

Summary of the TNI NELAP Board Meeting December 21, 2009

1. Roll call

The NELAP Board met at 12:30 PM CDT on December 21, 2009. Aaren Alger chaired the meeting. Those members in attendance are listed in Attachment 1. In addition to those indicated, Susan Wyatt from Minnesota joined the call, along with David Caldwell of OK.

2. Minutes

Minutes from the 12-10-09 meeting were reviewed and approved for posting.

3. Update on renewals and new applications

Lynn Bradley provided the following update on renewals:

IL – The evaluation team is waiting for the corrective action to be completed.

OR –Electronic votes in favor were subsequently received from NH and NY. The renewal vote is final and a letter will be prepared for Aaren's signature.

MN reported that their application is being routed for final signatures. We will need to discuss with Jerry how MN should provide payment for the evaluators' travel. The selection of state evaluators may depend on the experience level of any EPA staff selected. EPA Region 5 has indicated they will provide funding for an EPA person outside of Region 5 to do the evaluation. Kevin Kubik will follow up on this.

OK reported that they were still making progress on their application and were currently working on enforcement policies.

4. Non-potable water FoPT table

Aaren presented the Non-potable water FoPT table forwarded by Eric Smith for NELAP Board approval. Questions and comments included:

- Why is the approval date of Jan. 1, 2010, needed? May be related to DMR QA start date.
- Why is low level TRC needed for non-potable water?
- Why is there a low level Hg PT?
- Both of the above appear to be requests from EPA DMR QA.
- There do not appear to be significant changes to the current tables in this proposal.

Since there was not a quorum of members present, a motion to approve could not be made.

Aaren will inform Eric Smith that approval will be delayed until the next meeting.

5. Travel to Chicago

Aaren advised everyone to read Jerry's email about travel to the Chicago meeting. Text is pasted below:

I know some of you have indicated you will not be able to make the Chicago meeting unless we can provide some level of travel support. I have arranged with Jane Wilson of NSF to use some of the funds EPA has provided NSF for standards development to support your travel to this meeting. These funds are very limited so please do not request any funding if you have the ability to send one person to the meeting on your own.

If you have a conflict-of-interest in using NSF funds, TNI has very limited funding to support travel for those that serve in roles as committee or board chairs.

Note: NSF also has funds to support travel for members of expert committees.

If you need this support, contact Jane Wilson at the email address shown above.

Carol also mentioned that after the AB fees are paid, there will be travel funding for one person from each AB to attend one meeting per year. Additional persons and the 2nd meeting will need to be funded by the AB.

6. VA labs

Steve Arms had provided a letter he intends to send to his VA labs and requested discussion about how the VA labs would be transitioned over to VA as their primary AB. Letter is attached. Since there were so few ABs on the call, discussion was deferred until the next meeting.

7. Recognition policy

Aaren presented the draft recognition policies and pointed out that the Accreditation Body committee thinks this policy is important. There were not enough members on the call to take action, but approval of the policy will be on the next agenda. There was consensus of those on the call that the version that Steve Stubbs had prepared looked good.

NY expressed concern that the policy should be flexible enough to allow an AB to do what they have to do by law. For example, when the state requires a PT, but NELAP does not. It was agreed that these issues could be worked out on a case by case basis.

If no comments are received by Jan. 4, 2010, this item will be on the next agenda as a voting item.

8. Dispute resolution

Susan Wyatt indicated that her subcommittee has been working on an SOP for resolving disputes between labs and ABs in a systematic way. This SOP could be utilized after the state appeals process is exhausted. It can also be applied to AB to AB disputes. Susan will forward a draft for discussion at the next meeting. Kevin Kubik also expressed a concern that the SOP needs to include procedures that could be used to avoid the state appeals process altogether if it is possible to resolve the dispute less formally.

9. SIRs

Additional SIRs will be forwarded for review before the next meeting.

11. Next meeting

The NELAP Board will meet Monday, Jan. 4, 2010, at 12:30 CST. Potential agenda items include:

- Approval of minutes
- Update on renewals
- MN Evaluation team
- VA lab transition
- Approval of the non-potable water FoPT table
- Secondary recognition policy
- Dispute resolution policy
- SIRs
- SW 846 (standing item)

Draft VA transition letter:

Dear Laboratory Director:

Your laboratory currently holds environmental laboratory certification with the State of Florida. This certification is under the auspices of the National Environmental Laboratory Accreditation Program (NELAP), and Florida is your primary Accreditation Body for some or all of the Fields of Accreditation (FOAs) for which your laboratory is certified. However, Virginia's Environmental Laboratory Accreditation Program (VELAP) is now recognized by NELAP as an Accrediting Authority. Pursuant to the NELAC Standard 6.2.2(g), which is incorporated by reference into Florida Administrative Code Rule 64E-1.0015, your laboratory must seek primary accreditation from the state in which it resides. If you require certification from Florida, you will need to submit form DH 1762, 7/04, *APPLICATION FOR CERTIFICATION OF ENVIRONMENTAL TESTING LABORATORIES*, requesting reciprocal certification based on the accreditation issued by VELAP. This form is available at <http://www.doh.state.fl.us/lab/EnvLabCert/WaterCert.htm> or by calling

our office at (904) 791-1599. Your laboratory **will not be authorized to renew its primary certifications with the State of Florida** without first seeking NELAP accreditation from the VELAP. You should allow VELAP enough time to process your application, possibly including an on-site assessment, prior to July 1, 2010. Information on VELAP is available on the web at www.dgs.virginia.gov/dcls or you can email them at Lab_Cert@dgs.virginia.gov. If we are your laboratory's primary Accreditation Body for any FOA for which VELAP is unable to offer accreditation, we will continue your Florida certification for these FOAs upon renewal, but you must notify us and submit the required renewal materials and fees prior to July 1, 2010.

We have appreciated the opportunity to serve you, but this transition is necessary for NELAP to continue to grow and to become a true national program. We will work with VELAP to make this transition as smooth as possible, but should unforeseen problems arise, we will continue to do everything possible to accommodate your needs. If your laboratory's needs do not include Florida certification, allow me to thank you for our successful dealings in the past and to wish you well in the future.

Sincerely,

Stephen A. Arms

Cc: Cathy Westerman, VELAP

Attachment 1

STATE	REPRESENTATIVE	PRESENT
CA	George Kulasingam T: (510) 620-3155 F: (510) 620-3165 E: gkulasin@cdph.ca.gov	Fred Choske
	Alternate: Jane Jensen jjensen@cdph.ca.gov	
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: steve_arms@doh.state.fl.us	Yes
	Alternate: Carl Kircher carl_kircher@doh.state.fl.us	

IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: scott.siders@illinois.gov	No
	Alternate: TBA	
KS	Dennis L. Dobson 785-291-3162 ddobson@kdhe.state.ks.us F: (785) 296-1638	
	Alternate: Michelle Probasco mprobasco@kdheks.gov	Yes Michelle Wade
LA DEQ	Paul Bergeron T: 225-219-3247 F: 225-219-3310 E: Paul.Bergeron@la.gov	Yes
	Altérnate: Cindy Gagnon E: Cindy.Gagnon@la.gov	
LA DHH	Louis Wales T: (225) 342-8491 F: (225) 342-7494 E: lwales@dhh.la.gov	No
	Alternate: Ginger Hutto ghutto@dhh.la.gov	
NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	No
	Alternate: TBD	
NJ	Joe Aiello T: (609) 633-3840 F: (609) 777-1774 joseph.aiello@dep.state.nj.us	No
	Alternate : TBD	

NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568	Yes
	Alternate: Dan Dickinson dmd15@health.state.ny.us	
OR	Brian Boling T: (503) 229-5823 F: (503) 229-6924 E: boling.brian@deq.state.or.us	Yes
	Alternate: Raeann Haynes haynes.raeann@deq.state.or.us	
PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: aaalger@state.pa.us	Yes
	Alternate: Bethany Piper bpiper@state.pa.us	
TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: sstubbs@tceq.state.tx.us	Yes
	Alternate: Steve Gibson jgibson@tceq.state.tx.us	
UT	David Mendenhall T: (801) 584-8470 F: (801) 584-8501 E: davidmendenhall@utah.gov	Yes
	Alternate: Kristin Brown kristinbrown@utah.gov	
VA	Cathy Westerman T: 804-648-4480 ext.391 cathy.westerman@dgs.va.gov	No
	Alternate:	
	Program Administrator: Carol Batterton T: 830-990-1029 or 512-924-2102 E: carbat@beecreek.net	Yes

EPA Liaison	Kevin Kubik T: 732-321-4377 E: kubik.kevin@epa.gov	Yes
	Evaluation Coordinator: Lynn Bradley T: 202-565-2575 E: Bradley.lynn@epa.gov	Yes
	Quality Assurance Officer Paul Ellingson T: 801-201-8166 E: altasnow@gmail.com	Yes
	Minnesota Susan Wyatt Lynn Boysen	Yes
	Oklahoma David Caldwell Judy Duncan	Yes