

## **Summary of the NELAP Accreditation Council Meeting**

**April 2, 2012**

### **1. Roll call and Approval of Minutes**

The NELAP Accreditation Council (AC) met at 1:30 pm EST on April 2, 2012. Minutes of the March 19, 2012, meeting were approved. Those members in attendance are listed in Attachment 1.

Aaren noted that TNI election for Board of Directors is underway and that two additional AB representatives are nominated, Susan Wyatt and Scott Siders. Both Aaren and Joe were also re-nominated.

### **2. Action Items Pending**

- Open Meeting of AC for May 7, 2012 – create draft agenda, compare email address list with managers' list from the state assessor group, send announcement
- Use of DoD-DOE reports (pending receipt of sample reports, raised w/ AB/TF again on 2/23/12)
- SIRs – discussion of “needs discussion” votes, 1-2 each AC meeting
- Follow new Task Force addressing third party AB option
- Follow-up to commitments made in Sarasota – complaint process, consistent FoAs, and item from TNI Board letter of 3/10/10 requesting review of AB Operations
- Suggestion to have Kathy Gumper meet with AC to discuss consistency (on indefinite delay – keep?)

### **3. Updates on AB Renewals and other items**

Aaren had spoken with David Caldwell and told the AC that Oklahoma's application will be delayed for about 2 years. After seeing discussion of concerns about “enforceability” of the TNI ELS standard, OK had asked their attorneys to review the new regulations with that in mind, and was advised that the regulatory language should be modified to strengthen the enforceability. MN and PA noted that their regulations mention all aspects of Volume 1, in order to be enforceable.

Lynn reported on the status of ongoing evaluations.

CA – technical review nearly complete, scheduling site visit underway

KS – final response from KS under team review

NJ – observation completed, site visit April 16

TX – technical review underway, site visit scheduled for June 11

LA DEQ – application submitted 3/19. Team Leader change up for approval by AC

VA – completeness review awaiting transmission; technical review pending

OR – renewal letter sent

Lynn asked for AC approval of a change in the Team Leader for LA DEQ, due to unexpected circumstances. Susan Wyatt will replace Stephanie Drier. The AC voted to approve this substitution, with everyone present voting yes except MN abstained. This leaves Susan and Linda Mauel (EPA) tied at 3 evaluations each, this round, an exceptional workload.

At the suggestion of one participant, future evaluation updates will be accomplished by email, as a way to save time in the teleconference meetings.

4. Follow-Up on Open AC Teleconference, Planned for May 2012

The first call in May (May 7) was previously agreed on for this event, after the concept was begun at conference in Sarasota. Aaren met briefly with the State Assessors Group at its 3/29 meeting to ask that they give the program managers a “heads up” that an invitation for the open call would be arriving.

We discussed how to handle the invitations, and settled on using the email addresses from the new AB database ([www.nelac-institute.org/abdb.php](http://www.nelac-institute.org/abdb.php)), with an agenda that offers an opportunity for the non-NELAP state ABs to express their concerns and hopefully resolve misconceptions about NELAP, and to discuss what obstacles they see to becoming NELAP. The AC considered whether the EPA regional Certification Officers should be invited, but decided that it would be better to let Marvelyn, our EPA Liaison, coordinate any input they might have.

The invitation email will also ask that the program managers respond beforehand with information about whether and how their program uses or recognizes NELAP accreditations. This information, if received, will be compiled and sent out with the “reminder” email message before the actual meeting. Lynn noted that Carol Batterton has asked to be included, and that it will be helpful to have an additional note-taker since up to 60 individuals will possibly be participating. Since Carol staffs the Advocacy Committee that plans to build its outreach to non-NELAP states by using this AC call as the first step, no one objected to Carol’s inclusion. Lynn will send a draft invitation and list of emails to Aaren.

5. Continued Discussion of the Desired New Policy or SOP about Changes to AB Operations

After the March 19 AC meeting, Scott Siders had found and shared the wording from the original 2003 NELAC Standard (see below). Participants agreed that this was an appropriate foundation for the policy we want and have discussed. After more consideration, all agreed that rather than drafting the policy ourselves, it would be preferable to let the “consensus” part of the NELAP program prepare the draft, and so the Laboratory Accreditation Systems Executive Committee will be asked to develop a draft policy or procedure and submit it to the AC. This section of the NELAC standard was forwarded to LAS EC with the request:

**6.3.4 Notification of Changes to An Accrediting Authority's Program**

- a) For all changes in the accrediting authority's environmental laboratory accreditation program listed below, the NELAP Director shall be notified of changes to:
  - 1) the authority to accredit laboratories as stated in the statutes, regulations and promulgating instructions establishing and governing the accrediting authority's environmental laboratory accreditation program,
  - 2) the organizational structure including key personnel,

- 3) the rules, regulations, policies, guidance documents and standard operating procedures,
  - 4) the mailing address and office location, telephone and facsimile numbers and electronic mail address, and
  - 5) the contractual arrangements, including contractor's personnel, for laboratory accreditation activities contracted out under authority of subsection 6.2 (c).
- b) The notification to the NELAP Director shall be made within 30 calendar days of the change taking place in the accrediting authority's environmental laboratory accreditation program.
- c) The NELAP Director may request further documentation or conduct on-site evaluations to verify that changes in the accrediting authority's NELAP-recognized environmental laboratory accreditation program do not place that program in violation of the NELAC standards."

## 6. Discussion of SIRs

SIR #51 was discussed, and while participants weren't fully satisfied with the explanatory language in interpretation provided, the ultimate answer (the standard must be followed) is correct. At least one party will change its vote from "needs discussion" to yes, so that this SIR can move to the final 2-week notification stage of voting. Participants again requested that the Quality Systems (QS) Expert Committee be asked to refine its future answers to omit editorial comments and please not to presume to address the intent of the group drafting the standard originally.

SIR #62 was discussed also, and consensus was that the interpretation offered by QS is unacceptable, and that rather than finalize a "no" vote, we will try to simply return the existing comments to QS and ask for its reconsideration.

## 7. Possible Change in Meeting Schedule

Aaren asked if it might be possible to reduce the AC meetings to one per month. Consensus was that, since we have a backlog of action items now, reducing available meeting time would seem to make that a bigger problem. Then Aaren asked about having the first call of the month handle administrative items and the second call address policy issues. This latter suggestion was acceptable, but not actually agreed upon. For now, the "detail" issues will be left to the end of the meeting, where the group is less likely to get bogged down in minutiae, and also to omit the evaluation status updates from the call, since these can normally be accomplished through email. [Editorial Note: This will be done with the meeting reminder for the second meeting of the month, since the evaluators call will provide solid update information the prior week.)

## 8. Wrap-Up of TNI Board memo to the NELAP Board, from March 10, 2010

Aaren had found this correspondence a few months back, and circulated it with the intent of ensuring that all items had been addressed, but other pressing issues kept pushing the discussion into a future meeting. With 10 minutes remaining, Lynn insisted that she could detail how each item about interpretations of the standard and desired changes to the evaluation process and its efficiency have been addressed. The Evaluation SOP (SOP 3-102 Rev. 3, pending Policy Committee approval) includes a process by which any needed interpretation of the standard will be submitted as an SIR by the QAO, and hopefully receive an expedited response. That Revision 3 also includes timelines for evaluations, procedures for requesting extensions, and an explicit statement that the observation is NOT intended to review assessor competence but rather assessor

compliance with documented requirements for the assessment. Finally, the Provisional Recognition SOP (SOP 3-108, pending Policy Committee approval) that addresses the circumstance where an AB is unable to complete approved corrective actions within the specified timeline. NOTE: Since two interim responses to the original memo were already sent, this has fallen off the TNI Board's "radar" but when the Policy Committee eventually approves the SOPs, it would be appropriate to send a close-out memo for those items.

9. Next meeting

The next AC meeting will be Monday, April 2, 2012, at 1:30 pm EDT. Teleconference information and an agenda will be sent beforehand. The agenda will include:

- Feedback from Invitation to Open Meeting, if any
- Follow-up from new Task Force addressing third party AB option (organizational meeting 4/9)
- Review of sample DoD reports, as further consideration of Option 5 from AB Task Force
- Follow-up to commitments made in Sarasota – complaint process, consistent FoAs, and item from TNI Board letter of 3/10/10 requesting review of AB Operations
- SIRs (the next 2 oldest ones, probably 80 & 82, possibly 84)

**Attachment 1**

STATE	REPRESENTATIVE	PRESENT
CA	Jane Jensen <a href="#">510-620-3174</a> <a href="#">F: 510-620-3471</a> <a href="#">E: jjensen@cdph.ca.gov</a>	yes
	Alternate: Fred Choske <a href="#">510-620-3175</a> <a href="#">F: 510-620-3471</a> <a href="#">E: fchoske@cdph.ca.gov.</a>	no
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: <a href="#">steve_arms@doh.state.fl.us</a>	yes
	Alternate: Carl Kircher E: <a href="#">carl_kircher@doh.state.fl.us</a>	no
IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: <a href="#">scott.siders@illinois.gov</a>	yes
	Alternate: Janet Cruse T: 217-785-0601 E: <a href="#">Janet.Cruse@illinois.gov</a>	yes
KS	Michelle Wade E: <a href="#">MWade@kdheks.gov</a> Ph: <a href="#">(785) 296-6198</a> Fax: <a href="#">(785) 296-1638</a>	yes
	Alternate: none	
LA DEQ	Paul Bergeron T: 225-219-3247 F: 225-325-8244 E: <a href="#">Paul.Bergeron@la.gov</a>	yes
	Altérnate: TBD	
LA DHH	Donnell Ward T: E: <a href="#">donnell.ward@la.gov</a>	yes
	Alternate: TBD	
MN	Susan Wyatt T: 651.201.5323 F: E: <a href="#">susan.wyatt@state.mn.us</a>	yes
	Alternate: Stephanie Drier E: <a href="#">stephanie.drier@state.mn.us</a>	yes

NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: <a href="mailto:george.hall@des.nh.gov">george.hall@des.nh.gov</a>	no
	Alternate: TBD	
NJ	Joe Aiello T: (609) 633-3840 F: (609) 777-1774 E: <a href="mailto:joseph.aiello@dep.state.nj.us">joseph.aiello@dep.state.nj.us</a>	yes
	Alternate : TBD	
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568 E: <a href="mailto:seo01@health.state.ny.us">seo01@health.state.ny.us</a>	no
	Alternate: Dan Dickinson E: <a href="mailto:dmd15@health.state.ny.us">dmd15@health.state.ny.us</a>	no
OR	Gary Ward T: 503-693-4122 F: 503-693-5602 E: <a href="mailto:gary.k.ward@state.or.us">gary.k.ward@state.or.us</a>	yes
	Alternate: Scott Hoatson T: (503) 693-5786 E: <a href="mailto:hoatson.scott@deq.state.or.us">hoatson.scott@deq.state.or.us</a>	no
PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: <a href="mailto:aalger@state.pa.us">aalger@state.pa.us</a>	yes
	Alternate: Dwayne Burkholder E: <a href="mailto:dburkholde@state.pa.us">dburkholde@state.pa.us</a>	no
TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: <a href="mailto:sstubbs@tceq.state.tx.us">sstubbs@tceq.state.tx.us</a>	no
	Alternate: Steve Gibson E: <a href="mailto:jgibson@tceq.state.tx.us">jgibson@tceq.state.tx.us</a>	yes
UT	David Mendenhall T: (801) 584-8470 F: (801) 584-8501 E: <a href="mailto:davidmendenhall@utah.gov">davidmendenhall@utah.gov</a>	yes
	Alternate: Kristin Brown E: <a href="mailto:kristinbrown@utah.gov">kristinbrown@utah.gov</a>	no
VA	Cathy Westerman T: 804-648-4480 ext.391 E: <a href="mailto:cathy.westerman@dgs.virginia.gov">cathy.westerman@dgs.virginia.gov</a>	yes

	Alternate: Ed Shaw T: 804-648-4480 ext.152 E: <a href="mailto:ed.shaw@dgs.virginia.gov">ed.shaw@dgs.virginia.gov</a>	no
	NELAP AC Program Administrator and Evaluation Coordinator Lynn Bradley T: 540-885-5736 E: <a href="mailto:lynn.bradley@nelac-institute.org">lynn.bradley@nelac-institute.org</a>	yes
EPA Liaison	Marvelyn Humphrey T: (281) 983-2140 E: <a href="mailto:Humphrey.Marvelyn@epa.gov">Humphrey.Marvelyn@epa.gov</a>	no
	Quality Assurance Officer Paul Ellingson T: 801-201-8166 E: <a href="mailto:altasnow@gmail.com">altasnow@gmail.com</a>	yes
	Oklahoma: David Caldwell	yes
	Guests: none	