

## TNI Board of Directors Meeting Summary October 8, 2008

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### 1. Roll Call and Approval of September Minutes

Directors	Present
Joe Aiello	Yes
Steve Arms	Yes
Judith Duncan	Yes
Jack Farrell	Yes
Ken Jackson <input type="checkbox"/>	No
Tom McAninch	No
Sharon Mertens	No
Judy Morgan	Yes
Ken Olson	Yes
Aurora Shields	Yes
Matt Sica	Yes
Alfredo Sotomayor	Yes
Dave Speis	Yes
Curtis Wood	Yes
Bob Wyeth	Yes
Ex-Officio Directors	
Brooke Connor	Yes
Deb Szaro (Kevin Kubik)	Yes
George Detsis	No
Edward Hartzog	Yes
Staff	
Carol Batterton	Yes
Jerry Parr	Yes
Ilona Taunton	Yes
Jane Wilson	Yes
Janice Wlodarski	Yes

Approval of September 2008 meeting minutes:

Motion to Approve: Dave Speis  
 Second: Curtis Wood  
 All in Favor: Approved

### 2. Letter from ACIL (Attachment 1)

ACIL would like to ask NELAC states drop the SW-846 method version designation from the accreditation certificates. The Board will send the letter to NELAP for consideration, noting that it's a worthy proposal that should be considered and request a recommendation by the Miami meeting.

Motion: To forward this issue to NELAP Board for consideration, making note that it addresses an important issue that came up at our most recent meeting. It only addresses one part of the problem but we feel that it is an issue that should be considered and put on a fast track for response to ACIL.

Motion to Approve: Jack  
 Second: Bob  
 All in Favor: Approved

**3. FSMO Accreditation Program**

Discussion included the idea of chartering a companion committee to produce a vision for what the NEFAP program would look like. This vision includes a feasibility study, to be developed into a business plan and presented to the Board. The Field Activities should have a conceptual plan available for consideration at the Strategic Planning meeting of the TNI Board in Miami. After approval, changes to the Bylaws will be made (if necessary) and the next steps for moving the program implementation along (i.e. creating an organizational structure) will be identified.

Motion to charter Field Activities Committee to prepare a conceptual plan available for consideration by the Board in Miami:

Motion to Approve:     Aurora  
Second:                 Alfredo  
All in Favor:           Approved

**4. Executive Director and Program Administrator Reports**

See Attachments 2 and 3.

**Attachment 1**  
**Letter from ACIL Re: Recommendation Regarding the  
Status of Revised SW-846 Methods**

*Enhancing Public Health and Safety  
Through Quality Testing and Engineering*



September 30, 2008

Ms. Judy Duncan  
Chairman, TNI Board of Directors  
Oklahoma Department of Environmental Quality  
P.O. Box 1677  
Oklahoma City, Oklahoma 73101-1677

Re: Recommendation Regarding the Status of Revised SW-846 Methods

Dear Ms. Duncan:

The American Council of Independent Laboratories (ACIL) is the trade association representing independent, commercial scientific and engineering firms. ACIL's members are professional services firms engaged in testing, product certification, consulting, and research and development and represent 85% of the commercial environmental testing capacity in the United States. ACIL members have become increasingly concerned about the vague regulatory status of revised versions of SW-846 methods which has resulted in severe problems for the commercial laboratory community. These difficulties have led to laboratory accreditation recognition difficulties between State regulatory authorities, an unnecessary increase in analytical costs and create difficult laboratory analysis management issues, which pose the potential for misreporting of analytical data. ACIL requests the assistance and leadership of TNI and the NELAP Board by making changes to the approach used to indicate accreditation for SW-846 methods.

The USEPA Office of Solid Waste (OSW) regularly issues new and updated SW-846 methods. One such change occurred on January 3, 2008, when the availability of Update IV of SW-846 was announced by OSW. This Federal Register notice announced the availability of 47 new and revised test methods and deleted 44 obsolete methods.

Revised methods typically include changes that improve the science of the technique, which result in an improvement in data quality. Accordingly, previous versions of the revised methods can no longer be considered to be state of the art and the data they produce must be considered to be inferior to the data produced using the revised methods. For example, SW-846 method 8270 now includes expanded criteria for calibration checks where none previously existed and more rigorous requirements for sample preservation and storage. These changes will have a profound effect on data quality.

However, beyond the Federal Register notice, OSW has not provided any clarity regarding the regulatory status of the revised versions upon release, which would provide laboratories and regulators with a clear indication of their status. During the recent NEMC meeting in Washington DC, a representative of the USEPA OSW clearly indicated that the revised methods represent an improvement in the science of the technique, translating into a data quality improvement.

The absence of a clear, strongly worded status statement has led to countless difficulties for the laboratory community. Several NELAP Accreditation Bodies (ABs) are not offering accreditation to the revised methods, which is in direct conflict with the requirement of the NELAC standard. This is resulting in laboratory accreditation issues between primary and secondary state accreditation bodies which are impossible for laboratories to resolve unless laboratories maintain accreditation for old and new versions of the SW-846 methods.

Maintaining accreditation for both method versions is both costly and wasteful. Attempting to manage different versions of an SW-846 Method in a laboratory environment increases the logistical difficulties caused by an attempt to batch and analyze samples according to the correct version of the method, which will certainly cause execution confusion resulting in misreporting of analytical data by the laboratory staff. It has also resulted in an unnecessary increase in analytical costs and created difficult laboratory analysis

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management issues which pose the potential for misreporting of analytical data. The logistics of managing two versions of the same method that are slightly different from each other in a commercial laboratory is untenable. It is likely that laboratories may begin to indicate that the data was produced to a specific method version regardless of the version they are using for the analysis.

ACIL believes that there is a simple solution to this dilemma that the NELAP Board can adopt. ACIL requests that all NELAP states drop the method version designations from the accreditation certificates. This approach has numerous upside benefits without any consequences.

Eliminating the method version will enable the laboratory to quickly and efficiently replace the outdated method version with the new version. If they choose, the laboratory may retain both method versions for situations that require specific permit or consent decree driven versions of the method to be employed. Laboratories would continue to produce data reports that indicate the specific method version that was used to prepare the data.

Program offices within the States that typically oversee regulatory environmental processes that include the analysis of environmental samples typically have little understanding of analytical method mechanics. In those cases where the program office insists that an obsolete version of an SW-846 method be employed, the laboratory would not be restricted by the version listed on their accredited parameter certificate. In those situations, the laboratory would be free to negotiate another method version, perform the obsolete method or decline the work. This approach would also apply to situations where permits dictated the specific version of the method to be employed. An additional benefit of the proposed approach would be a subtle first step initiated by States towards the performance approach.

ACIL believes that dropping the method version designations from the accreditation certificates offers a solution to the SW-846 method recognition dilemma. Implementing the proposed approach would resolve the implementation and accreditation issues and prevent the difficulties that will occur if the status quo continues to be employed. ACIL requests that the NELAP Board carefully consider this suggestion.

Since the initiation of a "National" accreditation program, NELAP has significantly leveled the accreditation "playing field", which has equally improved accreditation management for laboratories. ACIL would like the NELAP board to continue this positive direction by taking steps towards resolution of the SW-846 method version issue. ACIL urges you to take prompt action to resolve this dilemma to prevent the environmental regulatory community from following a path that will cause damage to the data quality generation process and negatively impact the economics of laboratory data production.

Our member organizations are extremely concerned about the damage a delay in implementing this request will cause. To this end, members of ACIL would like to meet or participate on your next conference call with you and the Board, if necessary, to present our case. ACIL representatives will be contacting you shortly via telephone to determine if a meeting or teleconference is necessary.

Sincerely,



Charles E. Van Aken  
Deputy Director & Acting Executive Director

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**Attachment 2  
TNI Board Proposal  
Establish the National Environmental Field Activities Program (NEFAP)**

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This is a proposal for TNI to establish the National Environmental Field Activities Program (NEFAP). TNI has developed and adopted a standard for the accreditation of field sampling and measurement organizations (FSMOs). In order for this standard to be a truly national program, policies and procedures must be written to ensure the consistent implementation of these standards. In addition agreements amount the ABs and TNI are necessary to ensure the evaluation of the implementation of the standards, TNI policies and procedures are completed in a uniform and fair manner. These activities cannot be performed within the framework of the TNI laboratory accreditation system.

The NEFAP program will apply to all FSMOs that are seeking accreditation for field sampling and measurement activities using Volume I of The NELAC Institute (TNI) Sampling and Measurement Organizations Standards or ISO/IEC 17025 based consensus standard for FSMOs that are equivalent to the TNI standard and accepted by the accreditation body. The program also applies to Accreditation Bodies who will be assessing and evaluating FSMO applicants for compliance with the specifications of Volume II of the TNI Sampling and Measurement Organizations Standards.

The Field Activities Committee is charged by the TNI Board to guide Field Sampling and Measurement Organizations (FSMO) and Accreditation Bodies (AB) through the accreditation process using a systematic method that assures a uniform approach for entities seeking or granting accreditation. Specific requirements that are essential to the accreditation process are identified for each type of organization in the TNI standard. The requirements direct FSMOs and ABs to procedures that are required in the accreditation process. The Committee shall work with the stakeholders to further detail the program.

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**Attachment 3  
Executive Director's Report**

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**October 7, 2008**

**Activities Completed Since September 10**

- Finalize training courses for Miami
- Prepared and mailed brochure for Miami
- Hotel site visit for Miami
- Signed contracts for NEMC 2010 and 2012
- Renegotiated contracts for San Antonio (NEMC 2009) and Chicago (Jan. 2010) meetings
- Posted Call for Papers for NEMC 2009
- Began planning NEMC 2009

**Upcoming Activities**

- Get website fully operational
  - membership, purchase documents, committee pages
- Publish remaining Board minutes
- Open registration for Miami
- Produce 9-month financial report
- Send TNI standards to ANSI and ASTM with royalty checks
- Publish newsletter
- Send 2006 financial records to accounting review firm

**Organization Update**

Database not adequate to provide an update at this time due to organizational membership status.

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**Attachment 4**  
**Program Administrator's Report**

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October 7, 2008

**Consensus Standards Development Program**

- All Expert Committees except FAC will provide documentation comparing their new TNI standards modules to NELAC 2003 to LASC for their review ASAP.
- CSDB approved proposed changes to the TNI standards development procedures to address the need for more flexibility in determining interest categories for Expert committees. The proposed changes will be forwarded to the Policy Committee.
- CSDB discussed a question that had arisen regarding TNI membership requirements for subcommittees since this is not covered directly by TNI policy. The CSDB agreed subcommittee members do not have to be TNI members, but should be encouraged to consider joining the organization.
- The resolution of the QS module appeal was discussed. It was suggested by the members that the appeal decision be posted somewhere on the TNI site for future reference (could be posted as a standards interpretation).
- SSAS committee continues to meet and will be looking to schedule a face-to-face meeting to speed up pace of WDS development.
- CSDB will not meet in October.

**NELAP Board**

- Three evaluation team recommendation reports have been approved by the NELAP Board for AB renewal. These are New Hampshire, LA DEQ, and Kansas. Recommendations for Pennsylvania and Utah have been forwarded to the Board for action and will be voted on at the next meeting.
- Renewal letters for the next round of evaluations were mailed on October 1.
- Online training for potential new AB's has been scheduled for October 23 on the EPA web training system.
- The NELAP Board is considering options for assessing fees to ABs.

**Laboratory Accreditation Committee**

- The LASC is still in the process of reviewing the new TNI standard.
  - The group has completed the PT related standards: Volume 1: Module 1, Volume 2: Module 2, Volume 3 and Volume 4. A final review table with questions has been submitted to the PT Expert Committee and a response is expected by mid to late October. The group will then work on their recommendation to the NELAP Board.
  - The group is now reviewing Quality Systems. They have met with the incoming Chair of the Quality Systems Committee and have completed the review of Volume 1: Module 2. Review comments on Volume 1: Modules 3, 4, 5, 6 and 7 are due this Wednesday, 10-8-08, to Ilona. A summary of the comments will be prepared for review during a meeting planned on Friday, 10-10-08. The incoming Quality Systems Chair will be joining the call.
  - The group met once a week the previous month and has started using web conferencing to complete the review process. At this point the review appears to be on target for completion.
  - The SOP for standards review has been finalized and forwarded to the Policy Committee.

- The Standards Interpretation Request process is well underway.
  - Four new requests were received this month (#27-30).
  - All previous requests were forwarded to the appropriate committee or board for response within 30 days (due 10-17-08). Quality Systems has already responded to their requests and final letters to the inquirers have been prepared for NELAP Board approval. Once these are approved they will be e-mailed.
  - The TNI Webmaster has been contacted to develop a method for posting the final responses.

#### **National Database Subcommittee**

- Dan Hickman is going through the manual data entry process and making suggestions to the contractor for minor changes. He will be meeting with NFSTC and the contractor within the next two weeks to discuss the final stages.

#### **PT Board**

- Quantitative Total Coliform has been added to the Drinking Water FoPT Accreditation Analytes Table with an effective date of January 1, 2009. (Many accredited laboratories are running Total Coliform and E coli together in the QUANTITRAY methods, and it creates an awkward and confusing PT situation even though EPA does not specifically regulate Total Coliform for the LT2 and other SDWA rules.)
- The Chemistry FoPT Subcommittee has been reformed. There are currently 7 volunteers, but Carl is working to increase that number to about 15 in order to handle this very large task. The subcommittee will look at all analytes and limits – not just experimental.
- The Microbiology Subcommittee was dissolved until the new TNI Standards go in effect.
- The PT Board reached out to the Technical Assistance Committee and Advocacy Program to look for better ways to communicate updates to the FoPT Tables to the community of users outside of TNI.
- The A2LA on-site office visit is being planned for early November. This will finish up the A2LA review process.

#### **Technical Assistance Committee**

- TAC is planning mentoring sessions for Miami on the new TNI standards and training for potential ABs.
- TAC will begin discussing regional workshops for training labs on the new TNI standards at their next meeting.
- TAC is coordinating with the NELAP Board on training for potential ABs. the registration website has been set up and invitations sent via the assessor work group and personal emails. The work group has developed a flow chart of the recognition process.

#### **Advocacy Committee**

- The Advocacy Committee has developed an almost final version of the “Benefits of NELAP Accreditation” paper. Lara Autry will be polishing and finalizing the paper. The committee will be gathering case studies to amplify the paper.
- The next TNI newsletter is on schedule to be released October 15.
- Members of the Advocacy Committee and TAC met with Leonard Schantz to his role as the Small Lab Advocate. Len will draft a set of goals and objectives for review. He will also set up a discussion group to gather input from small labs.
- The program administrator is collecting numbers of utility labs that are NELAP accredited from the ABs to assist the SLA and to use in the Benefits paper.
- The committee will begin reviewing their “task list” at the next meeting.



**Website**

- Work on revising some pages to make it easier to find information about becoming an AB and TNI bylaws.
- Continued work on website SOPs

**Policy**

- Reviewed FSMO policy.
- Worked on annual report format.
- Continued work on document control SOP.

**Finance**

- Approved contracts for summer meeting for 2010 and 2012 in DC.