

TNI Board of Directors Meeting Summary

June 13, 2012

1. Roll Call

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

2. Approval of May 2012 Minutes

Changes: None.

Motion to Approve: Judy Morgan

Second: Elizabeth Turner

Approved: Unanimous

3. 2012 Board Orientation

The webinar was held on May 18, at 10:00 am EDT. Seven Directors attended. The recordable webcast will be available later this month and all Directors will receive instructions on how to access this webinar. Everyone should be view this webcast if you were not able to attend the live event.

4. Florida Information Request

On June 1, the Florida Department of Health issued a Request for Information relative to outsourcing accreditation activities in Florida. After an initial review, Jerry forwarded this document to the TNI Executive Committee with a recommendation for TNI to take no action. On reflection, Jerry decided that maybe TNI could provide some general support, along the lines of the need for Florida to continue to participate in NELAP. On Monday, June 4, Sharon suggested maybe TNI could take a larger role in providing support services (e.g., PT data review) as recommended in the AB Task Force report. Jerry and Carol discussed this in more detail on Thursday, June 6 and discussed the feasibility of TNI taking on an even greater role and drafted a response to the RFI that the Advocacy Committee reviewed and discussed on Friday. See Attachment 1. The Advocacy Committee supports this expanded role as it aligns with the AB Task Force recommendations. Thus, a range of options were presented to the Board.

There were a few concerns about the appropriateness of this response to the Florida Request for Information and whether or not there is, or would be, a conflict of interest between TNI and TNI Membership and/or ABs, and the functions that other organizations provide that TNI oversees or manages. The thought behind the response to the Florida Request for Information was that TNI could be or would be managing contractors for the Florida program, not providing the AB services ourselves.

Motion for TNI Board to Approve Making this Response to the FL Request for Information

Motion to Approve: J. Duncan
Second: D. Speis
Approved: J. Duncan, Z. English, S. Mertens, J. Morgan, S. Siders, A. Sotomayor,
D. Speis, E. Turner, S. Wyatt
Opposed: A. Alger, K. Greenaway
Abstentions: None

Motion Passes

We need to include the entire operations of TNI in the response. Jerry will include Field program and talk about that we include non-governmental ABs.

5. Standard Interpretation Requests

TNI is receiving minor informal complaints about this process, and to increase visibility, Ilona has expanded the information about SIRs in the Program Reports. The Board should decide what information they would like to see each month and determine if any actions are needed. Would it help if the TNI was involved in the process? Flowchart, stats/metrics, better idea of bottlenecks, which ones are very old, etc. Key point: We are relying on volunteer help to get things done. Should we have a performance metric regarding timeliness? It's probably not very productive to micromanage the program, but may be helpful to check out on timeliness of resolutions, etc., and see what the issues are. Review once a quarter or twice a year?

Another question: Is there a trend to the types of SIRs that shows that we need to work on certain portions of the Standard? We do have some information, but it's not really formalized. A training session on SIRs (webinar) would be helpful to all members of TNI that are interested in the process. Place a link to a webcast on the SIR webpage. How do we move forward? Do we place emphasis on the old ones or emphasis on the new ones and wait until someone brings an old one up for resolution?

6. Ways and Means Committee

Robin Cook recommended Cathy Catusus be the FSEA representative and she agreed. Jerry has not yet identified the vendor representative. This committee should begin operation in June.

7. Update on NELAP's response – ACIL Complaint

The AC prepared a draft letter that was just sent out to the rest of AC for their ok, to send to the TNI Board re: our actions, where we are, and where we plan to be. AC met with CA – productive phone call – some of the information in the ACIL letter was not 100% accurate which may have caused some confusion. Should have the official letter to TNI Board within the next week.

8. Program Reports

See Attachment 2

8. Next Meeting: July 11, 2012

**Attachment 1
Response to Florida RFI**

**TNI Response to Request for Information
DOH11-085
Environmental Laboratory Certification**

June 15, 2012

1. Introduction

The NELAC Institute (TNI) is a 501(c)3 non-profit organization whose mission is to foster the generation of environmental data of known and documented quality through an open, inclusive, and transparent process that is responsive to the needs of the community. The organization is managed by a Board of Directors that has broad representation from all stakeholder groups. Among other activities, TNI administers the National Environmental Laboratory Accreditation Program (NELAP) and as part of this effort, recognizes state agencies as Accreditation Bodies (ABs), including the Florida Department of Health (DOH).

TNI's vision is a true national accreditation program, whereby all entities involved in the generation of environmental measurement data within the United States are accredited to one uniform, rigorous, and robust program that has been implemented consistently nationwide and focuses on the technical competence of the entity pursuing accreditation. TNI believes such a program will improve the quality and reliability of environmental data used by federal and state agencies.

TNI is interested in working with the Florida DOH through a public-private partnership to establish a viable and cost-effective approach for sustaining the Florida program for certification of environmental laboratories.

2. Background

TNI's membership includes over 800 scientists from throughout the environmental monitoring community, including both government and private sector participants. These individuals work in many environmental disciplines that include both sampling organizations (consulting and engineering firms, local, state and federal contractors) and environmental laboratories (large and small commercial laboratories and local, state and federal government laboratories). The governmental members represent municipalities and local government entities, state agencies, and federal agencies, including the Department of Defense, the US Geological Survey and the US Environmental Protection Agency.

TNI's major activities are focused on supporting NELAP. To that end,

- TNI develops the requirements (consensus standards) for laboratories, ABs and Proficiency Test (PT) providers,
- Evaluates and recognizes state agencies as NELAP Accreditation Bodies,
- Maintains a national database of accredited laboratories,
- Establishes Fields of Proficiency Testing for environmental laboratories,
- Develops templates and guidance documents for laboratories, and
- Provides training for both laboratories and laboratory assessors.

To date, TNI has only been involved in support activities such as those described above and has taken no role in any efforts that directly affect the accreditation of laboratories. However, in 2010, TNI began an effort focused on providing support activities to ABs, because of changes in the economy and its effect on state government funding. The Task Force involved in this effort developed several recommendations that directly relate to the Florida effort, and their implementation may shift TNI's operation from one of only support to an expanded role that involves operational support activities for accreditation and ABs. (A complete copy of the Task Force report can be found on the TNI website at www.nelac-institute.org.)

Recommendations from TNI's Accreditation Body Task Force and TNI Actions

- **Training** -- Have TNI develop assessor training, both for technical training and for assessment techniques.
 - In 2012, TNI has held, or will hold, 6 assessor training courses, including 3 basic assessor courses and 3 technical courses (Microbiology, Organics, and Radiochemistry).
- **Administrative Support Services** -- Develop a number of support services (e.g., tracking proficiency test data) that TNI could provide to ABs to relieve some of their workload.
 - TNI is working with the State of Minnesota to help export their Environmental Laboratory Data On-Line (ELDO) process to other state agencies. ELDO provides effective and efficient tracking for all aspects of the accreditation process, including PT data and laboratory corrective actions.
 - TNI is developing a generic laboratory application and is planning to develop a way to process applications for ABs, providing any AB specific requirements as well as the information required by all.
- **Third-Party Assessors** -- Enhance the process by which NELAP ABs can access and utilize third-party assessors, especially to assess laboratories in states that do not participate in NELAP.
 - TNI is developing a list of qualified third-party assessors, including documentation of each assessor's experience and training records.
- **Use of Assessments from Other Organizations** -- Use the laboratory assessments performed by the Department of Energy (DoE) or the Department of Defense (DoD) Accreditation Bodies in lieu of, or to streamline, assessments performed by a NELAP AB.
 - TNI is reviewing assessment reports from these organizations and plans to pursue options for how to use these reports.
- **Non-Governmental Accreditation Bodies** -- Develop a process to allow non-governmental ABs (also called third-party ABs) to offer accreditations that would be accepted through reciprocity by some of the existing NELAP-recognized ABs and also in states operating an accreditation or certification program that is not NELAP-recognized, or where an existing state program may be privatized.
 - TNI is developing two specific recommendations on this issue that will be presented to the TNI membership in August for their endorsement. TNI expects this approach will be implemented in 2012.
 - TNI has established a process for recognizing non-governmental ABs in its National Environmental Field Activities Program (NEFAP) and four organizations have been

recognized by TNI to accredit Field Sampling and Measurement Organizations (FSMOs) in this program.

Florida was one of the original NELAP ABs, in 1999, and TNI has kept current with developments over the past several years, as Florida sought to modify its program. TNI understands the issues confronting the Florida DOH and believes that it already has the solutions in development that will work to sustain the operations of Florida DOH in accrediting laboratories, while meeting the EPA requirements under the Safe Drinking Water Act. As TNI understands the EPA requirements, a small but knowledgeable and experienced cadre of individuals would necessarily remain within Florida DOH, both to oversee the processes put into place and to carry out the inherently governmental function of actually granting the accreditation by the state of Florida. This granting of accreditation can be based on review of documentation provided by other parties, but the final decision must be made by the state, using assessment reports, PT data and recommendations that the lab can perform analyses in satisfactory fashion, all to be developed through whatever processes are eventually put into place. In the remainder of this proposal, TNI describes how it can work with Florida to sustain a viable environmental laboratory certification program.

3. Goals

From conversations we have had with many Florida laboratories, the overwhelming consensus of this stakeholder group is that the following elements are essential for the continuation of this program:

- Keep the NELAC/TNI standard as the basis for evaluation of laboratories,
- Use the TNI Standard for evaluation of Accreditation Bodies and retain Florida DOH approval as a NELAP-Accreditation Body,
- Ensure a reasonable fee structure comparable to the current program,
- Utilize trained and technically competent assessors,
- Utilize local resources where possible, and
- Use a non-profit organization with broad stakeholder representation to manage the program.

4. Objectives

TNI suggests the Florida DOH consider a Public Private Partnership (PPP) with TNI in which the TNI will provide the services outlined in the RFI and will assume a substantial financial, technical and operational risk in the project. A PPP can be described as a long-term agreement between a public-sector authority and one or more private sector companies operating as a legal entity. The government provides the strength of its purchasing power, outlines goals for an optimal system, and empowers private enterprise to innovate, build, maintain and/or manage delivery of agreed-upon services over the term of the contract. The private sector receives payment for its services and assumes substantial financial, technical and operational risk while benefitting from the upside potential of shared cost savings.

To initiate this effort, TNI suggests that TNI and Florida DOH enter into a Memorandum of Understanding (MOU) whereby we commit for a period of six months to good-faith negotiations toward a potential solution. The suggested solution would be developed by a Partnership Planning Team. At the end of that period, if not sooner, the team will submit its report and recommendations to the Board of Directors of TNI and the management of the Florida DOH.

The Partnership Planning Team would be chartered to explore options and develop recommendations on the following topics:

1. Timeline
2. Budget
3. Operations (e.g., application review, laboratory assessments, review of PT data)
4. Outreach (informing labs of change, ensuring that labs' needs are addressed)
5. Implementation

Members of the Partnership Planning Team would include five individuals selected by the TNI Board of Directors and five individuals selected by the Florida DOH. At least 2 of the TNI members shall be Florida residents and one shall be a representative from a NELAP Accreditation Body.

5. Deliverables

TNI proposes the deliverable from this effort be an implementation plan.

6. Technical details

To be determined by the partnership planning team.

7. Personnel assigned and contact information (company name, phone, email)

Primary Contact

Jerry Parr, Executive Director
The NELAC Institute
817-598-1624
Jerry.parr@nelac-institute.org

Other personnel assigned

Name	Title	Previous Experience
Carol Batterton	Program Administrator	Manager of the Texas Commission of Environmental Quality laboratory certification program (retired)
Dan Hickman	Database Administrator	Manager of the Oregon Department of Environmental Quality laboratory certification program (retired)
Ken Jackson	Program Administrator	Manager of the New York State Department of Health laboratory certification program (retired)

8. Proposed budget

To be determined by the partnership planning team.

Attachment 2 PROGRAM REPORTS

CONSENSUS STANDARDS DEVELOPMENT

- The Consensus Standards Development Executive Committee has agreed that responsibility for the Environmental Laboratory Quality Systems modules should be split among four expert committees, two of them being the existing Quality Systems and Environmental Measurement Methods committees, and two being new committees for Radiochemistry and Microbiology. A recommendation is being formulated for submission to the Board of Directors for its consideration.
- A guidance document is being prepared for the Development and Maintenance of Standards regarding structure, formatting and style.
- The Stationary Source Audit Sample Table Management SOP is almost complete. The committee is now voting on a subcommittee's recommendations on concentration ranges and acceptance criteria for Method 25. This has been aided by a study performed by 2 volunteer laboratories that specialize in this method. The SSAS Table will be amended for Method 25. Guidelines for Method 25 sample collection will be developed next.
- The Proficiency Testing WDS is on target for publication in July. The committee is meeting weekly and expects to have a first draft early in June. This will then be reviewed for uniformity across all 3 volumes. The WET TIA has been approved by LASC, and the Accreditation Bodies expect to get it out of their Council and approved for implementation in June.
- The Field Activities WDS is on track, but there are still issues to resolve. The PT subcommittee has agreed on the direction, and language still needs to be ironed out. Another subcommittee has resolved the language on scope of accreditation. Mobile laboratories still need to be considered. Volume 1 (except for PT language) is complete. A current issue is whether to remove interim accreditation from Volume 2. One AB wants it removed, but a potential stack-testing AB says they won't then be able to participate, because interim accreditation is critical to them.
- The Environmental Measurement Methods Committee has completed its WDS for calibration. This will be presented at the August meeting in Washington DC as an amendment to Quality Systems Module 4 (Chemistry).

NEFAP Executive Committee

- The Evaluation SOP is still being worked on. A final DRAFT was sent to the committee on May 14th and reviewed at the last meeting. There were a number of comments and the review will be completed during the June meeting.
- The Voting SOP is still undergoing review. It is being compared to the most recent version of the NELAP Voting SOP.
- An advocacy summary is now being included in each month's minutes.
- The first on-site observation has taken place. Reports are being finalized.
- More organizations are looking at requiring field sampling accreditation in contracts.

Field Activities Expert Committee (FAC)

- The committee is continuing work on the standard. A lot of the work is being done through subcommittees and e-mail.
- 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. This subject came up during the NEFAP EC meeting and Justin and Marlene will be meeting to work through responsibilities. The TNI EDS SOP will be used in this review.

NELAP

Accreditation Council

- 5 evaluations are underway. The AC voted to approve a temporary extension of the certificate of recognition for NJ, until the evaluation team's recommendation can be voted upon. This evaluation was delayed at the outset by concerns about team workloads.
- On receiving a recommendation from LAS EC, the AC undertook consideration of the WETT PT TIA at its first opportunity, the May 21 meeting. A veto vote for approval was sustained, and steps are being taken to satisfy the information needs that led to the veto. Eventual approval is still expected.
- The AC has met with state representatives to discuss the ACIL complaint. The ongoing evaluation of the AB will proceed normally. An interim response to the Board and/or ACIL is in preparation.

Laboratory Accreditation System Executive Committee

- Standards Interpretation Request (SIR) process:
 - Quite a bit of work was done to go back through the table and make sure that all SIRs had gone out to committee's for responses. There were a few that had been missed while they were in the process of review. 18 new SIRs were forwarded for posting to the website and the final letter was prepared for the inquirer.
 - Since its start, the process has received 206 SIRs. 110 SIRs have been closed through posting on the website or it was determined they were not SIRs. A more complete report will be shared to show which committees are working on which SIRs and which are in the voting process. This will become part of this standard monthly report starting next month.
 - 6 requests were received in May. Three will be handled by QS and four were not SIRs.
 - The NELAP AC is dedicating time in each meeting to work through all of the SIRs. It might help to send a reminder weekly or bi-weekly to the ABs to review and finalize the SIRs that were worked on.
- The committee is still working on updating the Standards Review SOP.
- The committee did not meet this month.

Technical Assistance Committee

- There are some training summaries that are complete and ready for submission to the AB Task Force. Additional summaries are due the end of the month.
- Assessment Forum topics include Task Force on Corrective Actions, Why there are Problems With the Implementation of 2009 TNI Standard, with possible topics of Measurement of Uncertainty, Traceability of Standards and Reagents as in ISO 17025 with Comparison and Contrasts between NELAP and ISO and How to Implement the Requirements.
- TAC has been asked to think about ideas on how to evaluate more technical courses for TNI's approval.

PROFICIENCY TESTING

- The Chemistry FoPT Subcommittee is continuing to review NPW analytes. They are now reviewing some of the more challenging analytes previously looked at to confirm decisions and looking for

consistency. A final DRAFT table should be completed soon and then the group will begin working on solids.

- E-mail addresses for state contacts are still needed so they can be contacted about the changes to the FoPT website.
- A DRAFT Dispute Resolution has been completed and is in final review by the committee.
- The committee has received a formal complaint on the process of communicating PTPA information to all states. This complaint will be worked on during the June meeting. Everyone was reminded to review the information.
- 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. Each PTPA has completed their table to identify what they collect to meet the current requirements. A meeting is planned in June to discuss the results after the conversation with William (TNI) and Kelly Black. Things are moving forward.
- Stacie is setting dates for the meeting with the Protozoa subcommittee to discuss next steps.
- Work is in progress to schedule the on-site reviews of ACLASS and A2LA. The assessment teams are being finalized.

ADMINISTRATION

Advocacy Committee

- The Advocacy Committee will publish an abbreviated newsletter around July 15. Keith Chapman is the editor.
- Jerry provided an update on efforts to provide outreach on the Method Update Rule. Two responses were received to TNI's RFP for training on the MUR.
- The Advocacy Committee discussed the Florida RFI for their laboratory accreditation program. The committee will recommend to the TNI Board that TNI submit a response.
- The Advocacy Committee will send a follow up email to non-NELAP states advising them of the special meeting on Wednesday at the summer meeting. Carol and Lynn will coordinate on the agenda for that meeting.

Accreditation Body Assistance Task Force II

- ABTF II is continuing their discussion on 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. The current discussion is focusing on how an NGAB would participate on the NELAP AC.
- 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 still being reviewed, but should be complete after the next meeting.
- Effort is continuing to update SOPs/Policies and the spreadsheet to track them.
- The committee is continuing to use a discussion board to make comments on documents needing review between meetings.

Training

- The first Brown Bag Session was given on June 8th. The topic was Corrective Action and Root Cause Analysis. The session sold out within a couple of days and a second session was established – that also sold out. The second session was recorded as a webcast so that people will still be able to take advantage of this training. Approximately 150 students were trained. There is a plan being put in place to run different Brown Bag Seminars related to Quality Systems every month at approximately the same time frame so people can anticipate them.

- Another webinar training is planned for Friday, 6-15-12 for the Method Update Rule. 146 students have already registered for this class and a number of EPA personnel will be joining in too.
- A new training proposal has been received and is being reviewed. It is of a more technical nature and we need to look at how to review this type of material.
- New slides were prepared to train participants on Webinars.
- A system to download RegOnline registrations to WebEx for Webinars was established and used for the last series of webinars. This allows WebEx to automate and send out reminders. We did find that we still need to send at least one TNI reminder, because some of the WebEx e-mail was landing in Junk e-mail boxes and people did not receive the information they needed.
- Complimentary TNI memberships were provided to 2 regional lab associations to encourage them to help promote TNI training events.
- A draft SOP on Continuing Education Credits has been written and will be sent to the Policy Committee.

EPA Cooperative Agreement

- TNI was an exhibitor at the APHL Annual Meeting in May. In addition to the TNI brochures, a white paper was distributed comparing the TNI QS standard requirements with those of the EPA guidance document used by the regions in certifying state principal drinking water laboratories. The paper stressed that the majority of commercial laboratories are accredited to the TNI standard or a similar standard based on ISO 17025, and it should not be acceptable for state laboratories to be held to a lesser standard. This was supplemented by presentation of a poster at the meeting titled "The Need for Accreditation of State Environmental Laboratories".

Environmental Measurement Symposium – Washington, DC, August 2012

- Abstracts and bios are just about ready for uploading to the website. Quite a bit of work was done to make sure the on-line table matched the spreadsheet for the program and the spreadsheet used to organize the sessions. The DRAFT site is up and it looks great. It should be live within the next few days. There are still a number of biographies outstanding, but they will be added as they are received.
- 35 Exhibitors have already signed up for the conference. There are more questions coming in and more requests regarding sponsorship. Bruker signed up at the Lunch Sponsor level, a \$9500 fee.
- Papers will be due July 15th and abstracts will be due end of July.
- Conference brochure has been mailed

Membership Report

- Active Members: 858

Note: The training webinars are bringing in new members.