TNI Board of Directors Meeting Summary August 10, 2011

1. Roll Call and Approval of July Minutes

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

Approval of July 2011 Meeting

Changes: Financial report – just note that it was reviewed. Jerry will prepare a summary for if someone asks for it. Need to note that Zonetta was on the June and July calls.

Motion: Sharon Second: Dave

Approval: Unanimous

I. NEW BUSINESS

2. Meeting with EPA on August 16

The Board discussed a potential meeting with EPA representatives in Bellevue to discuss the ELAB and Office of Water conversation about using the TNI Standard as the quality system basis for the drinking water certification program. EPA Regions and U6 had come back and said no, just ISO 17025 in its pure form should be. Jerry has written a white paper comparing the TNI Standard with ISO 17025 and about why it's better; thinks some of the EPA regions are getting confusing the process by which one gets accreditated with the accreditation process.

We want to find out more about the issue and to put together a plan to address the issue. We may want to include Lara, Art Clark, Brenda, and maybe Dan Houghtman. Representing TNI will be Judy Morgan, David Speis, Judy Duncan, Keith Greenaway, Jack Farrell.

3. Corrective Action for 2009 Standards Development

It has been suggested that we propose the Consensus Standard Development Program undertake a formal corrective action process, or a process improvement investigation, to determine what occurred in the development of the 2009 Standard, with the intent to suggest actions to improve this process for the current standards being revised.

We need to look at the Quality Management plan to see what it says about how we conduct such an investigation (Jerry will do that). We need to finalize the QM plan but don't want to hold up this investigation waiting for the finalization of the QM plan.

Suggested involvement: the AC, PT Committee, Quality Assurance person (Alfredo), CSD Executive Committee. Task force consisting of the CSDEC with representatives from other groups? Ken and Jerry will review this in Bellevue next week and try to develop a plan to present to the Board by Friday in Bellevue.

Question: Should we have a group independent from CSDEC to do this? We still need the experts involved in the process. The CSDEC plus an independent group would be good.

If anyone from the Board is interested in contributing to the Task Force, send Jerry and email.

Jerry will provide a recommendation on this topic on August 19.

II. OLD BUSINESS

4. Complaint on PT Program

TNI received an official complaint that detailed a number of concerns with the evaluation and subsequent recognition of ACLASS as a Proficiency Test Provider Accreditor (PTPA). The TNI Executive Committee appointed Dan Hickman to investigate this issue. Dan issued a comprehensive report in late April that documented 12 concerns with observations and recommendations for each concern. The specific recommendations from this report are listed below:

 NELAP requires that a shadow onsite be performed during the first year of operation of a new Accreditation Body. It might prove helpful to include a similar requirement in SOP 4-104 and this recommendation will be provided to the PTEC.

- Minutes should be carefully reviewed before being posted to ensure that remarks are made in context and this recommendation will be provided to all TNI Committee Chairs.
- Scheduling assessments in concert with TNI meetings to allow an evaluator to attend the TNI
 meeting in conjunction with the assessment has the appearance of a conflict of interest and
 should be discussed by PTEC to determine if there could actually be a problem.
- The PTEC should discuss potential conflicts of interest in committee and come to agreement before assigning evaluators.
- The PTEC should plan on performing a shadow assessment during the first ACLASS PTP evaluation.
- The PTPA Evaluation SOP 4-104 should include details on who should receive the assessment report and specifically how it should be distributed. All documentation should go directly to the PTEC administrator and be distributed from that single point according to the requirements in the SOP.
- It might be helpful for the TNI Board of Directors to remind the members of committees that while it is true they are volunteers; the decisions they make are extremely important and can carry substantial monetary impact.
- Information about the process contrasting the differences between initial and renewal evaluations might provide insight and help reduce confusion.

These recommendations will be provided to the PTEC and others as appropriate.

What is the role of the EC in activities like this? Did we define anything in the QMP? Who decides whether this is an EC responsibility or a BOD responsibility? The ED or the Board? Some of these things are time sensitive; sometimes it's a sensitivity of information issue or an individual reputation is at stake – would need to be "blinded" if it came to the Board for decision as to who handles.

If EC handles and complainant doesn't like outcome, there is an appeals process. The Board is always informed of the action although sometimes it is after the action has already been taken. Other times – "we need full BOD endorsement" before moving forward.

The EC is elected by the BOD. They are advisors to the ED.

Suggestion: Jerry could send email to BOD when ED asks advice of EC, broadly describing the issue, so they are informed. Include standing item on agenda "EC Issues". Add clarification about this in the QMP.

5. Definition of Balance

Bob Wyeth has requested we examine the definition of balance, especially as it relates to our Expert Committees. The Bylaws, Article XI, section 5 has this definition:

"Balanced representation" as used within the context of participation on a Board or Committee of The NELAC Institute means that no stakeholder group has a majority of voting members and all stakeholder groups are represented. The following stakeholder groups are defined:

- Accreditation bodies and other governmental agencies that operate environmental accreditation programs.
- Laboratories and other organizations directly involved in providing sampling and environmental measurements, and
- All Others

SOP 2-100 (relating to Expert Committees) has similar language, but allows more flexibility

2.3.2 The criteria for balance are that no single interest category constitutes a majority of committee members on any Expert Committee. The suggested interest categories are:

- accreditation bodies and other governmental agencies that operate accreditation programs (federal or state);
- laboratories and other organizations directly involved in providing sampling and measurements
- all others (consultants, proficiency test providers, state and federal agencies that do not run accreditation programs, etc.).

The interest categories appropriate to the development of consensus in any given TNI standards activity are a function of the nature of the standards being developed. Expert Committees may determine that additional or different interest categories are appropriate for the Expert Committee's scope of activity. Changes in the suggested interest category designations shall be documented in the Expert Committee charter and shall be approved by a majority of the Consensus Standards Development Board. This should be the introductory language. Lead with this, and have this language in the Bylaws. This language is consistent with ANSI.

ANSI uses the terms producer, user and other, but it was hard to relate those terms to our activities.

The issue is that some of our committees (SSAS, EMMEC, Field Activities) don't fit these definitions well. The problem could be address be incorporating language comparable to what is in SOP 2-100 into the bylaws.

Revised the Bylaws to have more flexibility per the language in SOP 2-100. Draft for review in September; voting in October, or, are the Bylaws currently broad enough to cover this?

The process in the SOP works in a way that may not be appropriate for the Bylaws.

Two options:

- 1. Keep current Bylaws discuss what changes need to be changed in SOPs and Policies with why that works.
- 2. Revise Bylaws along the lines of what we've discussed here.

We'll consider the pros and cons and talk about at the September meeting.

III. Program Reports

See Attachment 1.

IV. Next Meeting Next Thursday in Washington, then September 14, 2011

Attachment 1 PROGRAM REPORTS

CONSENSUS STANDARDS DEVELOPMENT

- The Proficiency Testing Committee's working draft standard (WDS) is delayed as a result of unresolved controversy. In Bellevue the Committee will present two options for PT reporting: PTRL or LOQ. From input received they expect to then put together the WDS ready for presentation at the January meeting. Although much of the Standard will be re-written, Kirstin stressed it is the subject of a lot of misunderstanding, since it is little changed from the PT requirements in the 2003 NELAC Standard. Kirstin reported her term as Chair will be complete and Mitzi Miller will be the new Chair after the Bellevue meeting.
- The Quality Systems WDS is on the website and will be presented for discussion in Bellevue.
- The Stationary Source Audit Sample Committee has almost completed its amendments of the SSAS table, with just one method still in contention. It is expected the audit sample providers will be approved by A2LA and/or ACLASS by the end of 2011.
- The Environmental Measurement Methods Committee continues to work on the background guidance document for calibration, and the outline of the calibration standard has been expanded. This will be further developed during the Committee's full-day session in Bellevue.

NEFAP Executive Committee

- The Lead Evaluators have been reviewing the AB application packages. Reports are due August 9th.
 Marlene is hoping that an announcement of preliminary acceptance will be made in Bellevue.
- A nominating committee is being formed to prepare for the election of new members on the NEFAP Executive Board. Applications have been received and the Nominating SOP is being reviewed to determine the number of new members needed. At this point there are 4 ABs that are in the application process, so the committee will likely be made up of 12 members.

Field Activities Expert Committee (FAC)

- Comments are being received for consideration in the update of the 2007 Standard. The Standard will
 be split into sections for various members to do a more detailed review of the Standard.
- The "NEFAP Training Oversight Subcommittee" is still working on written procedures on how to
 determine training needs and review training proposals submitted for review. The procedures have
 been distributed for review.
- The updated NEFAP brochure is just about complete and will be forwarded to Jerry for printing for Bellevue this week.
- A response to SIR #4 has been completed and is being voted on by e-mail.

NELAP

Accreditation Council

Nine evaluations are currently active. Four site visits are completed, 4 technical reviews are in some stage of completion or review of response. Several evaluations are experiencing delays, either for workload issues by the team or the AB (with extensions granted) or due to approved Lead Evaluators unable to fulfill that role due to workload issues OR due to the state government shutdown in MN. At the same time, three state people have been willing to serve on multiple teams, and at least 3 EPA

staff are serving on multiple teams simultaneously.

- Approved a minor revision to the Evaluation SOP (TNI SOP 3-108 Rev 3, pending Policy Committee approval but in use) to adapt selection of the Evaluation Team members to current circumstances (a shortage of state candidates exists.) This revision was been sent to the Chair and staff of the Policy Committee on August 1.
- After contemplating the issue over several meetings, the Council approved a motion as follows: "As they implement the 2009 TNI Standards, the NELAP Accreditation Council requests that PT providers annotate their electronic reports with an asterisk or other demarcation so as to identify any analytes reported with a less than value, i.e., "<," having an assigned concentration greater than zero, and found acceptable according to the 2009 Standards. PT providers indicate acceptance of this request, although some negative feedback from the PT Expert Committee suggests that those individuals believe that having such a mark on paper reports will be problematic. (Paper reports were never requested to have a mark.)</p>
- Had some preliminary discussion about the AB Task Force Report option, "Use the laboratory
 assessments performed by the Department of Energy (DoE) or the Department of Defense (DoD)
 Accreditation Bodies in lieu of assessments performed by the NELAP AB," in preparation for the AC
 conference session as well as for discussions with department representatives in the near future.
- The AC is again attempting to smooth out the Standards Interpretation Request (SIR) approval
 process by adding a requirement that the submitter affirm having discussed the issue with his/her
 primary AB, prior to the SIR being accepted by TNI. Also, discussions are underway with the IT
 Committee to see if a closed discussion forum might be established where the SIR discussions could
 take place without consuming valuable AC teleconference meeting time.

Laboratory Accreditation System Executive Committee

- Standards Interpretation Request (SIR) process:
 - 1 request was received in July. The electronic votes have been reviewed and ABs have been reminded to please complete their votes so that more SIRs can be finalized for posting on the website.
- There was only a short meeting in July where PTs were discussed.

Technical Assistance Committee

- Quality Manual Template training occurred at the NYAAEL Annual Convention.
- Plans are being finalized for the Bellevue meeting.
 - Mentoring Session: Internal Auditing of Your Management System: Examples of Scheduling, Checklists, Root Causes, Corrective Actions and Verifications.
 - Assessment Forum: Demonstration of Capability
- The draft of the Small Laboratory Handbook has been finalized and will be presented for discussion in Bellevue.

PROFICIENCY TESTING

- The Chemistry FoPT Subcommittee is continuing to review NPW analytes. Carl is working with Curtis Woods to get copies of calculation tables to continue work on this subcommittee.
- The updated Drinking Water and Solids & Chemical Materials FoPT tables have been forwarded to the NELAP AC for approval. The estimated implementation date is expected to be January 2012. The Field FoPT table has been forwarded to the NEFAP Executive Committee.
- Work is continuing on the FoPT Table Management SOP. The DRAFT is now ready for comment from the NELAP AC and the NEFAP Executive Committee. It will also be reviewed and discussed in Bellevue. It is expected that this SOP will be finalized in the fall.
- Committee membership is being reviewed to fill some open spots.
- A call on August 8 to Jerry suggests there may be significant issues with DOT and DEA regulations related to some PT highly controlled analytes.

ADMINISTRATION

Advocacy Committee

- The Advocacy Committee will present summary information from and accreditation body table in Bellevue. The committee will be developing ideas for how to use the information to facilitate outreach to state programs that are not currently involved in TNI.
- The Advocacy Committee is sponsoring 3 meetings in Bellevue; the APHL task force meeting, a meeting of SLAG, and the regular Advocacy Committee meeting.

Policy Committee

- Ilona has been working with Jan on document control. Jan has received the work on SOPs, Policies, Guidance documents and she is working on the other documents. Will need to get Alfredo in the loop on the more recent SOPs that have been finalized and forwarded to the TNI Board.
- A flow chart for the Complaint SOP has been prepared, but no action on the SOP was taken in July due to a lack of a quorum.

IT Committee

No update.

Environmental Measurement Symposium - Bellevue, WA

- Most all abstracts and biographies are now posted on the website. There are still a few missing biographies, but a reminder has gone out.
- There are now 53 exhibitors currently registered for the conference. This will be our largest exhibit to date.
- Total attendance for the meeting is Bellevue is not aw 439.
- The hotel room block is oversold related to the contracted number of rooms.
- Final program now available on the TNI and NEMC websites.

FEM Cooperative Agreement

The State Primacy Laboratory Accreditation Task Force (SPLATF) continues to develop ideas for an
acceptable approach for accreditation of primacy laboratories in the TNI system. It is unlikely many
state primacy laboratories will be persuaded to seek accreditation from existing NELAP state ABs due
to the costs involved. A lower cost alternative will probably require 3rd party assessors, but for this to
be acceptable to most state primacy laboratories the final accreditation decision will require
government authority.

Educational Delivery System

- SOP 1-110 was approved with 14 Directors voting in favor and 2 abstentions.
- The new training website is up and functional and courses are being offered.
- Ilona and Jack Farrell met in Orlando to begin the process of some new webinars planned over the next few months.
- LOD/LOQ and TNI Standard training are being planned. A meeting will be held in Bellevue to finalize
 how the webinar for the TNI Standard will work. Brooke and Richard are working on the LOD/LOQ
 training.
- FSMO training will be provided in conjunction with the DOE meeting in September.

Consistency Improvement Task Force

• The CITF is developing draft recommendations to present at the Seattle meeting. The committee plans to finalize its recommendations after receiving feedback from this meeting.

Membership Report

Active Members: 857