

Summary of the NELAP Accreditation Council Meeting

July 30, 2012

1. Roll call and Approval of Minutes

The NELAP Accreditation Council (AC) met at 1:30 pm EDT on July 30, 2012. Minutes of the July 16, 2012, meeting were approved. Those members in attendance are listed in Attachment 1.

2. Action Items Pending

- Send memo to TNI Board regarding Use of DoD-DOE reports (AB/TF Option 5)
- Follow-up to commitments made in Sarasota – staff actions to add state AB complaint processes of states to listing of ABs awaiting webmaster action, implement consensus of AC representatives to devote 1 meeting/quarter to discussion of how ABs handle assessment topics (with assessors invited into the meeting) as a way to improve consistency of assessor practices
- Notify AC and LAS EC about results of small group review of outstanding SIRs, to either improve the interpretations or withdraw items that are really “how-to” questions
- Address MN evaluation team composition, since there will now be no EPA evaluator on that team. Possibly begin to address team compositions for next round as well as for evaluation of NGABs
- Follow ABTFII addressing NGAB option
- Final Response to Complaint from ACIL – pending completion of evaluation process for the AB
- Policy Committee Review and request for revisions to Voting SOP (3-XXX)

3. TIA for PT Modules of V1, V2 and V3 Concerning WETT

The motion “to accept the TIA as proposed by the Laboratory PT Expert Committee, effective August 1, 2012, conditional upon the change of the adoption date in the Revision History of the standards” passed with 13 yes votes and 2 ABs not voting.

4. Request from the Chair to Review and Comment on New Working Draft Standards

Aaren noted that two Working Draft standards have been posted for comment, and asked that all AB representatives please make the effort to review and comment on them, because the PT standard contains significant changes.

5. Issues Expected to Arise at Conference

Regarding the complaint from ACIL, our response is appropriately that letters were sent to the Board and to ACIL. Once the evaluation is completed, a final response to ACIL will be made.

Follow-up items from the conversations with ACIL in Sarasota are moving forward. The

option of including LAS EC in determining how it might be possible to receive specific complaints that still respects the labs' request for total anonymity due to fear of retribution. The fact that state laws universally prohibit such retribution, and that ABs actively seek out information about assessor performance does not sway the labs' determination that they must remain silent or their accreditations will be threatened.

For ease of access, AB complaint processes (contacts or URL links) are being added to the webpage listing all the NELAP ABs.

Further discussion about the ongoing non-specific "inconsistency" complaints introduced the concept of using one AC meeting each quarter to discuss a few items about assessments, with available assessors from the ABs on the call, to discuss how the activity is conducted. This will share best practices as well as help with consistent procedures, and can serve as refresher training for assessors, too. Full implementation of this concept remains to be discussed, but consensus was that it will be productive and useful to all. It was noted that

- 1) the State Assessor Forum was originally intended to serve this purpose, but that group is too large and unwieldy for such a discussion (it includes all states); with just the AC members, a more manageable group size will be helpful, and
- 2) the Technical Assistance Forum is developing training for assessors.

6. Update on the ABTFII and related issues

The issue of incorporating NGABs into a national accreditation program seems to be TNI's not-explicitly-articulated goal, through the actions and statements of this TF. Concern abounds that the AC will not have the option of declining to incorporate NGABs, regardless of the repeated statements that some state laws and regulations prohibit even recognizing a non-governmental entity as an accrediting body.

Two substantive issues were discussed. First, what is the need for NGABs to become part of the NELAP program, since the standard itself clearly states that any entity can adopt it (the TNI ELSS) for use, and second, acknowledging that the NGABs insist on being somehow "officially" associated with the NELAP program, how can that be accomplished in a way that evaluations and assessments of all groups using the NELAP standard (TNI ELSS) remain aware and informed of practices and interpretations as they are developed.

There are many concerns about how the existing AC members might staff evaluation teams for future rounds of state AB renewals, given EPA's decision to cease participation in evaluations, and these concerns are exacerbated by the prospect of adding 4-5 NGABs that (presumably) will need state evaluators. Further discussion of using "third-party evaluators" (TPAs) raises many conflict-of-interest (COI) concerns, since the same individuals who have expressed interest in being TPAs are under contract to multiple state ABs as assessors, not to mention some also serve as NGAB assessors. The additional workload of adding 1-3 additional evaluations to each state ABs' participation rapidly becomes infeasible, when many evaluators have already performed more than the anticipated and agreed-upon single evaluation.

No resolution was reached for any of these concerns.

7. Standards Interpretation Requests

Instead of attempting once again to address a few SIRs marked as “needs discussion,” a very time-consuming process, a group of 4 AB representatives volunteered to review ALL outstanding SIRs. “Good” SIRs are readily handled through the existing voting process (and a few are), while a “no” vote just means that the interpretation has to circle through the process yet again, so that the existing backlog just continues to grow.

Aaren, Cathy, Susan and Stephanie Drier agreed to formulate recommendations for redirecting each of the outstanding SIRs as either

- a) not a valid SIR (many are “how-to” questions),
- b) poorly articulated interpretation that needs revision (with expectations for revision upon return to the Expert Committee), or
- c) return to the submitter to see if the answer still matters.

[NOTE: TNI’s Webmaster created a spreadsheet overnight, to facilitate the discussion, and the recommendations were accomplished the following day!] Lynn will also discuss with Ilona at conference, to make sure this process will feed back to LAS EC smoothly.

8. Next Meeting

Following the AC session at conference (Thursday, August 9, 9 am-noon EDT), the next AC meeting will be Monday, August 20, 2012, at 1:30 pm EDT. Teleconference information and an agenda for the July 30 AC meeting will be sent the week before. The agenda will include:

- Vote on the Virginia renewal recommendation
- Progress on SIRs
- Follow-up items from conference

Please note that an additional meeting at conference (Wednesday, August 8, 10:30-noon am EDT) involves invited NELAP AB representatives along with the ABTFII and a panel of NGAB representatives. This will be a WebEx meeting, with information about login to the WebEx being provided by either Carol or Ilona; the conference telephone number provided earlier remains valid and will be used with the WebEx connection.

Attachment 1

STATE	REPRESENTATIVE	PRESENT
CA	Fred Choske 510-620-31745 F: 510-620-3471 E: fred.choske@cdph.ca.gov	yes
	Alternate: Dave Mazzera : 510-449-5600 E: david.mazzera@cdph.ca.gov .	no
FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: steve_arms@doh.state.fl.us	Yes
	Alternate: Carl Kircher E: carl_kircher@doh.state.fl.us	No
IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: scott.siders@illinois.gov	yes
	Alternate: Janet Cruse T: 217-785-0601 E: Janet.Cruse@illinois.gov	yes
KS	Michelle Wade E: MWade@kdheks.gov Ph: (785) 296-6198 Fax: (785) 296-1638	yes
	Alternate: N. Myron Gunsalus ngunsalus@kdheks.gov 785-291-3162	no
LA DEQ	Paul Bergeron T: 225-219-3247 F: 225-325-8244 E: Paul.Bergeron@la.gov	yes
	Altérnate: TBD	
LA DHH	Donnell Ward T: E: donnell.ward@la.gov	yes
	Alternate: TBD	
MN	Susan Wyatt T: 651.201.5323 F: E: susan.wyatt@state.mn.us	yes

	Alternate: Stephanie Drier E: stephanie.drier@state.mn.us	Yes
NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: george.hall@des.nh.gov	Yes
	Alternate: TBD	
NJ	Joe Aiello T: (609) 633-3840 F: (609) 777-1774 E: joseph.aiello@dep.state.nj.us	no
	Alternate : TBD	
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568 E: seo01@health.state.ny.us	Yes
	Alternate: Dan Dickinson E: dmd15@health.state.ny.us	No
OR	Gary Ward T: 503-693-4122 F: 503-693-5602 E: gary.k.ward@state.or.us	Yes
	Alternate: Scott Hoatson T: (503) 693-5786 E: hoatson.scott@deq.state.or.us	No
PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: aaalger@state.pa.us	Yes
	Alternate: Dwayne Burkholder E: dburkholde@state.pa.us	No
TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: sstubbs@tceq.state.tx.us	Yes
	Alternate: Steve Gibson E: jgibson@tceq.state.tx.us	Yes
UT	David Mendenhall T: (801) 584-8470 F: (801) 584-8501 E: davidmendenhall@utah.gov	Yes
	Alternate: Kristin Brown E: kristinbrown@utah.gov	No

VA	Cathy Westerman T: 804-648-4480 ext.391 E: cathy.westerman@dgs.virginia.gov	Yes
	Alternate: Ed Shaw T: 804-648-4480 ext.152 E: ed.shaw@dgs.virginia.gov	Yes
NELAP AC PA and EC	Lynn Bradley T: 540-885-5736 E: lynn.bradley@nelac-institute.org	Yes
EPA Liaison	Marvelyn Humphrey T: (281) 983-2140 E: Humphrey.Marvelyn@epa.gov	No
NELAP QAO	Paul Ellingson T: 801-201-8166 E: altasnow@gmail.com	yes
	Oklahoma: David Caldwell	yes
	Guests: Pam Dizikes, OK Amanda Laughlin, OK	