

# TNI Board of Directors Meeting May 9, 2012

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## 1. Roll Call

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

## 2. Approval of April Minutes

**Motion to Approve:** Judy Morgan  
**Second:** Steve Arms  
**Approved:** Unanimous

## 3. 2012 Board Orientation

The webinar on this topic is tentatively scheduled for May 18, at 10:00 am EDT. The webinar will be recorded in case any of the new Board members have to miss. It will be a powerpoint with narration. Everyone has to attend or do it on their own. WebEx will record who attends, but you have to use your full name.

## 4. Ways and Means Committee

As discussed in April, the Ways and Means Committee will be chartered to investigate mechanisms for increasing revenue for TNI. A draft charter is in Attachment 1. Sharon Mertens has agreed to be the representative from finance. A few more members are needed. Jerry particularly wants someone

with marketing experience. Names suggested included Andy Levy from Promium, Joe Weitzel from Agilent and Robin Cook, representing FSEA.

It was suggested that # 9 Success Measures be revised to read "\$12,000 for the fourth quarter of FY2012 and then \$50,000 annually." Elizabeth Turner moved for approval and Patsy Root seconded. All present voted in favor.

## **5. Support of NELAP**

The draft position statement discussed in April has been revised with the addition of the last paragraph as shown in Attachment 2. Members noted that two separate documents may be needed. The first document would say that TNI supports lab accreditation. The second document would say that TNI supports NELAP ABs. The ABs on the Board supported separation into two documents. Scott Siders moved to approve the white paper supporting lab accreditation without the last paragraph which refers to ABs. Jack Farrell seconded. All present voted in favor.

Steve Arms moved to approve the last paragraph for inclusion in the minutes with a revision striking the words "and the above mentioned benefits" in the third sentence. The motion reads as follows:

"TNI encourages and strongly supports the continuing role of governmental Accreditation Bodies in NELAP. Their participation is a critical component toward striving for national laboratory accreditation and maintaining a viable NELAP. Due to this, TNI continues to work on expanding the number of governmental Accreditation Bodies participating in NELAP. Additionally, the TNI Accreditation Body Task Force plans to explore the role and eventually develop plans on how non-governmental Accreditation Bodies could participate within NELAP and work in conjunction with the governmental Accreditation Bodies already in NELAP. "

Susan Wyatt seconded the motion. All present voted in favor.

## **6. ACIL Complaint regarding a NELAP AB**

On May 1, ACIL filed a complaint regarding a particular NELAP program (attached as a separate file). This complaint was forwarded to Aaren Alger and Lynn Bradley in compliance with SOP 1-106. After consulting with the Executive Committee, Jerry responded to ACIL with the letter shown in Attachment 3.

The NELAP AC will forward the ACIL letter to the program. A conference call is planned with the program staff, NELAP representatives and the lead evaluator to get input and response. This meeting may result in a letter to the program with a request for response. It was noted that some of the complaints were rather vague and TNI may need to request more input from ACIL in order to get corrective action. The Board agreed to let the NELAP AC proceed with their current plan of action. No action is needed by the Board at this time. Sharon Mertens requested a report back from Aaren Alger at the next board meeting.

## **7. Policy 1-108 Complaints**

This Policy has been reviewed by the Policy Committee and is being provided (separate attachment) to the Board for their review and endorsement. Judy Morgan made a motion to endorse this policy. Patsy Root seconded. All present voted in favor.

## **9. Program Reports**

- See Attachment 4.

**Attachment 1**  
**WAYS AND MEANS COMMITTEE CHARTER**

<b>1. Organization Name:</b> <b>WAYS AND MEANS COMMITTEE</b>	<b>2. Version:</b> <b>Revision 2012</b>	<b>3. Date:</b> <b>May 7, 2012</b>
<b>4. Mission Statement:</b> The mission of the Ways and Means Committee is to investigate mechanisms to increase revenue for TNI. The committee will look at the various sources of revenue (membership dues, meetings, training, sale of documents, program fees, etc) and consider which of any of these could be increased. The committee will also explore new areas of funding.		
<b>5. Committee Sponsor: TNI Board of Directors</b>		
<b>6. Committee Members:</b>	<b>7. Interest Category &amp; Stakeholder Group:</b>	
Elizabeth Turner	Municipal laboratories	
Susan Wyatt	NELAP AB	
Lynn Bradley	Non-profit Organizations	
Jerry Parr, Chair	TNI	
TBA	Vendor Community	
TBA	Finance Committee	
<b>8. Objectives/Approach:</b>		
<input checked="" type="checkbox"/> Review existing revenue sources.		
<input checked="" type="checkbox"/> Discuss additional sources of income.		
<b>9. Success Measures:</b>		
<ul style="list-style-type: none"> <li>• \$12,000 of additional revenue for FY 2012 that will translate into \$50,000 annually.</li> </ul>		
<b>10. Key Milestones:</b> <i>(significant events and corresponding dates)</i>		
<ul style="list-style-type: none"> <li>• Review existing revenue sources and develop recommendations by July 30.</li> <li>• Explore new areas of funding and develop recommendations by September 30.</li> </ul>		
<b>11. Considerations:</b> <i>(assumptions/constraints/obstacles/risks)</i>		
<ul style="list-style-type: none"> <li>• Stakeholder “buy-in” and acceptance within the industry</li> <li>• Industry “politics”</li> </ul>		
<b>12. Available Resources:</b>		
<ul style="list-style-type: none"> <li>• Finance Committee</li> <li>• Treasurer</li> <li>• CPA</li> </ul>		
<b>13. Additional Resources Required:</b>		
<ul style="list-style-type: none"> <li>•</li> </ul>		
<b>14. Anticipated Meeting Schedule:</b> <i>(specify meeting format and frequency)</i>		
<ul style="list-style-type: none"> <li>• Monthly Committee Teleconferences (Additional teleconferences as needed)</li> <li>• Committee meeting (face-to-face) during TNI Forums Summer meeting</li> </ul>		

## Attachment 2

### National Laboratory Accreditation Essential to Ensure Reliable Environmental Data

Each year, hundreds of millions of measurements are performed by over 5,000 US environmental testing laboratories to determine whether or not a regulated entity is in or out of compliance, evaluate the extent and nature of environmental contaminants in air, soil and water, and to collectively provide information used to protect human health and the environment.

For example, homeowners may seek testing of their well water to see if it is safe to drink, a wastewater treatment plan may test its discharge to demonstrate compliance with a permit limit, the Federal Government may test soil at facilities to determine if a site can be redeveloped, or a town may contract to test its air to determine the impact of a new industrial activity that has moved into the area.

Many of these measurements are performed without adequate surveillance to ensure they are reliable. Without this surveillance, government agencies and the public often make decisions that may be based on incomplete or inaccurate information. Such decisions:

- Increase the anxiety over environmental contamination where no such anxiety is justified, or provide assurance of no risks when such assurances cannot be proven.
- Promote unnecessary expenditure of funds to remedy a non-existent environmental concern, or taking insufficient actions when such remedies are needed.
- Result in devaluation of property based on inaccurate measurements.
- Lead to over-regulation of some industries when such regulation is not required.

The NELAC Institute (TNI), a non-profit organization whose mission is to “foster the generation of environmental data of known and documented quality”, administers the National Environmental Laboratory Accreditation Program (NELAP) that ensures the competency of all laboratories that measure environmental contaminants in environmental media (e.g., air, soil, water). TNI’s program contains a number of fundamental attributes:

- Laboratories are periodically inspected by an authoritative, independent organization, called an Accreditation Body (AB), to ensure they have the staff, facilities, equipment, and professional practices to generate reliable data.
- Laboratories are held accountable to an internationally-recognized standard supplemented by requirements specific to environmental testing that are essential for ensuring reliable data.
- Laboratories are periodically evaluated using proficiency test (PT) samples to gauge the accuracy of laboratory results.
- PT sample providers are evaluated to ensure they are qualified to make available and grade these test samples.
- ABs that inspect laboratories are monitored by TNI to ensure they have the resources for operating an accreditation program.
- Laboratory assessors have access to professional training to conduct laboratory assessments.

No other organization in the United States has developed requirements specific for environmental testing that have an equal level of rigor that ensure their consistent application by multiple state agencies and users. No other organization has established a system whereby government agencies may have confidence that participating laboratory assessors and ABs manage and implement reliable accreditation programs. No other organization has established a comprehensive PT program encompassing as many analytes and media.

Over 2000 laboratories have been accredited in TNI’s National Environmental Laboratory Accreditation Program (NELAP). TNI’s NELAP is governed by consensus standards that incorporated input from all stakeholders, including state and federal agencies, regulated industry, small and large laboratories and that represent the best professional practices in the industry.

**NELAP benefits the public by:**

- Establishing a uniform set of standards by which environmental data is produced, promoting the comparability and defensibility of information across various states, agencies and regulatory programs.
- Being more cost effective, through the use of the accreditation status of a laboratory by multiple stakeholders and consequently reducing the number of assessments performed by accreditation bodies.
- Presenting greater opportunities for consensus by pooling the expertise of multiple agencies, states and the private sector in developing standards.
- Improving the quality of laboratory assessments by establishing uniform requirements for training assessors and facilitating opportunities for information exchange.
- Expanding the scope of accreditation programs to include emerging contaminants, field sampling activities, and additional environmental media.
- Reducing the amount of effort needed to define environmental project requirements.

**Laboratories benefit because accreditation to NELAP standards:**

- Replaces redundant and often contradictory on-site assessments with comprehensive standardized inspections.
- Increases the acceptability of data by regulators and customers.
- Reduces significantly the substantial indirect costs associated with redundant accreditation activities.
- Enhances the credibility of data generated.
- Establishes a level playing field for laboratory operations across the industry.

**This text was removed:**

TNI encourages and strongly supports the continuing role of governmental Accreditation Bodies in NELAP. Their participation is a critical component toward striving for national laboratory accreditation and maintaining a viable NELAP. Due to this and the above mentioned benefits, TNI continues to work on expanding the number of governmental Accreditation Bodies participating in NELAP. Additionally, the TNI Accreditation Body Task Force plans to explore the role and eventually develop plans on how non-governmental Accreditation Bodies could participate within NELAP and work in conjunction with the governmental Accreditation Bodies already in NELAP.

**Attachment 3**  
**Response to ACIL (letter to be sent on May 8)**

Thank you for bringing this matter to our attention. Our goal is for NELAP to be implemented consistently nation-wide according to our consensus standards and you can be assured we will give this complaint careful attention. I have forwarded this complaint to the chair of the NELAP Accreditation Council, Aaren Alger and the TNI Program Administrator for that program, Lynn Bradley. According to our SOP on complaints we delegate complaints such as this to the affected program. I will notify the TNI Board of Directors, and the Board will monitor our progress in response to the issues you raised.

We have consulted with the Council and learned that the evaluation of the program for conformance to our requirements as an Accreditation Body is indeed underway. Unfortunately, this letter was received too late to be included in the planning process and the evaluation process is proceeding according to established procedure. The Lead Evaluator was forwarded a copy of the letter, so that any related anomalies could be noted. Also, you should know that TNI cannot legitimately address job performance issues pertaining to employees of state ABs We discussed this and the related issue of getting actionable feedback about lab complaints at length with ACIL representatives in Sarasota, FL in January. Nonetheless, TNI can and will continue to work within the framework of the organization's bylaws to assure that the mission and objectives of the organization are achieved as envisioned.

If you wish to provide documentation of specific problems outside of personnel performance, you should submit those details as specific complaints that might be actionable; specific complaints about staff performance need to be submitted to the program or higher-level managers in the department. As written, the letter provides no actionable information. While we realize that the level of dissatisfaction must be extreme, I hope you understand that absent objective and specific details to support the general allegations presented, we will be limited to using only information that surfaces during the evaluation process. Accordingly, we encourage you to provide additional detail, elaborating on the allegations to the extent possible.

It will take us some time to process this complaint. I will provide you periodic feedback and actions taken and what we discover, but we cannot commit to a 30-day time period.

## **Attachment 4 PROGRAM REPORTS**

### **CONSENSUS STANDARDS DEVELOPMENT**

- The Corrective Action Task Force for Standards Development has tentatively identified three areas of improvement in the standards development process. These will be expanded into to draft outlines, and the group will then consider whether further steps will be needed.
- An EMMEC/QS Implementation Work Group has been established to reconsider the structure of the QS Expert Committee and where EMMEC fits in. The EMMEC is incorporating its calibration material into Volume 1 Module 4 (QS chemistry). This leaves the question of which committee (QS or EMMEC) will have responsibility and authority over the module. It has been tentatively proposed to split QS into several separate Expert Committees, one of which will be the EMMEC renamed to the Chemistry Expert Committee.
- The PT Expert Committee has posted its WET TIA. Work on the Volume 3 (General requirements for PT providers) WDS is underway, and the Committee is considering whether to use analysis dates or study dates for setting the time between PTs. It also needs to be made clearer when remedial PTs are required. A target date of early July has been set for the WDS.
- The FA WDS should be ready by early July. The PT task group has submitted its recommendations and the Committee is now developing language. A second task group on scope of accreditation is considering where mobile labs fit into the standard.
- The QS Expert Committee is continuing to work through the comments received on the VDS. Their goal is to have reached a tentative decision on each comment prior to the Washington DC meeting, and then present all comments for public discussion prior to making a final decision.
- The AB Expert Committee is focusing on issues presented by the AB Task Force. The draft generic application was provided to the ABs, who have returned comments. Since ABs have many differing requirements for information provided on the application, the Committee is considering including all those requirements and then applying a filter so each AB receives only the information it needs. Fields of accreditation are also being worked on and a prototype document should be ready by the Washington DC meeting.

### **NEFAP Executive Committee**

- The Evaluation SOP is still being worked on. The committee agreed to some language for a recognition subcommittee to work on the final approval of ABs and this language is being added to the SOP for review by the Executive Committee. The committee is waiting for completion before they meet again.
- The Voting SOP has been updated and is being submitted to committee members for review.
- The first on-site observation has been scheduled and will take place next week. More ABs are receiving FSMO applications.
- More organizations are looking at requiring field sampling accreditation in contracts.

### **Field Activities Expert Committee (FAC)**

- The committee continues to make progress on updating the sections for the new DRAFT standard. Everyone's comments have been received and the committee is working through language on the harder sections through subcommittees. There is a subcommittee working on PT language and one working on Scope.
- There is no report yet on the subcommittee that was developed to look at the best way to accredit mobile labs and stand alone analytical instruments used in the field. Overlap with NELAP will be considered.

The “NEFAP Training Oversight Subcommittee” is still working on written procedures on how to determine training needs and review training proposals submitted for review.

## **NELAP**

### **Accreditation Council**

- Open meeting with non-NELAP state ABs was held Monday, May 7
- Developing response to the Board about use of assessment reports from DOD/DOE assessments; an example report was obtained and is being reviewed.
- Will address TIA for PT standard at May 21 meeting
- Seven ABs approved for renewal of recognition; 6 evaluations underway with 2 to begin later in 2012.

### **Laboratory Accreditation System Executive Committee**

- Standards Interpretation Request (SIR) process:
  - 3 requests were received in April. One will be handled by QS, one was not a SIR and the other is being evaluated.
  - The NELAP AC is dedicating time in each meeting to work through all of the SIRs.
  - The PT Expert Committee has forwarded some SIR responses for posting to the NELAP AC voting site.
- The committee is still working on updating the Standards Review SOP.
- On Wednesday, April 18<sup>th</sup>, the LASEC reviewed the TIA approved by the TNI Proficiency Testing Expert Committee on April 12, 2012 for 2009 TNI Standards Volume 1, Module 1; Volume 2, Module 2 and to Volume 3. After review the LASEC voted in favor to recommend that the NELAP AC adopt this TIA. There are no conditions associated with the recommendation from the LASEC.

### **Technical Assistance Committee**

- Committee members are continuing to prepare course summaries that will include suggested elements and objectives for each course.
- A request for new members or for people who would like to help with the summary was added to the newsletter article.

## **PROFICIENCY TESTING**

- The Chemistry FoPT Subcommittee is continuing to review NPW analytes. They are getting close to closure.
- The FoPT website now has an option for people to sign-up to receive e-mail updates when new FoPT tables are added to the website or when posted tables are changed. E-mail addresses for state contacts are still needed so they can be informed of this option too.
- A DRAFT Dispute Resolution has been completed and is now in review by the committee.
- The committee has received a formal complaint on the process of communicating PTPA information to all states. Some states are not aware that there are currently two PTPAs and this is affecting PT Providers who work in these states that are accredited by the new PTPA provider. The new Dispute SOP will be used to work through the complaint.
- The committee is continuing to work with William to update the PTPA listing on the website to include their scope.
- The PTPA database subcommittee has continued to meet. The committee has agreed on requirements and prepared a table that each PTPA is completing to identify what they collect to meet the requirement. William and Kelly joined the last call and it appears that it will not be a problem to collect the information from each PTPA and compile into a format that will provide the PTEC with the information they need to evaluate the PT Program.
- The committee met with members of the Protozoa subcommittee and approved the completed FoPT table. Carrie would like to work with TNI to run the PT program through TNI. Stacie is planning a conference call with all needed parties to look at next steps.

## **ADMINISTRATION**

### **Advocacy Committee**

- The Advocacy Committee has developed a draft hierarchy of definitions for position statement, policy and operating procedures for further discussion and submission to the Policy Committee.
- The Advocacy Committee will publish an abbreviated newsletter around July 15. Keith Chapman is the editor.
- Jerry summarized EPA's final version of the Method Update Rule. The Advocacy Committee sees this as an opportunity for TNI to sponsor training on how to use the TNI standards to comply with the revised Method Update Rule.
- The Advocacy Committee's article on TNI's Small Lab Handbook was the lead article in WEF Lab Solutions April-May issue. The Advocacy Committee has submitted an update piece on upcoming TNI training opportunities.

### **Accreditation Body Assistance Task Force II**

- The task force adopted their charter at the last meeting.
- The next meeting (May 10) will focus on discussion of Objective 1: Develop a process for recognizing non-governmental ABs to be authorized to grant accreditations in accordance with the TNI Environmental Laboratory Sector Standard.
- A draft implementation plan will be presented at the summer meeting in Washington, DC.

### **Policy Committee**

- The committee is continuing to meet twice a month.
- NELAP SOP 3-102 is being reviewed.
- A tremendous effort continues to be made in document control. SOPs and Policies are now clearly summarized. Policies have been updated to the new format. A new folder has been added to store DRAFT SOPs until they are finalized.
- The committee is continuing to use a discussion board to make comments on documents needing review between meetings.

### **Training**

- A DRAFT contract has been completed for one of the training applications. The trainer is reviewing it. A DRAFT flyer has also been prepared for this proposed training in early June.
- A new training proposal has been received and is being reviewed and finalized.
- A simplified version of the manual for using WebEx for webinars is continued to be worked on. The manual is over 400 pages and what is needed is a summary of how to use the specific tools that our trainers would want to use. WebEx also has a 30 minute webcast that summarizes some of this and we will ask new trainers to take advantage of this too. This will make it easier for people to step in and use this great tool for training.
- An article on our training program is being included in the WEF Lab Solutions publication.
- A button is being added to the website to allow people to sign-up for an automatic e-mail when available trainings are being added to the website.

### **EPA Cooperative Agreement**

- A poster titled "The Need for Accreditation of State Environmental Laboratories" has been prepared for presentation at the upcoming APHL Annual Meeting this month, when TNI will also be an exhibitor.

### **Environmental Measurement Symposium – Washington, DC, August 2012**

- Abstracts and bios are just about ready for uploading to the website. There are still a number of biographies outstanding, but they will be added as they are received.

- 26 Exhibitors have already signed up for the conference. Work will begin on the Exhibit Packet each exhibitor receives to help them with set-up.
- Registration has opened.
- The conference brochure will be sent to the printer this week

## Membership Report

- Active Members: 842

## Renewals and New Members

Michael	Brady	PTS Laboratories
Justin	Brown	Environmental Monitoring and Technologies
Jeff	Goodwin	Manatee County Utility Operations
Thomas	McVicker	TA McVicker - Consultant
Chris	Barry	Harris County Pollution Control Services Department
William	Hoffman	Houston-Galveston Area Council
Shubha	Thakur	City of Houston, Water Quality laboratory
Cyndie	Boule	City of Houston
Pollie	Holtham	Sabine River Authority of Texas
Mark	Hammersla	NSI Solutions, Inc.
Bahar	Amiri	Eurofins Air Toxics, Inc.
Tom	Mascarenas	ECS, Inc.
David	Pomella	
Ewa	Konieczna	Maxxam Analytics
Thomas	Morreale	Oneida County Water Pollution
John	Sloan	Silver State Analytical
Marcy	Bolek	Hoffman Analytic Services, dba Alloway
Leslie	Hill	Trihydro Corporation
Erin	Briggs	Bio-Analytical Laboratories
Adela	Gentry	Environmental Management Services, Inc.
Keith	Greenaway	ANSI-ASQ National Accreditation Board
Cornelius	Chan	WyEast Environmental Sciences
Devin	Belleau	ALCOA Inc. (Massena Operations West Plant)
Douglas	Berg	independent contractor
Jo Ann	Boyd	Southwest Research Institute
Winston	Sauls	City of Borger
Jeffrey	Lowry	
Cornelius	Valkenburg	Energy Laboratories, Inc.
James C.	Judge	Energy Laboratories, Inc.
Beth	Myers	Waterlab Corp.
Sean	Watkins-Harris	Owens Corning
Greg	Ruff	
Shelley	Phillips	Gainesville Regional Utilities
Mary	Wisdom	USEPA - National Air and Radiation Environmental Laboratory
Michael	Erickson	Con-test Analytical Laboratory
Cheryl	Scholten	Minnesota Dept. Health, Environmental Laboratory
Cindy	Nettrour	American Water Works Svs. Co. Inc.
Doug	Weir	TestAmerica Laboratories, Inc.
Jose Ramon	Saenz	Brownsville Public Utilites Bd.
Allan	Tordini	QWII Corporation

## Members with Expired Terms

Richard	Medina	
Lex	Wahl	City of Panama City
Patricia	Morris	Texas DSHS
Michael	Arrasate	City of Henderson
Jeff	Betton	Jordan Valley
Glen	Gesmundo	Advanced Technology Laboratories, Inc.
Lorena	Purissimo	Jordan Valley
Nicole	Cummings	City of Longmont
Radek	Bolek	Hoffman Analytic Services
Ahmed	Holouma	Eberline Services
Priscilla	Vassar	SGS NA SGS Mineral Services
Keith	Greenaway	ANSI-ASQ National Accreditation Board
NARASIMHA	CHANDAMURI	CHEMTEX
Martha	Cahill	Cahill Consulting
Russell	Nyberg	Raven Labs