

TNI Board of Directors Meeting Summary May 11, 2011

1. Roll Call and Approval of April Minutes

Directors	Present
Joe Aiello	X
Aaren Alger	X
Steve Arms	X
Susan Boutros	X
Judith Duncan	X
Robert DiRienzo	X
Zonetta English	X
Jack Farrell	X
Keith Greenaway	X
Sharon Mertens	X
Judy Morgan	X
Patsy Root	X
Matt Sica	X
Alfredo Sotomayor	X
Dave Speis	X
Elizabeth Turner	X
Curtis Wood	
Ex-Officio Directors	
Brenda Bettencourt	X
Brooke Connor	X
George Detsis	
Edward Hartzog	X
Staff	
Lynn Bradley	X
Carol Batterton	
Ken Jackson	X
Jerry Parr	X
Ilona Taunton	
Janice Wlodarski	X

April 13 Meeting Minutes

Changes: Add George Detsis to roll call.

Motion to Approve: Jack Farrell

Second: Sharon Mertens

Approved: Unanimous

2. LASEC Recommendations on Implementing the 2009 TNI Standard

The Laboratory Accreditation System Executive Committee developed two recommendations relative to implementing the new Standard. See Attachment 1. The second recommendation concerning proficiency testing was discussed at length at the NELAP Accreditation Council meeting of May 2 and will again be on the agenda at the May 16 meeting. The NELAP evaluators will also discuss the issue on May 11 and their discussion points will be brought to the AC. This recommendation reads as follows: " In light of the concerns over the 2009 Standard and the plans underway to revise the Standard in the near future, the Laboratory Accreditation System Executive Committee (LAS EC)

recommends that the Accreditation Council continue to use the PT requirements contained in Chapter 2 of the 2003 NELAC Standard until such time as the revised Standard has been adopted for use in NELAP. This recommendation will maintain reciprocity and will alleviate concerns over laboratories, PT providers, and ABs in changing their systems to meet requirements that might be changed again in the near future." It appears that most ABs would be able to accommodate this recommendation, but the AC would very much like to have input from the Board before it votes.

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Discussion about the controversy surrounding the PT Standard as it is going to be implemented in July. Because of some ongoing and more recent developments, this may not be possible. Attachment 1 holds the LASC recommendations relative to implementing the new Standard.

The NELAP AC has discussed the LASC recommendations. They are concerned with, from a regulatory standpoint, that the ABs have been working over the past 2 years to change to the 2009 TNI Standard. There are 3 states that will use whatever is adopted by the AC, but the other states are in other states of flux. Two or three states, specifically within the last week stopped their rulemaking because of this issue, while others haven't even begun. Suspects the NY letter has had some influence on this activity:

"...should the PT section of the 2009 TNI Standard not be overturned, NY State will be required to follow its existing PT requirements as outlined in our environmental regulations. The burden and expense of these dual and separate regulatory related requirements would increase dramatically for the 94 laboratories that are accredited secondary and since all laboratories performing testing on NY samples would need to obtain primary accreditation from NY, including supplemental NY-specific PT samples."

Original thought it just meant they were going to track PTs for themselves. Not what they meant. What they meant is that if we do not revert back to the 2003 NELAC Standard, they will pull out of NELAP and make all of their labs become accredited by their ELAP program and not recognize secondary accreditation. Assuming that would also mean that they would not be a TNI-recognized PT provider – labs would have to do NY PTs and something else if they wanted to maintain accreditation in the NELAP program by some other AB.

After more discussion we decided we (NELAP AC) did not have enough information to decide what the impact would be to the TNI community.

Other issues include, given that the Expert Committee is writing a new Standard, why would we have everyone switch to the 2009 TNI Standard when there will be a new Standard coming out after that, and what did the PTEC and the TNI BOD think about this as well?

Backlash could be larger than just the labs/ABs reverting back to the 2003 NELAC Standard for PT – could include them using other modules in the 2003 NELAC Standard instead of the new 2009 TNI Standard.

Jerry floated draft language by the PTEC – they are interested in using the language that Jerry provided. There were comments provided when the Standard was reviewed and commented on. New York comments were voted non-persuasive. New York abstained from voting during the final vote.

PA, TX, MN have adopted "whatever the NELAP AC decides". Aaren has not yet heard back from others yet – probably have not written into their rules yet re: the 2009 TNI Standard. The problem is that not everyone can split their rule-making into accepting or using part NELAC, part 2009.

The question: Hold off on implementation of full Standard until later so the entire Standard can be written in and enforced?

*Discussion continues on the pros and cons of continuing with the implementation date of July 1 or holding off; impact to ABs and rule-making; impact to other portions of the 2009 TNI Standard, impact of reversing the consensus standard decision based on one party's unwillingness to comply or compromise, etc.*

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MOTION TO RECOMMEND TO NELAP AC TO MAINTAIN THE PREVIOUSLY AGREED TO IMPLEMENTATION SCHEDULE of July 1st. Matt Sica

Second: Dave Speis

Approved: 9
Opposed: 3
Abstained: 1

Motion Carries with Quorum.

Aaren to take this information back to the NELAP AC.

Jerry will send information to the PTEC and to the EPA so they know what's going on.

3. Florida Update

It appears the Florida legislature will not take any action concerning the privatization of the Florida certification program. Privatation would not be acceptable to the EPA and could not be a rubber stamp operation either. Issue is tabled now for another year.

4. Program Reports

See Attachment 1.

Attachment 1 PROGRAM REPORTS

CONSENSUS STANDARDS DEVELOPMENT

- Since the proposed TIA on Whole Effluent Toxicity (WET) was rejected by the CSD-EC, the PT committee asked the PT Executive Committee chair to remove WET from the Field of Proficiency Testing tables. The PT Executive Committee met recently to discuss this issue.

The PT Committee is developing a new Working Draft Standard (WDS), partly to address the concerns of the NELAP Accreditation Council. The WDS is expected to be ready by May 31 for public comment in June.

- The QS Expert Committee has completed V1M2, M3 and M4 of its new Working Draft Standard (WDS). It is hoped to complete the WDS in time to hold a workshop in Seattle.
- The Stationary Source Audit Sample Expert Committee's final TIA will continue to be posted for comment until May 9. If no comments are received, the committee will approve the final Standard and submit it to EPA.
- A revision cycle of the FSMO Standard (V1 and V2) is about to begin and a Working Draft Standard may be available by the middle of the year. The committee is planning to develop policies and procedures for training as part of the new Educational Delivery System.

NEFAP Executive Committee

- LAB has applied to be a NEFAP AB. Information is still being gathered from assessors and should be finalized within the next week.
- NEFAP AB Assessor training was offered and is now available as a Webcast on the TNI website.

Field Activities Expert Committee (FAC)

- Comments are being received for consideration in the update of the 2007 Standard. Bob DiRienzo prepared a database to track the process of updating the Standard and shared it with the committee at the last meeting.
- The "NEFAP Training Oversight Subcommittee" are working on written procedures on how to determine training needs and review training proposals submitted for review.
- The FAC is still working on an SOP for development of marketing materials and an update on the NEFAP brochure (expected completion in Spring).
- Craig Forbes prepared a chart to compare NELAP QC vs. NEFAP QC and this is now being reviewed by Carl Kircher and Mike Miller.

NELAP

Accreditation Council

- Two recommendations from the LAS EC were received, concerning implementation of the TNI Standard. The first is about Accreditation Body (AB) evaluations, and is not controversial but is consistent with discussions held by the AC: "an acceptable corrective action for any finding associated with the evaluation of an Accreditation Body that is solely attributed to a new requirement

in either Volume 1 or Volume 2 of the 2009 TNI Standard will be a plan from the AB to implement by rule the new TNI Standard. When the 2009 Standard is implemented, the AB will provide a report to the NELAP Accreditation Council documenting their conformance to the new Standard."

- The second was discussed at length during the AC's May 2 meeting and will again be on the agenda at the May 16 meeting. The NELAP evaluators will also discuss the issue (5/11 conference call) and their discussion points will be brought to the AC FYI" at that 5/16 meeting. This recommendation reads as follows: " In light of the concerns over the 2009 Standard and the plans underway to revise the Standard in the near future, the Laboratory Accreditation System Executive Committee (LAS EC) recommends that the Accreditation Council continue to use the PT requirements contained in Chapter 2 of the 2003 NELAC Standard until such time as the revised Standard has been adopted for use in NELAP. This recommendation will maintain reciprocity and will alleviate concerns over laboratories, PT providers, and ABs in changing their systems to meet requirements that might be changed again in the near future." It appears that most ABs would be able to accommodate this recommendation, but the AC would very much like to have input from the Board before it votes.
- The planned AC discussion of the Report to the Board from the AB Assistance Task Force was delayed due to the urgent need to consider the LAS EC recommendation (above.) It will be the next main agenda item once the second recommendation from LAS EC is addressed.
- Six renewal evaluations are underway. KS Technical Review is complete and the onsite will occur 5/23-24. Technical reviews are underway for NH, LA DHH, PA and NY. The completeness review for UT is near completion. The NH onsite is scheduled for the week of June 6.
- The Non-Potable Water Field of Proficiency Testing Tables were adopted. The PT Executive Committee will notify the AC when the effective date of the new tables are determined, probably at about 6 months with implementation a year later.
- A revised draft of the Provisional Recognition SOP is circulating and will be brought to vote when priority issues are resolved

Laboratory Accreditation System Executive Committee

- Standards Interpretation Request (SIR) process:
 - 2 requests were received in April.
 - The Policy Committee approved the updated SOP, but suggested extending the timing for committees to respond from 60 days to 90 days. LAS EC is taking this into consideration.
- The committee reviewed another document titled: "Implementing the New TNI Standard: Accreditation Bodies". This document was approved on April 29th and forwarded to the NELAP AC.

Technical Assistance Committee

- Quality Manual Template training is planned in Oregon this week and in Florida at the end of the May. Tools are still being prepared and should begin showing up on the website this month.
- The Handbook has been reviewed and will be forwarded to Jan for clean-up and artwork this week. Gary Dechant will be taking a lead on this effort. Once a final draft is complete, the handbook will be sent to the Policy Committee and the TAC Handbook subcommittee for finalization. The small labs would like training to be prepared in coordination with the handbook. The committee will look at the possibility of providing some sort of on-line training to accommodate the limited travel schedule for small labs.

Consistency Improvement Task Force

- Close to finalizing recommendations and planning major presentation for Seattle.

PROFICIENCY TESTING

- The Chemistry FoPT Subcommittee is continuing to review NPW analytes.
- The Field PT Subcommittee has proposed an FSMO PT table for NEFAP that will be discussed at the next PT Executive Committee meeting.
- Next Protozoa (Cryptosporidium) Subcommittee meeting will be Monday, May 23rd.
- The PT Executive Committee has contacted the NELAP AC to find out about their intended use of the WET Accreditation FOPT table on the website after July, 1, 2011. The PT Executive Committee currently plans to leave the table up for DMRQA purposes.
- An update to the NPW FOPT table has been approved by the NELAP AC. This Table represents the PT Executive Committee's update for concentrations and acceptance criteria for former NPW Experimental analytes that are being transferred over to the Accreditation tables, as well as adding two new analytes to the Volatile Aromatics. The PT Executive Committee has set the effective date for October 3, 2011 and it will be posted on the TNI website on that date.
- The DW FoPT table was not accepted by the NELAP AC and will be discussed.
- The SCM FoPT table has been forwarded to the PT Executive Committee and will be reviewed at their next meeting.

ADMINISTRATION

Advocacy Committee

- Reviewed an SOP for producing newsletters.
- Discussed a communication strategy if the decision to stay with the 2003 NELAC Standard for PT occurs.
- Advocacy will be developing new TNI brochures for each of the programs and training.

Policy Committee

- The Policy on Open Meetings was approved and the SOP on the Educational Delivery System was endorsed.
- The SIR SOP was reviewed and a recommendation was made to LAS EC as noted above.

IT Committee

- Working on issues surrounding "analytes" for whole effluent toxicity and sample prep methods since some ABs use different terms. Have requested opinion of EPA and ELAB on the analytes for WET.
- Discussed the issue of "modified" methods when analytes are added.
- Defining minimum characteristics of a method required for method to be added to database.

NEMC

- Abstracts and sessions are generally finalized and should be available for posting to the NEMC website next week.
- Training information will be posted to the site next week.
- Biographies are currently being requested from each of the speakers and these will be posted with the abstracts.
- Conference program is ready to go to the printer and registration will open this week.

FEM Cooperative Agreement

- The Environmental Measurement Methods Expert Committee has prepared a draft guidance document on calibration in environmental measurements. This will be refined prior to the Seattle meeting in August. The committee will meet for a full day in Seattle, when it is planned to use the guidance document to begin preparation of a working draft standard on calibration.
- The Advocacy Committee has formed a task force on Accreditation of State Primacy Laboratories. Its first conference call has been scheduled for May 13, when it will begin addressing the following activities which are directed at supporting the laboratory accreditation needs of state primacy laboratories:
 - development of an acceptable approach for accreditation of primacy laboratories in the TNI system; design of a system to help EPA assure the quality of state primacy labs and assure EPA's Office of Water that all primacy laboratories are meeting the drinking water program requirements; creating specifications for accreditation of primacy labs and/or assistance to those seeking accreditation; and providing training for laboratory staff on how to manage their NELAP accreditation.

Educational Delivery System

- The new training website is up and functional and courses are being offered.

Membership Report

- Active Members: 817