

**Summary of the NELAP Accreditation Council Meeting
Forum on Laboratory Accreditation, Milwaukee, WI, January 28, 2019**

1. Welcome and Introductions

The NELAP Accreditation Council (AC) met at 3:30 pm Central on Monday, January 28, 2019, during the winter meeting. Those present and on the phone introduced themselves, and attendance is noted in Attachment 1.

2. Implementation Date for the 2016 TNI Standard

Aaren announced that the Council set the implementation date for the 2016 TNI Environmental Lab Sector (ELS) Standard as January 31, 2020. She explained that this will be a rolling implementation, as in times past, where Accreditation Bodies (ABs) that do not need to conduct rulemaking will implement the new standard on that date or as soon thereafter as they are able to update internal systems to accommodate the changes. The actual implementation date for each state that needs to conduct formal rulemaking will depend on that state's independent timeline for completing the rulemaking. Each NELAP AB will continue to recognize the laboratory accreditations granted by other NELAP ABs, regardless of which standard is operative in that state during the transition period, however long that might take.

While the Council does not control the implementation date for PT Providers, Aaren expressed her hope and expectation that the new PT standard will be implemented on or about that same time.

The following table displays information about each state's implementation date and process.

Implementation Plans for 2016 TNI ELS Standard		
State	Process for Implementing the New Standard	Anticipated Implementation Date
FL	FL adopted the TNI 2016 Standards by regulation on September 26, 2018. Laboratories were granted a grace period until April 1, 2019, to implement the new standards	September 26, 2018
IL	Requires rulemaking, expect to complete by January 2020, then will work with labs to implement	Early 2020
KS	Rulemaking underway, hope to complete by end of 2019 or early 2020	Early 2020 (hopefully)
LA DEQ	Regulation updates are required and expected to be complete by January 2020	January 31, 2020
LA DOH	Rulemaking initiated, hope to complete in time to implement by January 2020, with time for labs to comply	January 31, 2020 (hopefully)
MN	Incorporated into regulation by reference	January 31, 2020
NH	Requires rulemaking plus time for labs to comply	2020 (hopefully)
NJ	Incorporated into regulation by reference	January 31, 2020
NY	Adopts by reference. Is rewriting regulation to update other aspects on separate timeline	January, 2020

OK	Requires rulemaking, but is still in process of implementing NELAP from 2018 recognition	Unknown
OR	Requires rulemaking plus time for labs to comply	March 30, 2020 or sooner
PA	Incorporated into regulation by reference	January 31, 2020
TX	Incorporated into regulation by reference	January 31, 2020
UT	Rulemaking has begun, anticipate completion in time for implementation of January 2020	January 31, 2020
VA	Requires rulemaking plus time for labs to comply	Unknown

Aaren also explained that two of the three guidance documents are approved (PTRL and Calibration) and the third should be approved soon. The AB databases and checklists will need to be updated before the actual implementation occurs.

3. Evaluations and Recognitions

Aaren stated that the three year cycle of evaluations is wrapping up and the next cycle will begin in the fall of 2019. She also noted that the Council is now issuing Certificates of Recognition on an annual basis, similar to how laboratories' Certificates of Accreditation are issued.

4. Implementation of the Most Recent Method Update Rule

One participant stated that there has been significant controversy over the AB's timeframes for implementation of the recent Method Update Rule (MUR), and that some labs are not able to meet the conflicting requirements of their primary and secondary ABs. That participant asked for help from the state ABs in resolving this problem for the labs.

New York implemented the MUR on April 1, 2018, and NJ on July 1, 2018, with other ABs implementing as their state programs determine.

The resolution offered was that the lab should follow what its primary AB requires and that all ABs will work together as much as possible, but that In many cases, the method required for use is determined by the state's program office and not the AB itself. The following table shows which AB has implemented the MUR and when.

Implementation of the 2017 Method Update Rule		
State	Process for Implementing the New Standard	Implementation Date
FL	MUR was effective upon promulgation. Program office set date as March 2018, and transition is now complete	March 2018
IL	Program office is slowly transitioning	?
KS	?	?
LA DEQ	?	?
LA DOH	This MUR did not have drinking water methods in it	N/A
MN	MUR methods became available October 2018 and now are required for accreditation. MDL is mandatory in 2019	?
NH	?	?
NJ	Implementation complete	October 2018

NY	Implementation complete	April 1, 2018
OK	Writing regulation now, hope to have it completed by September 2019. Currently accepting either method for secondary accreditations	?
OR	?	?
PA	New methods are voluntary, program office accepts both methods. AB anticipates setting an end date to the old methods, but not determined yet	?
TX	Program office determines implementation date, and AB needs 6 months lead time. Program is accepting both old and new methods until _____ (date) _____	?
UT	Still working with regulators, accepting both methods at present	?
VA	Program Office completed its rule in 2018, AB is now assessing to the MUR	January 2019

5. Polychlorinated Biphenyl Proficiency Testing

In 2018, the PT Program Executive Committee (PTPEC) considered an Analyte Request Application (ARA) to change the Field of Proficiency Testing (FoPT) tables (Non-potable Water and Solid Chemical Materials) so that it is no longer possible to continually fail to correctly identify and quantify the Aroclor in the sample yet gain and retain accreditation for the PCB group.

PTPEC considered that ARA, and responded to the AC with a solution that did not address the underlying problem (which may not have been understood) and further discussions did not find a workable solution. Aaren asked for ideas and insights that might help to resolve the problem.

The PTPEC Chair explained that the PT Providers (PTPs) object to scoring PCBs in a fashion that was inconsistent with their standard (Volume 3), which was what they believed was asked as one possible solution, and then the PT Expert Committee (PTEC) was asked to consider addressing the problem in its next revision of the PT modules in Volumes 1 and 2. Another possibility would be to create an entirely separate FoPT table for PCBs.

One participant noted that the 2016 Standard allows ABs to change their evaluation of PTs from what is provided by the PTP, and suggested that a different perspective might be useful. While at least one AB has addressed the never-fail issue with state rulemaking, this participant stated that the objective is consistency across all ABs, rather than individual states handling it differently, and suggested sending the problem to the PTPEC FoPT Subcommittee for resolution.

The Chair of PTEC explained that the way PCBs are listed on a lab's scope of accreditation impacts how the FoPT table is set up, and that either accrediting individual PCB congeners or perhaps adding a field of accreditation for qualitative identification might resolve the problem. The PTPEC Chair indicated they would gladly consider an ARA for qualitative identification of PCBs.

Other discussion revolved around whether and how an AB can "overturn" a PTP report, and the magnitude of the problem – is it a few labs doing PCBs or a majority of them, which are affected? Both pros and cons of using a 7-congener PCB sample were raised, and the real-life issue of degradation of the congeners mentioned. The different approaches between

drinking water and wastewater were pointed out (quantitating all as decachlorobiphenyl versus identifying individual congeners), wondering why they couldn't just be consistent. An assessor recommended looking at aspects of the methods besides PT performance, for a lab that consistently fails PCB PTs.

6. Final Comments

Aaren asked if there were any further comments on the Lessons Learned document from LASEC's session that immediately preceded the NELAP AC session. A bit of discussion comparing the TNI standards review process (multiple rounds of concurrent reviews) with regulatory rulemaking (sequential reviews by various groups both internal and external to the agency) was enlightening, about the workload involved, and a reconsideration of the review process itself might be the needed quality improvement.

At that point, time was up and the session adjourned.

7. Next Meeting

The next meeting of the Council will Monday, March 4, 2019. The agenda and documents will be shared in advance.

Attachment 1

STATE	REPRESENTATIVE	PRESENT
FL	Carl Kircher E: carl.kircher@flhealth.gov	Yes
	Alternate: Vanessa Soto E: Vanessa.sotocontreras@flhealth.gov	No
IL	Celeste Crowley T: 217-557-0274 F: 217-524-6169 E: celeste.crowley@illinois.gov	Yes (phone)
	Alternate: Becky Hambelton Rebecca.Hambelton@Illinois.gov	No
	For information purposes: Kathy Marshall Kathy.Marshall@Illinois.gov	No
	For information purposes: John South John.South@illinois.gov	No
KS	Paul Harrison paul.harrison@ks.gov	No
	Alternate: N. Myron Gunsalus 785-291-3162 E: ngunsalus@ks.gov	No
LA DEQ	Kimberly Hamilton-Wims T: 225-219-3247 E: Kimberly.Hamilton-Wims@la.gov	No
	Altérnate: Elizabeth West elizabeth.west@la.gov	No
LA DOH	Grant Aucoin Grant.aucoin@la.gov	No
	Alternate: Scott Miles Scott.Miles@la.gov	No
MN	Lynn Boysen E: lynn.boysen@state.mn.us	Yes (phone)
	Alternate: Stephanie Drier 651-201-5326 E: stephanie.drier@state.mn.us	No

NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	No
	For Information Only: Brian LaMarsh brian.lamarsh@des.nh.gov	Yes
NJ	Michele Potter T: (609) 984-3870 F: (609) 777-1774 E: michele.potter@dep.nj.gov	Yes
	Alternate : Rachel Ellis E: rachel.ellis@dep.nj.gov	No
NY	Victoria Pretti 518-485-5570 E: victoria.pretti@health.ny.gov	Yes
	Alternate: Lynn McNaughton E: lynn.mcnaughton@health.ny.gov	No
OK	David Caldwell (405) 702-1000 E: David.Caldwell@deq.ok.gov	Yes
	Alternate: Chris Armstrong (405) 702-1000 E: chris.armstrong@deq.ok.gov	No
OR	Alia Servin 503-693-4122 E: alia.d.servin@dhsosha.state.or.us	No
	Alternate: Lizbeth Garcia 971 865 0443 E: LIZBETH.GARCIA@dhsosha.state.or.us	No
	Included for information purposes: Ryan Pangelinan E: Ryan.pangelinan@dhsosha.state.or.us	No
	Included for information purposes: Scott Hoatson Oregon Department of Environmental Quality (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: Dana Marshall E: dmarsshall@pa.gov	No
TX	Ken Lancaster T: (512) 239-1990 E: Ken.Lancaster@tceq.texas.gov	Yes
	Alternate: Kristy Deaver T: (512) 239-6816 Kristy.deaver@tceq.texas.gov	Yes (phone)
UT	Kristin Brown T: (801) 965-2540 F: (801) 965-2544 E: kristinbrown@utah.gov	Yes
	Alternate: Alia Rauf T: 801-965-2511 E: arauf@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	Donna Ringel T: 732-321-4383 E: Ringel.Donna@epa.gov	Yes (phone)
California	Christine Sotelo Christine.Sotelo@waterboards.ca.gov	No
Guests:		