state.ny.us	
OR	Irene Ronning T: 503-693-4122 F: 503-693-5602 E: irene.e.ronning@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: Dana Marshall dmarshall@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	
VA	Cathy Westerman T: 804-648-4480 ext.391 cathy.westerman@dgs.va.gov	Yes
	Alternate: Ed Shaw T: 804-648-4480 ext.152 ed.shaw@dgs.va.gov	
	Program Administrator: Carol Batterton T: 830-990-1029 or 512-924-2102 E: carbat@beecreek.net	Yes
EPA Liaison	Kevin Kubik T: 732-321-4377 E: kubik.kevin@epa.gov	No
	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	Yes

	Oklahoma David Caldwell Judy Duncan	Yes
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Attachment 2

AB Assistance Task Force Summary

Recently, it has become clear that some of the Accreditation Bodies that make up the National Environmental Laboratory Accreditation Program are having problems keeping up with their obligations as dictated by the TNI Standard. Particularly in this time of acute financial stress, budget cutbacks, and significant financial scrutiny, ABs are finding that their staffs are shrinking, their travel is being restricted, and their support functions being reduced or disappearing.

As a result, some ABs are not able to keep up with obligations such as review of PT data, approval of secondary (reciprocal) accreditations, scope expansions, and even timely renewal assessments and delivery of assessment reports. Furthermore, some ABs are being forced to restrict or eliminate their program's power to grant primary accreditation to laboratories outside their state boundaries. In one of the most drastic moves, the State of Illinois announced that they would not renew any primary accreditations for out of state laboratories after the end of the calendar year 2010.

Discussion of the possible impacts of these problems upon laboratories led the TNI Board to charter a task force to investigate what assistance TNI might provide. The intent is to assist ABs to eliminate bottlenecks and to deal with financial and personnel strains while promoting continuation of nationally recognized full accreditation services to laboratories.

Initial ideas include everything from providing contract services to ABs to developing an AB within TNI. After significant brain-storming and discussion, it was decided that TNI will not pursue becoming an AB at this time. The following direction has been chosen.

The AB Assistance Task Force will begin investigating how TNI might provide a range of services on a contract basis in order to support ABs and, by consolidating some operations, make it less expensive for the ABs to stay in compliance with the NELAP Standard. These services would assist ABs with components of the assessment process while maintaining AB decision-making and enforcement roles. Possible services might include:

- Continuous review of PT data to efficiently identify compliance problems
- Review of applications
- Review of management system documents
- Tracking and follow-up on corrective actions

- Training for lab assessors not only at meetings but also by webinars or other widely accessible means
- Development and maintenance of a service for identifying and providing trained and qualified third-party assessors
- Development of a standardized laboratory accreditation application

The Task Force will explore various models for providing such services on a fee-for-service basis. As with all TNI activities, the fee would be set at the lowest possible level sufficient to support the service and not intended to profit TNI.

One option that will be explored for organizing this activity is a division within TNI or a “sister” non-profit. The AB Task Force is aware of organizations such as NSFTC that have similar sister organizations providing support to member organizations and will begin by opening discussions with a few similar organizations to gain information on how best to proceed to develop such an organization.

The AB Assistance Task Force will also discuss other options that might facilitate operations of ABs by relieving some of the cost burden. Some of the things that have been discussed include:

- More resources to complete the TNI database
- Develop model MOUs for ABs to use to share services between states
- Revisit the issue of surveillance assessments for labs that are good actors

Potential advantages of some of these proposals, in addition to assistance to ABs, include:

- Standardized, efficient processes for common assessment activities
- Improvement in assessment uniformity
- TNI provides assessor oversight to coordinate standard interpretations
- Streamlining of interstate recognitions
- Eliminate lengthy delays for labs awaiting re-assessments, assessment reports, and addition to accreditation scopes

The AB Assistance Task Force appreciates the opportunity to meet with the NELAP Accreditation Council to discuss these ideas and any others that they may have concerning activities that will facilitate the NELAP accreditation process.