

Meeting Summary of NELAP Accreditation Council Open Meeting

May 7, 2012 1:30 pm EDT

Aaren Alger, Chair of the Accreditation Council (AC), opened the meeting with a welcome, and asked that the Program Administrator take a roll call by state to see who was on the conference line. See Attachment 1 for a list of those present.

Introduction

For those state representatives who haven't been following the evolution of NELAP, Aaren provided a brief overview of how NELAP, the AC and the environmental lab accreditation program operate within The NELAC Institute (TNI) and other activities of TNI as well. NELAP is based on accepting the accreditations of other NELAP Accreditation Bodies (ABs.) Each state's authority comes from state laws and regulations of its executive branch. NELAP ABs are evaluated on a 3-year cycle, using a peer review process that also includes a Quality Assurance Officer (QAO.) The AC meets twice monthly by teleconference and twice yearly in person, at the TNI conferences. Each NELAP AB has a voting representative and alternate on the AC, and the EPA Liaison, the QAO and the Program Administrator are also part of the biweekly meetings.

Communication

There is a relatively new TNI Standard for environmental laboratory accreditation, being implemented now by the NELAP ABs. The AC realizes that more states than the 15 NELAP ABs either utilize the TNI Standard or in some other way, rely on the NELAP accreditation process in their non-NELAP state program. For this reason, TNI would like to provide updates to those states, and Aaren asked what issues would be important to follow. Participants contributed these items:

- Whatever decisions are made about PTs that affect all states should be communicated. The new PT scoring is an important change that affects non-NELAP states too, and they need advance notice. At least one state was not aware of any PT changes.
- PT providers (PTPs) should give heads up to non-NELAP states when changes are made, such as the change to a 15-day reporting requirement. All states prefer PTPs to be subject to oversight and generally use the NELAP-approved PTPs.
- It was noted that PTP changes may not meet non-NELAP state requirements. States would appreciate communication thru the State Assessor Group when major changes are made.

Aaren noted that non-NELAP states are welcome to participate in TNI and join committees that impact NELAP activities; some already do so.

Changes to NELAP that would Benefit non-NELAP States

Aaren inquired whether there are changes that NELAP could make, that would benefit the non-NELAP state programs.

The only response was about analysis of drinking water by a non-EPA-approved method. NM has few labs in-state, and has accepted NELAP accreditations. The state uses a non-EPA method for lead (Pb) in drinking water and has had issues with PT results reporting.

FL indicated that it will certify for any method requested by the lab, but recognizes that non-EPA methods cannot be used for drinking water regulatory compliance analyses. The choice of method is a decision between the lab and its clients, not something TNI can address.

PA noted that labs there need to use non-EPA methods for certain analytes in homeowner wells, due to contaminant levels being too high (from Marcellus shale drilling) so that the EPA methods are simply overwhelmed, but that when it a lab requests certification for non-EPA approved methods, PA requires a letter from the lab stating that they are aware they cannot use that non-approved method for compliance testing, even though the lab be accredited for the method.

Concerns about NELAP Program

Aaren then invited participants to discuss their concerns about the current NELAP program. A summary of those several items follows.

“What impact will the ACIL initiative have on NELAP?”

TNI has formed a task force to look into issue of non-governmental ABs (NG-ABs) granting accreditation to the NELAP standard. Accreditation is an inherently government function as specified by DW program, but some parts of the process can be done by a 3rd party, so long as the state retains its licensing function since the regulatory aspect of drinking water certification is a governmental function. It appears that someone in state will need to have certification officer training (technical competence) for oversight.

“What would be your concern about 3rd party ABs?”

At least one state does a lot of document review prior to accepting a lab’s accreditation by NELAP in its current program, and has concerns about whether that could continue if NG-ABs are utilized.

Another participant performing drinking water certifications inquired, “What is actually involved in a NELAP assessment?” Aaren explained that an on-site visit occurs every 2-years-plus/minus-6-months, looking at the lab quality system documentation, and other requirements of the TNI Standard such as training and personnel records, and assessing analytical procedures, holding times, sample preparation – that it’s similar to drinking water certification except it uses the TNI standard instead of the drinking water certification manual. There was discussion about whether direct visual observation of performing the analytical methods takes place under NELAP accreditations, with responses from NELAP representatives being that they don’t necessarily require actual performance of an analysis, but they will require a “walk through” of the method with water specimen.

What does a TNI assessment cost?

The cost of a NELAP assessment varies from state to state depending on how much the state funding streams are established. FL offered its fees as an example -- they vary depending on scope of accreditation and whether there is out-of-state travel involved. Minimum fee is \$500 per year, and the maximum is \$11,500. No extra fee is assessed by TNI or NELAP.

What would be fee to be a NELAP AB?

Aaren described the NELAP recognition process, and that the annual fee of about ~\$6,000 (last year) needs to be paid when the application is submitted. States that have declared their intent to become a NELAP AB are invited to participate in AC meetings as a way of mentoring and guidance. MN noted that being a NELAP AB is a more efficient way to manage reciprocity than what they needed to do prior to becoming NELAP.

What Fields of Accreditation (FoA) does a NELAP AB need to offer?

Some NELAP states offer all 5 FoA (drinking water, non-potable water, solids and chemical methods, biological tissue, air) while others offer only FoA that are addressed in their state programs. Aaren noted that this is one of the major complaints of ACIL, that multiple primary ABs are needed for large labs, when the state in which they're located does not offer all FoAs needed. A NELAP AB may offer only one FoA, which would typically be drinking water. One rationale for using NG-ABs might be to address additional FoAs that a primary does not offer.

Obstacles Keeping States out of NELAP

Aaren asked participants to please identify which aspects of NELAP seem to be obstacles interfering with the possibility of becoming a NELAP AB. Answers were varied.

Resources

One current NELAP AB may have insufficient resources to remain in the program. Another non-NELAP state has insufficient people to sustain a 2-year cycle of assessments.

NM offered that it has only 2 labs performing drinking water testing, all of which is paid for by the state, so NELAP would seem unnecessary. The numerous federal facilities in NM are permitted to send their samples out-of-state but this often results in compliance data not being reported into the Safe Drinking Water Information System (SDWIS.)

Closing

Aaren thanked the participants and expressed her hope that the meeting was beneficial to all. She offered that any of the invitees may contact her directly with questions, or, if they prefer to remain anonymous for whatever reason, they may route those questions through the Program Administrator, Lynn Bradley.

Aaren committed to providing updates through the state assessor calls and particularly about how TNI changes, in the future.

She also reminded participants that there will be a special session for non-NELAP states at the Forum on Laboratory Accreditation in Washington, DC, during the week of August 6. The session will take place on Wednesday afternoon, August 8.

Attachment 1 – Participant List

AK – Sherri Trask
AZ – Isaac Robert
FL – Steve Arms
IA – Marsha Zalbrecht, Jeff Watson
IL – Janet Cruse, Scott Siders
IN – Phil Zillinger, Mary Robinson
KS – Michelle Wade
LA – Donnell Ward
MA – Ann Marie Allen
ME – Kelly Perkins
MN – Susan Wyatt, Stephanie Drier
NC – Dana Satterwhite, Gary Francies
ND – Errol Erickson
NJ – Joe Aiello
NY – Stephanie Ostrowski
NE – Sandy Irons
NM – Danielle Shuryn, Oneva Pena
OK – David Caldwell
PA – Aaren Alger
SC – Carol Smith
TX – Steve Stubbs, Steve Gibson
UT – Dave Mendenhall, Kristin Brown
VA – Cathy Westerman

Marvelyn Humphrey, EPA Liaison to the AC
Paul Ellingson, QAO
Lynn Bradley, TNI Program Administrator
Carol Batterton, TNI staff