

**Summary of the NELAP Accreditation Council Meeting**  
**September 19, 2011**

1. Roll call and Approval of Minutes

The NELAP Accreditation Council (AC) met at 1:30 pm EDT on September 19, 2011. Minutes of the September 6 meeting were approved. Those members in attendance are listed in Attachment 1.

2. Updates on AB renewals

Lynn reported on the status of ongoing evaluations:

CA – requested and received 30-day extension, application to be submitted late October

FL – technical review underway

KS – awaiting revised SOPs to address technical review and findings from site visit; expect these to arrive September and November, to be reviewed to confirm that revisions address the requested changes/updates

LA DHH – onsite completed; observation scheduled for November. LE prefers to issue only final report, once the onsite is completed (personal communication after teleconference)

NH – awaiting onsite report

NJ – awaiting response to completeness review deficiencies. Team members are in place, including a 2<sup>nd</sup> person from NY to help with workload as well as to learn the process

NY – site visit report in preparation, will be completed by the end of September

PA – response to technical review in review by ET. Outstanding items (if any) will be addressed during site visit, 1<sup>st</sup> week in October. Observation will be that same week, then the Region 3 folks will conduct their drinking water oversight of the non-NELAP dual program, towards the end of that week.

UT – onsite report sent

3. Drinking Water (DW) and Chemical & Solid Materials (SCM) Field of Proficiency Testing (FoPT) Tables

These proposed tables were provided in advance of the meeting. PA, TX and NY each commented that their review of the tables revealed no issues. A vote was taken to adopt both tables as provided; 11 yes votes were cast during the meeting, with one attendee requesting to vote by email and the 3 absentees were to be polled by email also. (NOTE: as of 9/23, there are 15 yes votes for both FoPT tables; the PT Executive Committee has been so notified.) NOTE: the PT Executive Committee intends to have these tables be effective by January 3, 2012, per Eric Smith.

On a separate issue, not on the agenda, Aaren noted that for ABs using the TNI standard, PA has discovered that the quality system checklist does have some errors, in that either requirements are missing or citations to the standard are incorrect.

4. Further Discussion on the draft Bill of Rights for Labs  
The draft Laboratory Bill of Rights prepared by a working group of the Consistency Improvement Task Force, was discussed at the Sept. 6 meeting, and Aaren committed to discussing it again once AC representatives had time to study it more carefully. Generally, it seems that the wording used in this document, when modified from the standard itself, actually becomes misleading. In some cases, the language used could imply some “rights” not stated in the standard. Additionally, some cited references to the standard are incorrect or irrelevant to the text in the document.

Suggestions were made that some milder form of informative document, presented in a positive light, might be offered by TNI, but during discussions at both AC meetings, there was general agreement that no AB is likely to endorse such a document and distribute it with their state-prepared materials. ABs agree that the standard does provide numerous “protections” for laboratories, but that this draft document presents those “protections” in an inflammatory fashion that also suggests the standard is not being followed presently.

Discussion suggested that each AB has an available recourse if a lab believes the standard is not being followed, and also, once the 2009 standard is implemented by all ABs, the AC ought to begin examining ways to ensure consistence across ABs.

5. Other issues raised after completion of formal agenda

Steve Stubbs indicated that he has an upcoming issue where he may need AC advice and support concerning a conflict-of-interest (COI) in assessing the TCEQ lab. The two 3<sup>rd</sup> party (contract) assessors used by the Texas’ AB are currently or were previously contractors for TCEQ. His questions were what time frame is appropriate to eliminate this COI; PA indicated that they use a 5-year time frame, but only if no other assessor is available.

Lynn reported on the status of the Laboratory Accreditation Systems Executive Committee (LAS EC) efforts about the Accreditation Body (AB) Task Force Recommendation 5: Use of Assessments by Other Organizations. Apparently, LAS EC is exploring this possibility through its assignment to address “information sharing” possibilities. DOE has provided a statement of what it is willing to do/provide; LAS EC asked that the same information be gathered from DoD and provided in tabular format at its late October meeting. At that point, the information can be handed off to the AC for further consideration.

One AB indicated that a “combined audit” with DoD was requested by a lab, and that it seemed the state’s onsite report was “longer” and the state declined to accredit some parameters that were acceptable to DoD. The lab dropped its request to the state AB for accreditation for those parameters. Another AB stated that labs accredited by its state commonly offer to share their DoD accreditation site visit reports, and observed that DoD seems to be “pickier” than the state AB.

NJ reported that, as part of NJ’s exploration of possible options to continuing as a NELAP AB, the internal working group received a presentation from ACIL ([www.acil.org](http://www.acil.org)) stating

that four NELAP ABs are performing “drive-by” assessments, without identifying those ABs. The NJ group did ask about cost impacts, and received the response that small labs would pay more for “private” accreditation, and large labs would likely pay less.

Once the internal group completes its deliberations, there will be an external/advisory workgroup charged with reviewing the issues. While it’s unclear who said this or who the ABs so accused might be, there is an ACIL member lab represented on the TNI Board, in the person of Dave Spies, who has openly stated that he wants state governments out of the accrediting business.

Art (EPA Liaison to the AC) observed that it is easier to dam by implication with no data, than by facts.

KS observed that a lab newly applying for KS as a primary AB (transferring from a different AB) seemed to have been held to less stringent criteria than KS requires. KS was asked to speak with the lab’s former primary AB about this.

## 7. Next meeting

The next AC meeting will be Monday October 3, at 1:30 pm EDT. Agenda items (thus far) will be:

- Welcome and Roll Call
- Approval of Minutes
- Update on Renewals,
- Request and vote to approve continuing recognition of KS, NH and LA DHH until completion of evaluation process, since evaluations have been delayed due to circumstances beyond AC control (per section 6.15 of SOP 3-102, Evaluation SOP, pending approval by TNI Policy Committee)
- Discussion and possible vote on WET PT issue – Eric Smith and Mitzi Miller invited as resource people
- CITF Bill of Rights – brief update on follow up activities
- Follow-up on KS observation (from #5) and DOE/DoD issues too, if additional information is available.

**Attachment 1**

STATE	REPRESENTATIVE	PRESENT
CA	George Kulasingam T: (510) 620-3155 F: (510) 620-3165 E: <a href="mailto:gkulasin@cdph.ca.gov">gkulasin@cdph.ca.gov</a>	yes
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FL	Stephen Arms T: (904) 791-1502 F: (904) 791-1591 E: <a href="mailto:steve_arms@doh.state.fl.us">steve_arms@doh.state.fl.us</a>	yes
	Alternate: Carl Kircher E: <a href="mailto:carl_kircher@doh.state.fl.us">carl_kircher@doh.state.fl.us</a>	no
IL	Scott Siders T: (217) 785-5163 F: (217) 524-6169 E: <a href="mailto:scott.siders@illinois.gov">scott.siders@illinois.gov</a>	no
	Alternate: TBA	
KS	Michelle Wade E: <a href="mailto:MWade@kdheks.gov">MWade@kdheks.gov</a> Ph: (785) 296-6198 Fax: (785) 296-1638	yes
	Alternate: none	no
LA DEQ	Paul Bergeron T: 225-219-3247 F: 225-325-8244 E: <a href="mailto:Paul.Bergeron@la.gov">Paul.Bergeron@la.gov</a>	yes
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LA DHH	Donnell Ward T: E: <a href="mailto:donnell.ward@la.gov">donnell.ward@la.gov</a>	yes
	Alternate: TBD	
MN	Susan Wyatt T: 651.201.5323 F: E: <a href="mailto:susan.wyatt@state.mn.us">susan.wyatt@state.mn.us</a>	yes

	Alternate: Stephanie Drier E: <a href="mailto:stephanie.drier@state.mn.us">stephanie.drier@state.mn.us</a>	no
NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: <a href="mailto:george.hall@des.nh.gov">george.hall@des.nh.gov</a>	yes
	Alternate: TBD	
NJ	Joe Aiello T: (609) 633-3840 F: (609) 777-1774 E: <a href="mailto:joseph.aiello@dep.state.nj.us">joseph.aiello@dep.state.nj.us</a>	yes
	Alternate : TBD	
NY	Stephanie Ostrowski T: (518) 485-5570 F: (518) 485-5568 E: <a href="mailto:seo01@health.state.ny.us">seo01@health.state.ny.us</a>	yes
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OR	Gary Ward T: 503-693-4122 F: 503-693-5602 E: gary.k.ward@state.or.us	no
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PA	Aaren Alger T: (717) 346-8212 F: (717) 346-8590 E: <a href="mailto:aaalger@state.pa.us">aaalger@state.pa.us</a>	yes
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TX	Stephen Stubbs T: (512) 239-3343 F: (512) 239-4760 E: <a href="mailto:sstubbs@tceq.state.tx.us">sstubbs@tceq.state.tx.us</a>	yes

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UT	David Mendenhall T: (801) 584-8470 F: (801) 584-8501 E: <a href="mailto:davidmendenhall@utah.gov">davidmendenhall@utah.gov</a>	yes
	Alternate: Kristin Brown E: <a href="mailto:kristinbrown@utah.gov">kristinbrown@utah.gov</a>	no
VA	Cathy Westerman T: 804-648-4480 ext.391 E: <a href="mailto:cathy.westerman@dgs.virginia.gov">cathy.westerman@dgs.virginia.gov</a>	yes
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	NELAP AC Program Administrator and Evaluation Coordinator Lynn Bradley T: 540-885-5736 E: <a href="mailto:lynn.bradley@nelac-institute.org">lynn.bradley@nelac-institute.org</a>	yes
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	Guests: none	