

NEFAP Executive Committee (NEFAP EC)
Meeting Summary
August 6, 2019

1. Roll call:

Kristin Daigle, Chair, called the NEFAP Executive Committee to order on August 6, 2019 at 1pm Eastern in Jacksonville, FL. Attendance is included in Attachment A - there were 6 NEFAP EC committee members present.

2. Presentation – John Moorman

Competency for FSMOs – Trust or Verify?

See Attachment D for a copy of the presentation slides. The presentation is an excerpt from a larger presentation called “Scared Straight – Ensuring Competency for FSMOs”. This complete training is available on the TNI Training website.

What do you look for as your selection criteria?

Even in Florida ... they have requirements ... but who is verifying they are doing what they are supposed to be doing.

3. Open Discussion – What do you look for when choosing a sampler?

Jordan Adelson – Navy – Panel Guest

Concepts agreed with that were in the presentation. Saves their reputation.

Most of the organizations DoD deals with have ISO 9001. There is no regulatory driver for NEFAP. The reason they have the driver for the lab side is because it was stated that DoD and DoE had quality issues on federal facilities. Planning/Design, Collection and data quality issues. The design is important. Difficult for them to require accreditation. The least paid people are the samplers. It is so site specific. Chair of DoD environmental quality workshop. He gets push back from Navy and other services because they see it as an added cost and no more benefit. They need a regulatory driver. Someone who has accreditation is credible to him. He is not in that role. Some contracts are firm/fixed price.

Need to reach out to the companies themselves to make better business sense.

Kirstin - What type of regulatory driver would be needed? Jordan - What they do for lab accreditation is based on a model. They don't want to be the first. There is no basis for this. They don't want to be on the windy corner by themselves.

Tracy – What do you expect from the field samplers? Navy – opvav5090 – Training for environmental samplers. No requirements other than a need for organization quality system. Uniform federal policy for quality systems.

They have criteria, but no hammer. This might have more of an effect on civilians. Marlene has had some people coming to training classes because they weren't in compliance with UFPQS.

If they could be provided with an example, then they are not the first and they would have a model to use.

UFP QAPP and walks through systematic planning process? Sampling design.

Go back to previous issues in 90's – Most of the issues were lab and sample design related issues. UFP QAPP.

Mitzi teaching – Quality assurance and sampling design.

Suggested reaching out to Marlene regarding the trainings she has done on military QAPPs.

Debbie Rosano – DoE – Panel Guest

DoE – They do things differently. Their sites are run by contractors. They are long contracts than can exceed more than 10 years. Without a DOE order or a regulatory driver, they work on their own with their state regulators.

They have an audit program and in the last 18 month, they now have an accreditation piece. Auditing process was voluntary. There is no DOE order. Most national labs don't think Quality Assurance Order applies to them. They recommend it be in the contracts. If the site doesn't want it ... they don't put it in the contract. They don't even use the QAPPs.

The site office managers have the say as to what goes into the contracts.

Jordan – There is a fair amount of field audits that happen, but it is not looking at management systems. Sometimes the regulatory authority does it, prime contractor is doing it, etc ... It is more technical driven than quality systems driven.

Controversial sites often get field audits.

Steve Clark - DOE

He was a licensed waste water operator in EPA – did all the exams, etc ... Field sampling requirements haven't been there.

AWWA probably has influence. Get these types of groups on board. There are also storm water organizations.

Stack Testing is supported by EPA with associations that deal with how to take samples.

National Labs – Harder to analyze the sample than collect the sample.

Halley – Consultants always asking about sampling and emerging markets. Steve - Issue trying to sample and they are asking for help from labs. They don't know the term FSMO.

Municipal labs have a strong presence in field sampling.

Tamara – Oil and gas private sector – compliance sampling and unregulated sampling.

Beth Durman – AIHA – new – Worked with EPA. Superfund could be a buy in. They have a sampling guide.

Ilona asked if America's Water Infrastructure Act of 2018 could be something that NEFAP could help with. Steve thought this was a possibility. It is more for funding sources, but does impact the non-profits too.

Steve did an interactive sampling guide in 2004/2005.

Still up to the state agencies as to what they will require.

Stacie - They write licensing tests - there is a component on sampling on these exams. For states that use licensing exams from ABC.

They also have a program for laboratory analysts. As lab accreditation was the way that things were going.

We have operators that work at the facilities. Licensing of operators. Facilities are not going to become accredited if they have licensed operators.

Sampling is a component of licensing.

The license carries a different purpose. They don't know how to work within a quality system.

Steve suggested looking at emerging markets - get into something where there is nothing. Market yourself to a state. Create examples.

Alternative emerging market - Oregon - there were alternations and modifications happening to the samples before they were showing up to the lab. State wanted sampling done by the labs. They wanted it done correctly. They were getting sterile samples on a natural product.

Steve also suggested reaching out more to industry.

Russell – Ford accepts FSMOs in their program. You can bypass their program if you are NEFAP. NEFAP needs to contact people at Ford. How did they do this? Russell noted that most people decided to just go through the Ford system and did not choose to become NEFAP FSMOs. Justin commented that it made it easier to apply to Ford if you were NEFAP FSMOs, but they didn't just accept. They still went through your application. Tracy can visit Hilda.

4. Task Force Update – Scott Haas

Scott Haas provided a review of the slides in Attachment E.

5. New Business

Iлона noted that TNI will extend the internal audits done last year to all TNI Committees/Programs. She will update the checklist with new SOP information and send it to the Policy Committee for review. The information to start the internal audit should be ready in mid to late October.

6. Action Items

Action items can be viewed in Attachment B.

7. Next Meeting

The next meeting will be on Wednesday, August 21, 2019 at 1pm Eastern by teleconference.

Action Items are included in Attachment B.

The meeting was adjourned at 3pm Eastern.

Attachment A

TNI NEFAP Executive Committee

Members	Affiliation	Balance	Contact Information
Kirstin Daigle (2020*) Chair Present	Pace Analytical Services	FSMO/Lab	Kirstin.daigle@pacelabs.com
Tracy Szerszen (AB) Vice-Chair Present	PJ Laboratory Accreditation, Inc.	AB	tszerszen@pjlabs.com
Paul Bergeron (2019) Absent	LELAP	Other	Paul.bergeron@la.gov
Geneva Bowman (2021*) Absent	AIHA	Other	gbowman@aiha.org
David Fricker (AB) Absent	A2LA	AB	dfricker@A2LA.org
Jeff Buystedt (2021*) Absent	City of Bend Environmental Compliance	FSMO	jbuystedt@bendoregon.gov
Nilda Cox (2019) Absent	Eurofins Eaton Analytical Inc	FSMO/Lab	nildacox@eurofinsus.com
Calista Daigle (2019) Present		FSMO	calista.daigle@gmail.com cdaigle@amrad.com
Jeremy Driver (2021*) Absent	Alabama Power Company	FSMO	jddriver@southernco.com
Jacob Gruzalski (2021*) Absent	Environmental Standards Inc./Vitale Scientific Associates, LLC	FSMO	jgruzalski@envstd.com
Pamela Hamlett (2021*) Absent	US Air Force/DoD	Other	pamela.hamlett@us.af.mil
Shawn Kassner (2020*) Present	Neptune and Company, Inc.	Other	skassner@neptuneinc.org
Carl Kircher (2019) Absent	Florida DOH	Other	Carl_kircher@doh.state.fl.us
Keith Klemm (AB) Present	ANAB	AB	kklemm@anab.org
Janis La Roux (2021) Absent	H&P Mobile Geochemistry, Inc.	FSMO	janis.laroux@handpmg.com
Norman Rodriguez-Iglesias (2021*) Absent	EPA Region III	Other	rodriguez.norman@epa.gov
Russell Schindler (2020*) Present	SampleServe.com	FSMO	schindler@sampleserve.com
Ilona Taunton (Program Administrator) Present at 1:20	The NELAC Institute		tauntoni@msn.com

Attachment B

Action Items – NEFAP Executive Committee

	Action Item	Who	Expected Completion	Actual Completion
39	Give Alternate name to Ilona.	All	9/30/10	Ongoing Continue to give to Ilona.
124	Send Presentation slides to committee members for review and comment. The slides will be used for future presentations about NEFAP.	Kirstin	10/15/13 Ilona forward by 5/2/17	4/10/15: Kim will follow-up on this. 12/11/15: Sent last week. 4/24/17 – Ilona will forward Jerry’s presentation for review to the committee. 6/19/19 – John will send his presentation to Kirstin and this will be discussed in July and possibly shared in Jacksonville.
158	Review new FSMO Tool documents for issues with “should”, “shall”, confirm that additional requirements are not being imposed and look for possible AB conflicts.	Kirstin	3/5/15 TBD	12/11/15: Ilona will resend them to Doug so he can prepare comments by Tulsa. SENT REMINDER 6/19/19: Schedule time to look at these documents.
164	Review White Paper.	Kirstin/Tracy	4/30/15 TBD	12/11/15: Justin will review it and send it to Kim working on for something in 2017.

	Action Item	Who	Expected Completion	Actual Completion
				4/24/17: Kim rewrote it and will send it to Justin for final review before sending to the committee. 9/20: Kim will look for it and send to Kirstin. Kirstin will reach out to Kim. 6/19/19: Kirstin will reach out to Justin to get a copy.
172	Talk to Loretta about setting up a meeting.	Shawn	TBD	12/11/15: Justin will reach out. Leave on.
195	Re-do "Why NEFAP?" videos.	Shawn	TBD	Look at Janis video.
207	Call Zaneta and Michelle about need and process for testimonials.	Shawn/Tracy	TBD	Shawn
217	Update Jerry's NEFAP presentation and send back to NEFAP EC for final approval as a template.	Kirstin	TBD	Kirstin will look at Jerry's version and the old presentation. See #124
221	Discuss with Advocacy the possibility of California using the NEFAP Standard for field and mobile lab accreditation.	Shawn	TBD	
223	Update Strategic Plan document for review by committee.	Shawn	10/17/17 9/19 Meeting	6/19/19: Shawn and Justin expect to have a strawman in August.
227	Provide comments on the 2014 Standard to FAC.	TBD	April 2019	In Progress
244	Update Comments on Scope Guidance Document and resend to FAC.	Kirstin	TBD	In Progress

	Action Item	Who	Expected Completion	Actual Completion
246	Review possible impact/opportunity of the America's Water Infrastructure Act of 2018 that was signed into law on October 23, 2018.	Norman	March Meeting	
247	Redraft Complaint Information if Carl and Cheryl don't have a copy.	Kirstin Carl	February Meeting	Document needs to be re-created.
250	Work with Carl and Ilona on next steps to address COI.	Tracy	6/15/19	Should start with COI SOP. Action item will be closed.
251	Continue work on Scope Guidance document to present to the Committee in June.	Tracy and Scope Guidance Subcommittee	6/18/19	
252	DRAFT COI SOP using NELAP SOP as a starting point.	Kirstin	July 2019	
253	Send Worksheet 11 to Justin.	Kirstin/Ilona	8/1/19	
254	Talk to Jerry to get list of Industry people coming to NEMC.	Ilona	7/24/19	
255	Provide DRAFT of Worksheet 11 to NEFAP EC before September meeting.	Justin	9/18/19 <i>(Addition: Changed to 9/25/19)</i>	


Attachment C

Backburner / Reminders – NEFAP Executive Committee

	Item	Meeting Reference	Comments
4	Review Charter.	October 2018	
6	Evaluate how to handle adding additional ABs. Impact on committee size.	8-6-12	
9	Determine need for a policy or statement regarding the assessment of sampling.	4-22-13	
11	Form transition plan for implementation of new Field Standard when it is approved.	1/17/18	



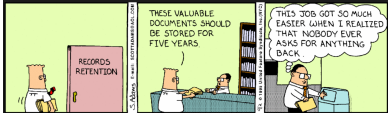


Competency For FSMOs Trust or Verify?

Real World Example

Former Illinois City Certified Water Operator Charged with Falsifying Drinking Water Sampling Data--

Routinely falsified paperwork to make it appear employee was properly sampling its drinking water in order to conceal the fact that employee was not sampling in accordance with the Safe Drinking Water Act and the U.S. EPA regulations that implement the Safe Drinking Water Act.








Real World Example

West Virginia Laboratory Employee Gets Jail Time for CWA Crimes --

Pleaded guilty to conspiring to violate the Clean Water Act. Admitted to tampering with water samples to make them appear within permissible levels.



In addition, failed to place samples on ice as required by law, and instead kept them in the truck all day, compromising the integrity of the samples.

Real World Example


Former Water Works Employees in Louisiana Sentenced for Falsifying Information on Water Testing Logs --

Louisiana State Police investigation found that the employees did not collect all the samples to which they had attested. It was found that data from Global Positioning Systems (GPS) permanently attached to the county vehicles assigned to the employees showed that they were nowhere near the testing sites on numerous days where the employees alleged to have tested water samples.


Negative Consequences

- Data defensibility in jeopardy
 - Client Complaints
 - Regulatory Inquiry
- Risk to Public Health and Safety
- Risk to Environment
- Risk to Business
 - Liability
 - Cost of Remediation / Improper Remediation
 - Cost to Resample
 - Cost to Hire new FSMO




GIGO

Garbage In Garbage Out






Sample Quality

- The Quality of the sample cannot be improved AFTER it reaches the laboratory
- Sample Representativeness cannot be improved AFTER it reaches the laboratory
- The Quality of the Field Documentation cannot be improved AFTER it reaches the laboratory



FSMO Evaluation

Is the FSMO competent to:

- Design the Sampling Plan?
- Consistently collect Representative Samples?
- Perform Field Measurements?
- Maintain integrity of data and samples after collection and during transit to lab?
- Document activities / maintain records?

What else is important?



Open Discussion

- Do / Should organizations review or verify FSMO qualifications before hire?
- What qualifications are essential for FSMO?
 - How should these be checked?
- Do / Should samplers and field analysts need to demonstrate competency as part of the FSMO qualification process?
- Is / Would NEFAP Accreditation useful to help select qualified FSMO?
 - If no, where are the gaps in NEFAP that need to be addressed?
 - If yes, what, if any changes need to be made to improve NEFAP?



Attachment E

Field Activities Task Force

January-July 2019

Mission of Task Force

- Develop an organizational approach to field activities accreditation throughout all TNI programs including NELAP, TNI Environmental Laboratory Standard Recognition and NEFAP.
- Under the direction of the TNI Board of Directors, the Field Activities Task Force will:
 - Develop and recommend consistent policies for the accreditation of field activities; including the standardization of the approach to listing scopes of accreditation.
 - Develop an organizational approach to field activities including mobile laboratories under multiple TNI programs and identify or clarify when each program is appropriate for accreditation.
 - Recommend standard definition of mobile laboratories and field activities (e.g.; sampling, testing).

Leadership

- Paul Bergeron, Chair, LA DEQ Notifications and Accreditations Section
- Scott Haas, Presenter, FAC Chair
- NELAP representative
- NEFAP representatives
- 11 Total Members

Field Activities Task Force: January-February

- The member accreditation body representatives, testers and consultants recapped what was presented in Milwaukee and the vice-chair of the committee explained how he re-designed a spreadsheet capturing the current accreditation requirements of governmental and non-governmental accreditation bodies
- The members discussed the work of the Field Activities subcommittee on their own accreditation guidance document running parallel with the Task Force's work
- The members focused on compiling the definitions of the terms "mobile laboratory", "field laboratory", "field activities and "sampling" from governmental and non-governmental sources

Field Activities Task Force: March-April

- Members discussed the definitions table and the field activities table created from the discussion of the definition of the term
- The vice chair initiated a flow chart for the accreditation guidance document
- The members expanded the definition discussion to include the phrase "management system" as a replacement for "quality system"; the use of the terms "legal", "outside", "fixed facility", and "fixed laboratory"; and how "calibration data" can be considered "test data"

Field Activities Task Force: May-July

- Members examined the progress made on the chart objectives and goals, particularly with the spreadsheet, table and flow chart
- The chair recounted his discussion on scopes of accreditation with the chair of the NEFAP EC committee; the members also were reminded that Volume 2 of the TNI Environmental Laboratory Sector was in a comment period, prompting discussion of the scope of mobile laboratory assessment
- Members were issued a re-drafted flow chart, along with copies of current standards, and concluded the latest meeting with extended discussions of the terms "environmentally" and "legally"

Definitions

- **Field Activities:** performed outside of the confines of the conformity assessment body's (CAB) environmentally and legally controlled fixed facility.
- **Field:** Any location where work is performed outside of the legal entity's controlled facility.
- **Sampling:** provision of a sample of the object of conformity assessment, according to a procedure (3.2) (ISO/IEC 17000:2004)
- **Testing:** determination of one or more characteristics of an object of conformity assessment, according to a procedure
- **Field Measurement:** The quantitative determination of physical, chemical, biological or radiological properties of a matrix by measurements made in the field.
- Mobile lab, Field measurement, Field accreditation, scope of accreditation et.

Process Flow Chart **WORKING DRAFT**

