

**SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Teleconference
February 20, 2008; 1:00 – 3:00 PM EDT**

The Environmental Laboratory Advisory Board (ELAB) meeting was held via regular teleconference on February 20, 2007 from 1:00 – 3:00 PM EDT. The original agenda for this meeting is provided as Attachment A. A list of participants is given in Attachment B. Action items are included in Attachment C. The official signature of the Chair or Vice-Chair is included in Attachment D.

INTRODUCTION

Dr. Flowers welcomed the members; noted the Dr. Pletl was unable to attend, therefore Dr. Flowers will be leading this call; and took a roll call of the Board.

The following guests participated in the call: Connie Thoma and Lynn Bradley (EPA Environmental Information) and Linda Aimes (State of Maryland).

AGENDA ITEMS

APPROVAL OF OR CHANGES TO PREVIOUS MEETING/CALL MINUTES

Minutes from Dec. 19, 2007 were approved with administrative changes. Ms. Autry noted that there was a technical problem with Versar's reception of the Jan. call. Therefore, the minutes have some large gaps. Ms. Autry asked that everyone help fill these gaps, especially in regards to reports from the working groups.

WEBSITE

Ms. Autry informed the group that there is a new EPA webmaster and that he has made some general suggestions for the FEM webpage based on an agency-wide template. These changes mostly concern moving where information is found, for example the Introduction page has a lot of information about the group and its charter. It was suggested that the introduction page should be used just to introduce the website. An additional page called "About ELAB" would be created to hold this information and linked by a button on the front page. The "About ELAB" page would also contain a button labeled "Review Charter" that would link the user to the Charter in its entirety as well as a "Members" button to provide more information about the members. The remaining changes were just editorial.

Ms. Autry also told the Board that the meeting minutes will be added to the website. Once they are approved she will submit them to be posted to the website one week after the meeting. Ms. Autry asked that if there are any changes/edits that anyone feels are needed, that they be given to her by Tuesday so that they can be included in the monthly update package (which will go out on next Wednesday).

Dr. Flowers noted that the website looks great and that it is a great tool to have. He asked that everyone, especially the workgroups keep in mind how this can be populated and utilized to post documents.

It was brought to Ms. Autry's attention that the old website still exists and can be accessed. Ms. Autry noted that this should not be possible as the new site was intended to replace the old one,

using the same address. Ms. Autry stated that she will look into this. She also noted that the password protected site is separate from the new website and will stay up, however it should not be used and will no longer be updated. It will eventually be replaced when the EPA needs that space for another purpose.

It was asked what type of files the EPA allows to be posted on the website, specifically if a flash or Java script presentation was added. Ms. Autry replied that a PowerPoint presentation is allowed, but not much else. Most files are converted to PDF since they are universally supported. EPA is required by law to publish files in a format that is publicly assessable.

The Board asked that their appreciation for Ms. Autry be recognized, noting that she has been instrumental in getting this website up and functional. The Board is very happy with the website and appreciates all the hard work Ms. Autry has put into it.

NEWPORT BEACH OPEN FORUM

It was asked if the Board thought that this new format worked well and if so should it be the standard format for the open forum in the future. Dr. Flowers thought that they had better attendance this way. The Board members agreed that they liked this format. It was noted that this format was better for the Board and the audience. Mr. Wyeth asked if there is some requirement for the forum. Ms. Autry replied that there is not, the Board can choose any format they like. Dr. Flowers stated that this new approach worked well and recognizes the new world we're in. He further noted that the Board has the flexibility to return to the old method if they want too. This new method flowed better and it avoided the awkward pauses that would occur during the old meeting when no one had any comments.

Dr. Flowers suggested that the "Newport approach" was successful and this will be the way public meeting are held going forward. Ms. Autry noted that this format was conducive to how the meeting was held as it allowed the Board to have an active dialog with the audience. Ms. Autry stated that she can announce all sessions in the federal registrar, which requires having an open phone line, announcements, etc; this would allow the group to hold a regular meeting, invite guests and address their concerns right there. Mr. Clemons suggested that at the least the August meeting should be held in the "Newport Format" so that it reduces scheduling competition. Ms. Autry replied that she believes that the general session is held in a time slot where there is not competition. A separate open forum would compete with dinner and evening activities. Combining the sessions allows them both to be held in the non-competing time slot. Mr. Lowery noted that he liked the dialog as it allowed the Board to better communicate with people and have a fuller understand of their issues. Others agreed. Mr. Wyeth noted that ELAB has evolved such that this new format works better; at one time the open forum worked. The Board agreed that the new format will be used in the future.

Dr. Flowers noted that discussion at the Newport meeting was mainly around the PT issue. Mr. Wyeth asked if there were any new issues brought up. Dr. Flowers replied that there Michael Wickman from the U. of Iowa brought up some issues with Drinking water MCL, monitoring triggers, and method 520 and 506 analytes. Mr. Wyeth asked if these are issues that need to be brought to a workgroup. Dr. Flowers replied that Dr. Pletl or another board member should contact Mr. Wickman to further discuss exactly what his issues are. Mr. Wyeth noted that calling participants to get further information is something that is traditionally needed after the open forum meetings. Dr. Flowers noted that the notes do not reflect all the conversation that was held with June Flowers and Scott Holston regarding SW846. Ms. Autry stated that she will

call Ms. Flowers and Mr. Holston and ask them to help with some bullets. Ms. Autry will speak with Lynn Bradley as well.

Ms. Morgan noted that one of the issues Mr. Holston brought up is access to older methods. Ms. Morgan stated that the old methods are available in NEMI. It was asked that a link to NEMI be provided in the minutes so that people know where to find them. [Comment: This link needs to be inserted]

<http://www.epa.gov/epaoswer/hazwaste/test/methdev.htm>Ms. Morgan noted that NEMI only has the old methods posted. The newer ones will only be posted if someone does the work to format them and submits them. Ms. Morgan noted that in some cases NEMI's database only goes back one revision. For example 8015D is the current method, 8015C is available from NEMI but A and B are not.

Another issue that Mr. Holston brought up is concerns with SW846. Ms. Bradley noted that there are activities within the agency, regional lab, and QA community to addressing the support issues with SW846. It was noted that Mr. Holston brought up some good points in regards to the issues of when labs implement SW846 vs. when the regulators implement. Some states are implementing new methods others are not. Mr. Wyeth brought up the problem of states having methods (such as SW846) in their regulations and that, unless there is some language to indicate the latest version is to be used, the state is locked into that older version until they update their requirements. It was noted that EPA does not have any control over what the state regulations require.

Ms. Morgan noted that other programs that use methodology have 40CFR136 to dictate to the community as to what methods are to be used. This document drives when to start using new methods. With SW846 there is no similar publication to go to. There is no current trigger that tells people to stop using the older methods and they need to use the updated method.

Mr. Clemons noted that there is still the problem of states have the older version of SW846 in their regulations so the older version has to be used. Mr. Clemons also noted the SW document tell users in Chapter 2 that it is a guidance document; with guidance document the most recent version is always the one that applies. He further noted that this does not address the issues of states having older versions in their regulations. Dr. Flowers brought up the problem that some of these methods are also in permits; therefore if it is a 5 yr permit that version has to be used for the 5 years of the permit.

Mr. Dechant asked why these are in state regulations he noted that it is his understanding a guidance document shouldn't be in regulations without some form of language noting that the most current versions of the guidance is to be the one used. Dr. Flowers replied that there are 50 permittees that write permits any way they want. For some there are rules that they have to provide the guidance documents so a moving target of most current version is not liked by the state lawyers. They want to see a reference to a specific document that has to be followed. It was suggested that the EPA could require that as new permits are written, they have to include language allowing for the most current version of the guidance to be used. Ms. Autry replies that the EPA can not mandate how the states regulate. States are required to be at least as stringent as the EPA guidance but they can be more stringent.

It was suggested that one thing the Board can do is see that all older versions are available on NEMI. The place to start would be to identify when methods are absent and request that NEMI find them or submit the methods through NEMI's submittal process. Mr. Wyeth asked how this would be done. Dr. Dechant replied that there are tools on NEMI to "submit a method" button or

“ask for help”. Mr. Wyeth responded that it will still take effort to format the methods and get them included. He wanted to know if this will be done if a request was made to NEMI. Mr. Decant suggested that a third option would be for the Board members to obtain the older reversion of methods, format them as NEMI requires, and then submit them in that format. Dr. Flowers noted that on the NEMI site there is information on how to submit a method and the requirements for the methods. Mr. Dechant noted that formatting them shouldn’t be much of a problem if the method is available in an editable format. It was suggested that this task go to the Monitoring Workgroup. Ms. Morgan agreed to take on this task. The task is to identify missing method guidance on NEMI, obtain the older versions, and format them for submission. The goal is to have a complete database of older method guidance versions on NEMI. The Monitoring group will develop a mechanism to solicit people to be involved in helping to complete this list.

WORKGROUP REPORTS

Dr. Flowers asked Ms. Morgan to report on the Monitoring Work Group’s activities. Ms. Morgan noted that her report is on the PT issue which is to be discussed later.

There was nothing to report for the Laboratory Management Work Group.

Measurement and Technology Work Group sent out a memo regarding the ICPMS collision cell issue and received some comments. The issue was regarding Drinking Water not allowing the collision cell technology. It was brought to the Board’s attention that new information says that this will now be allowed as long as it meets all the other requirements. This issue is now resolved.

PENDING AND NEW BUSINESS

New Jersey letter

Dr. Flowers noted that he spoke with Joe Aiello; he brought up the fact that labs could be accredited for the original TO15 method. NJ has a modified TO15 method that also needed to be accredited as required by NJ state agencies. The issue seems to be that only the modified method will be accepted by some data users. This is not the same issue as trying to replace the original TO15 with the NJ modified TO15. Mr. Wyeth noted that he has also spoken with Steve Arms and what came out of that conversation is that ELAB should take up the issue of the technical problems with the modified TO15. He suggested that there needs to be some influence from the top down to address this. Dr. Flowers agreed that this a good approach but questioned how doable this is. Mr. Wyeth noted that there are labs and organizations that are very involved in the TO15 that are taking this approach.

Dr. Karimi noted that this seems to be meddling in a state requirement and that is not appropriate for ELAB. He also noted that ELAB’s responsibilities include advising EPA regarding technical problems with methods. Then it is up to the EPA how they handle this. Dr. Flowers noted that the Board has already had this discussion. Dr. Karimi replied that he is aware of that but the issue keeps being brought up. Dr. Flowers replied that it has already been decided that ELAB would not be involved. Mr. Wyeth noted that he as informed the authors of the letter of this fact.

Dr. Karimi stated that he still believes we should notify EPA of technical issues or discrepancies with methods. Concern was raised that ELAB should not be getting involved with the technical evaluations of methods. Dr. Karimi replied that the Board would not be doing a technical evaluation but advising the EPA that there are technical issues. Dr. Flowers replied that telling the

EPA that NJ is using a method that is technically flawed is a technical evaluation. He is not sure that the Board has the resources to undertake a technical evaluation. Dr. Karimi replied that have the resources is a different issue. He asked if it was within ELAB's charter to do a technical evaluation. Mr. Wyeth noted that he will keep ELAB informed of how this issue progresses with the involved laboratories and NJ; ELAB can decide if there is a need to be involved with this in the future. Mr. Wyeth also stated that he does not think there is anything in the charter to allow ELAB to get involved at this time.

Dr. Karimi replied that that was fine for this issue. He still feels that advising the EPA of discrepancies is within ELAB's charter. He believes the Board can advise EPA of the discrepancies, not solve them just inform EPA of the problem. Mr. Wyeth noted that EPA does not have any authority over what methods NJ requires. Ms. Autry noted that as long as the state meets EPA's stringency then EPA has no authority over how NJ regulates its methods. They are free to require more stringent regulation and if their further regulations are technically correct or not is not something that the EPA can control.

Proficiency Testing Letter

Dr. Flowers stated that a new version of the Proficiency Testing (PT) letter was sent out to the members. He asked Ms. Morgan to walk the Board through this draft letter.

Ms. Morgan stated that the goal of this letter is to inform of the need for a group, representative of all stakeholders, to be involved in deciding the frequency of PT issue. Ms. Morgan further noted that she doesn't want to see the involved parties going off on their own, doing their own studies, and trying to argue that their way is the best. There needs to be a group consensus on how this issue is dealt with. She would like to someone from the EPA to provide oversight for group of stakeholders so that everyone can bring their information to the table and decide collectively on the approach to move forward.

Ms. Morgan asked for input from the members. Mr. Pardue stated that this letter was right on point as far as the approach that needs to be taken. It was suggested that the third paragraph of the letter should give more history about the Drinking Water PT program, DMR, the old WS, etc. Mr. Pardue suggested that the letter is kept to the point. Another suggestion was that this history be included as an attachment or a table. Ms. Morgan assured the Board that this is not the final draft, thus she expects some revisions will be needed.

It was asked who this letter will be sent too. Ms. Morgan replied that they would like Ms. Autry's input on whom to send the letter to at the EPA so that it has the most impact. Mr. Pardue suggested that it should go the FEM and Dr. Grey. Ms. Autry replied that this letters should go to the FEM, however she also feels that it would be more directed at the Office of Water. So in that regard she feels that it should go to Mike Shapiro with a copy to Dr. Grey. Sending to the FEM would be applicable if it takes the approach of capturing this in a broader sense of national laboratory accreditation and make it clear the PT frequency may not be the same for all accreditation programs and this is an opportunity to flesh that out. Some of the questions about PT data in this regard can go to the FEM and get broader participation.

Ms. Autry asked the Board if they wanted this letter to be a broad look at PT issues that may effect lab accreditation across all the programs or if it should be a targeted effort addressing the concerns regarding whether there should be 1 or 2 PTs for the water programs. Dr. Flowers asked what the Board wants to accomplish. Mr. Wyeth brought up the broader question of whether either one of the PT programs (TNI or Office of Water) is the right approach to address

the question of the laboratory's proficiency to perform a method. Ms. Autry noted that Mr. Wyeth brought up a critical point; there are thousands of ways the questions about PTs can be asked and it is possible to get an answer to support any position out of those questions.

Dr. Karimi suggested that a letter addressing the broader questions be sent to FEM and a second letter addressing just the issue of the number of PTs be sent to the Office of Water.

It was suggested that the broader issue is much bigger and could take years to resolve; this should go to the FEM. The more specific issue of # of PTs between OW and TNI can be addressed separately and specifically with the OW. Mr. Wyeth stated that he likes the idea of separating the issues. It was noted that right now there are 2 accreditation programs; TNI which requires 2 PTs and OW which requires 1 PT. It was further noted that there is a need to come to some harmonization between these two programs.

The broader issue involves asking what is an adequate PT program and how does it fit into an accreditation program. Another question brought up by a member is how one designs a PT to ensure a laboratory is proficient. It was suggested that these broader issues would be best addressed by a coordinated group of all the stakeholders. It was noted that the current ad hoc approach may not resolve the issues and leaves everyone still arguing. Ms. Morgan noted that she proposed using the EPA as a moderator for such a group, not to drive the process but to have a neutral party moderating the group. She further noted that we would not want a large lab, or an industry group, or a PT provider driving this. Ms. Bradley stated that she has agreed to facilitate a discussion, not to have any leadership role at all. She further stated that she sees her position as a facilitator not a chair.

It was suggested that this could be a FACA. Ms. Autry replied that the agency does not currently have the ability to form a new FACA. If an existing FACA can address the issue then that would work best. It was suggested that the Board create a subcommittee to coordinate this.

Ms. Morgan noted that the TNI PT subgroup is looking at the question of how many PTs are needed and if 2 is better than 1. Dr. Karimi noted this group is not looking at the approach of how PTs fit into the overall lab accreditation program and how labs prove data quality and assurance. Dr. Karimi questioned why 2 PTs might be better than 1 and if 2 are not better than 1, and 1 is not statistically significant then are PTs even valid. He asked the group if they have read George Detsis's opinion on PTs. Dr. Flowers replied that he has and has spoken with him and believes he would be a good person to invite onto a subcommittee.

Ms. Morgan asked how TNI chose the number. Dr. Karimi replied that 2 PTs chosen by TNI was a concession between some states requiring 4 PTs and others only 1. There is no scientific information regarding what number is best. Dr. Flowers ~~Flowered~~ noted that there is data out there on this issue. One problem though is statistics can make the data reflect either one or two is better.

The Board was asked if they agree to split this into two issues. One effort would be a letter to the Office of Water addressing harmonization between PT requirements. The second would be addressed to FEM and discuss accreditation as a whole and how PTs fall into that. Board members agreed to split this into two issues.

Dr. Flowers suggested that one solution to the PT problem is a ranking system. Some situation would call for only 1 PT while other situation may call for 5 PTs. It was suggested that there may

not be a one-size-fits-all solution. Dr. Wyeth noted that there is the larger issue of how PTs fit into the broader accreditation program. Ms. Thomey suggested the question of data QA may be best addressed at the project level and not within the program as a whole. She further noted that on a project basis PT can be customized to the specific analytes and provide a snap shot in time of when the project samples were being analyzed. Dr. Karimi noted that this is fine within the programs but this is not the same issue as an overall accreditation program. Dr. Flowers noted that the needs of a specific project may be different than the project as a whole and this is an important issue.

It was agreed that ELAB would take on responsibility on the issue of harmonization of PTs between TNI and OW. On the broader issue a group of stakeholders should be created to discuss the issues. Further discussion is needed to flesh out exactly what questions this group would be addressing.

It was suggested that the TNI subcommittee be contacted and asked to join in ELAB's efforts in this. Ms. Morgan noted that Mr. Pletl is on the TNI PT subcommittee and therefore would be a good contact. Ms. Autry asked if the TNI subcommittee has invited someone like Greg Carol to participate already. Ms. Morgan replied that this subcommittee has only had one meeting and is still in the beginning stages of addressing how to move forward. Ms. Autry noted that ELAB has two choices, it can ask the TNI subcommittee to coordinate with one of our subcommittees or ELAB can take the aggressive lead in forming a group to address this and ask TNI to be represented. Ms. Morgan noted that she would like to see ELAB take the lead. Several other members agreed. Ms. Autry noted that ELAB is a more neutral forum than either TNI or OW and thus would be a better group to lead this.

It was suggested that Kirsten McCracken, Chair of the TNI PT subcommittee, be contacted and discuss how this best be set up. Mr. Lowery agreed to do this.

Ms. Bradley noted that she will only be employed by the agency for another year. Therefore if the goal is facilitation by the agency then this needs to be kept in mind. She noted that she would be happy to continue to facilitate in any case. It was suggested that with the level on interest in this topic, a year would hopefully be enough time to reach some consensus.

Ms Morgan suggested the Mr. Lowery contact Mr. Pletl regarding the issue of communicating with TNI and their PT subcommittee. She also suggested that the Monitoring Workgroup continue with drafting the letters, splitting the current draft into the two issues, and filling in additional information as discussed.

COMMENTS AND/OR ADDITIONAL ISSUES

Mr. Dechant brought to the Board's attention that the FAC Detection Limit Report published last December has a lot of unresolved issues. He suggested that some of these would be appropriated for ELAB to comment on. It was suggested that the members read this document and be prepared to discuss this for the next meeting. Ms. Thomey reminded members that the pilot study committee did not have the time to bring a final report back to the entire FACA, which is part of the reason some questions are still hanging.

Mr. Wyeth asked the members if they has read the EPA memo, Four Announcement, discussing the Method Update Rules, sent out on Feb. 14. He wandered if there was any charge to ELAB in memo. Other members have not seen this. Mr. Wyeth will send the memo to the group for review.

DRAFT

ADJOURNMENT

Dr. Flowers adjourned the Board meeting at 2:58 p.m. EST.

DRAFT

Attachment A

AGENDA
for
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING

February 20, 2008; 1:00 – 3:00 PM EDT

Conference Call

Call in number: 1-866-299-3188; code 9195415544#

	Topic	Individual Responsible
1	Opening Remarks	DFO
2	Roll Call for ELAB Members Introduction of Guests	Chair
3	Review and approval of meeting minutes <ul style="list-style-type: none">December 19, 2007	All
4	Web Site	DFO
5	Newport Beach Open Forum	Chair
6	Work Group Reports <ul style="list-style-type: none">Monitoring Work GroupLaboratory Management Work GroupMeasurement and Technology Work Group	Chair Morgan Flowers Lowry
7	Proficiency Testing Frequency	All
8	Comments and/or Additional Issues	All
9	Open Discussion and Comments from Guests	All
10	Review Action Items and Assignments	Chair
11	Adjourn/Closing Remarks	Chair/DFO

MEMBERSHIP LISTING AND GUESTS**ELAB MEETING****February 20, 2008; 1:00 – 3:00 PM EDT**

Attendance (Y/N)	Name	Affiliation
N	Dr. Jim Pletl (Chair)	Hampton Roads Sanitation District Representing: Municipal Env. Lab.
Y	Mr. Robert (Bob) K. Wyeth	Columbia Analytical Services, Inc. Representing: ACIL
Y	Ms. Lara P. Autry, DFO	US Environmental Protection Agency Representing: EPA
N	Mr. Paul Banfer	EISC (Environnemental Info. Sys. Corp.) Representing: Information Systems
Y	Mr. Eddie Clemons	Golden Specialty Laboratory Representing: INELA
Y	Mr. Scot Cocanour	Promium Representing: Lab. Customers of Information Technology
Y	Mr. Gerald (Gary) Dechant	Analytical Quality Associates, Inc. Representing: DOE Analy. Mgmt. Pgm.
Y	Dr. Jeff Flowers	Flowers Chemical Laboratories, Inc. Representing: Elected Officials for Local Gvt
Y	Dr. Reza Karimi	Southwest Research Institute Representing: Non-profit Research and Development Organizations with Academia
Y	Mr. Jeff Lowry	Environmental Resource Associates Representing: Proficiency Testing Providers
Y	Ms. Judy Morgan	Environmental Science Corp. Representing: Commercial Env. Lab.
Y	Mr. Joe Pardue	Parallax, Inc. Representing: Clients of QS Services
Y	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Small Laboratories
N	Mr. Rock Vitale	Environmental Standards, Inc. Representing: Third Party Assessors

DRAFT

Attachment C

ACTION ITEMS

The Monitoring group will develop a mechanism to solicit people to be involved in helping to complete the list of methods available on NEMI, with the intent to identify missing method guidance on NEMI, obtain the older versions, and format them for submission.

Ms. Morgan and the Monitoring Work Group will split the PT letter into two letters addressing the two separate issues discussed.

Mr. Lowery will contact Mr. Pletl and arrange to communicate with TNI and their PT subcommittee on the PT issue.

Members are to read the FAC Detection Limit Report published last December be prepared to discuss this for the next meeting.

DRAFT

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on December 19, 2007.

Signature Chairman

Jim Pletl

Print Name Chairman