

Summary of the NELAP Accreditation Council Meeting March 2, 2020

1. Welcome and Introductions

In Kristin's absence, Michele welcomed everyone to the call. Attendance is noted in Attachment 1. Stephanie Ringsage introduced Travis Bartholomew as the new Program Manager for ORELAP, and he was warmly welcomed.

There was one edit to the February 5 minutes, to update LDEQ's implementation status, as its rulemaking effort has been delayed. With that correction, the minutes of January 6 and February 5 were approved.

NOTE: TNI's Board of Directors requests that the Implementation Status of the 2016 TNI ELS Standard be reported to them monthly until full implementation is accomplished. Please notify all Council members and staff if and when your state's status changes to "implemented" if you have not already fully implemented the new standard.

2. Follow-Up to Conference

Drinking Water PT Issue -- There was one issue raised in an off-agenda meeting with the EPA Drinking Water program representatives that NELAP ABs need to be aware of. For the "tube" technology of the MPN method, there is a problem complying with the PT reporting limits (PTRL). While it seemed fine when the 2016 standard was approved, it turns out that the tube method cannot quantitate the coliforms at levels present in the PT sample, so that labs are accurately reporting ">20", but this is flagged as unacceptable (failure) in the PT provider's (PTP's) scoring, according to the PTRL (V3§5.9.2.10).

NELAP ABs should manually review the PT results for tube technologies for MPN, and change the scoring to "pass". Dan Hautman of EPA stated that they will ask for a footnote to be added to the FoPT table for the PTPs instructing labs to provide diluent for that technology. EPA will communicate with all states about this matter, but since they were meeting in person with TNI staff and AC leaders, they discussed it with us.

FoPT tables -- On a related matter, the updated DW and NPW FoPT tables (that separate tube and well technologies for MPN) received final approval from PTPEC in February after approval by the Council in November, 2019. PTPEC set the implementation date as October 1st. Additionally, CAS numbers have been added to these tables and editorial changes have been made to make them more consistent with LAMS.

Potential Issues with Secondary Accreditation for Emerging Contaminants -- Also, from the Council's off-agenda meeting, participants wished to review the NELAP Mutual Recognition Policy 3-100 to consider whether changes need to be made in order to accommodate the state-specific regulations and methods that are being put into place for PFAS (and possibly other analytes). It may be that allowing some additional requirements for secondary accreditation will avoid the need for labs to seek primary for each state's method in each NELAP state. This Policy is being distributed to the Council along with these minutes, so that members will have time to consider potential modifications prior to the next meeting.

3. Detection Limits Discussion

Victoria asked for a discussion of whether ABs ensure that labs can meet the detection limits specified in 40 CFR Part 141 by verifying the LOD/LOQ for those methods, especially for cyanide and also Aroclors. Victoria had provided a letter from ELAB recommending that action, and wished to know whether other NELAP ABs were doing so. FL, KS, NJ and NY do check for drinking water analytes; other states did not speak up.

4. Discussion of SIR 362

A Standards Interpretation Request submitted by the NELAP Lead Evaluator asked the following question:

V2M3, 6.12.2 says, "The accreditation body or its authorized representative shall present to the CAB within thirty calendar days of the last day of the on-site assessment a final assessment report identifying all confirmed findings."

If the thirtieth calendar day falls on a weekend or holiday (i.e. a non-business day for the accreditation body), then may the accreditation body issue the assessment report on the next business day and still be in compliance with the standard?

The response posted for AC vote, as approved by LASEC's SIR Subcommittee, is "No", meaning that the AB needs to send the report on the final business day prior to the thirtieth calendar day. There was a "Needs Discussion" vote, and one party believed that the SIR was going to be withdrawn, although that has not yet happened.

A number of points were made during the discussion:

- If ABs have to be prior to the 30th day, then labs would need to be early, also;
- It is difficult to vote against the "No" even though it seems excessively detailed;
- If reports are being issued on the 31st or 32nd day, put a corrective action into place;
- ABs are doing their best;
- If a report is issued on Friday, that essentially deprives the lab of the two weekend days to create its corrective action response;
- ABs should be tracking response dates, and make the timelines clear at the closing meeting; and
- Change the standard to say "business days", but this was nixed as being too complicated to track.

Lynn explained that the need for the Lead Evaluator to submit SIRs rather than simply consulting with the Council was made clear over a decade ago when our EPA Liaison objected to by-passing the established SIR process.

Four potential actions were identified:

1. Change the standard if the current wording is inadequate,
2. Ask LASEC never to finalize the response, and ask the submitter to withdraw it,
3. Create a process to reject a SIR if the response will create more problems than it solves, and
4. Continue "as is".

Participants asked that Lynn take the discussion back to LASEC for review.

NOTE: Since the meeting, an email conversation provided language for the revision of V2M1 underway in the LAB Expert Committee, and LAB has the issue on its agenda for its March 17

meeting.

5. Next Meeting

The next teleconference meeting will be Monday, April 6, 2020, at 1:30 pm Eastern. An agenda and documents will be provided 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
	Alternate: Dave Reed E: Dave.Reed@Illinois.gov	No
	For information purposes: John South E: .South@illinois.gov	No
KS	Paul Harrison E: paul.harrison@ks.gov	Yes
	Alternate: N. Myron Gunsalus T: 785-291-3162 E: ngunsalus@ks.gov	No
LA DEQ	Kimberly Hamilton-Wims T: 225-219-3247 E: Kimberly.Hamilton-Wims@la.gov	Yes
	Alternate: Elizabeth West E: elizabeth.west@la.gov	Yes
LA DOH	Grant Aucoin E: Grant.aucoin@la.gov	Yes
	Alternate: Scott Miles E: Scott.Miles@la.gov	No
MN	Lynn Boysen E: lynn.boysen@state.mn.us	Yes
	Alternate: Stephanie Drier T: 651-201-5326 E: stephanie.drier@state.mn.us	Yes
NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	Yes

	Alternate: 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	Travis Bartholomew T: 503-693-4122 E: travis.j.bartholomew@dhsosha.state.or.us	Yes
	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: Sara Krepps Oregon Department of Environmental Quality (503) 693-5704 E: sara.krepps@state.or.us	No
PA	Dana Marshall E: dmarshall@pa.gov	Yes
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	No

UT	Kristin Brown T: (801) 965-2540 F: (801) 965-2544 E: kristinbrown@utah.gov	No
	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	Eric Graybill Graybill.eric@epa.gov	Yes
California	Christine Sotelo Christine.Sotelo@waterboards.ca.gov	No
Guests:		