

**SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Teleconference: 866-299-3188/9195415544#
June 17, 2009; 1:00 – 2:00 PM**

The Environmental Laboratory Advisory Board (ELAB or Board) regular teleconference was held on June 17, 2009 from 1:00 to 2:00 PM EDT. The agenda and attachments for this meeting are provided as Attachment A, a list of meeting participants is provided as Attachment B, and action items are included as Attachment C. The official signature of the Chair or Vice-Chair is included as Attachment D.

AGENDA ITEMS:

1. OPENING REMARKS/ROLL CALL

Mr. David Speis began the meeting by announcing Dr. Jeff Flowers will be unable to attend the meeting and, as Vice Chair, he will be acting in Dr. Flower's stead. He then proceeded with calling roll of ELAB members and guests. Participants are recorded in Attachment B.

2. REVIEW AND APPROVAL OF MAY MEETING MINUTES

Mr. Speis noted several punctuation corrections in the May meeting minutes. Mr. Jack Farrell made a motion to accept the minutes as amended. The motion was seconded by Mr. Jeff Lowry and the minutes were approved through a unanimous vote. Mr. Speis then officially welcomed all guests.

3. FOLLOW-UP ON KEY TOPICS

Mr. Speis introduced the four agenda topics for the meeting.

A. August ELAB Meeting Agenda

Mr. Speis provided background on this topic. He noted that many of the items for the August face-to-face meeting in San Antonio are being handled by Dr. Flowers. During the last ELAB meeting the group discussed preparing formal presentations for the August meeting. The first presentation for the ELAB session would cover the Tiger Team's efforts with the Office of Resource Conservation Recovery (ORCR) to identify and resolve communication issues with stakeholders. ORCR would provide the second presentation for the ELAB session and describe their response and direction to address stakeholder issues. Mr. Speis explained that the August meeting would begin with ELAB giving background information, the proposed solution, and some of the ideas that the ELAB Tiger Team presented to ORCR. ORCR would follow with their update to inform the audience of progress and proposed actions on the issues. He mentioned that these presentations are contingent on the Board meeting again with ORCR before the August

meeting to complete discussion and fill in the remaining gaps from all of ELAB's previous meetings with ORCR. The Tiger Team provided ORCR with a revised policy statement. Ms. Kim Kirkland acknowledged that ORCR's formal review was ongoing and the ELAB recommendations were being taken seriously. Some of the items were still under review by EPA's Office of General Council and may not be possible to implement. Mr. Speis hopes that the follow-up meeting before the August meeting will catalyze ORCR to reach a final position and narrow the gap between what has been proposed and ORCR implementation. Mr. Lowry asked when the follow-up meeting will take place. Mr. Speis replied that due to recent personal events it has been difficult to communicate with other workgroup members and decide on a meeting time, but recommended a date within the next four weeks. He will make this task a high priority and inform the group as soon as he is able to discuss the date with Dr. Flowers.

The third presentation planned for the August meeting is an update on the ELAB OW/TNI comparison document to be presented by Mr. Gary Dechant. Ms. Autry shared input from Mr. Dechant in his absence. She said that Mr. Dechant anticipates providing a 20 minute presentation on material developed the workgroup. Ms. Autry recommended that ELAB set aside about 30 minutes for his presentation and workgroup member comments on this topic. Mr. Speis suggested that the ORCR topic received about an hour of time early in the meeting and asked the Tiger Team if that much time was appropriate for ELAB to present groundwork and ORCR to summarize their current position. Mr. Farrell agreed the ORCR topic should lead off the meeting since the Tiger Team is approaching conclusion, but the OW/TNI comparison topic should be ELAB's main focus of the meeting. He suggested that the Tiger Team could provide an ORCR progress update and future direction taking about 30 to 45 minutes and allow about 1 hour for the OW/TNI comparison document presentation.

Because the August meeting is split by a 30 minute break into two sections, Ms. Autry suggested that the two topics be separated into each section and have extra material to fill in the remaining time in each of the sections. These two topics will be the ones most likely to generate discussion and need the majority of the time. Mr. Lowry suggested starting the meeting with workgroup updates, introducing the workgroups, and describing their structure. That introduction could transition smoothly into the specific topics being addressed by the workgroups. Ms. Autry informed the Board that the August meeting ELAB session was scheduled from 9:00 AM to 12:00 PM with a break from 10:00 to 10:30 AM. That schedule provides 1 hour in the first section and then an hour and a half for the second section. Mr. Farrell was concerned that when the workgroup updates reached the PT frequency topic, there may be many questions from the audience that the workgroup is not ready to answer since ELAB is waiting for the report from The NELAC Institute (TNI) Proficiency Test (PT) frequency group report.

Ms. Autry suggested mitigating the questions by arranging the meeting agenda so that the question and answer portion of the meeting is at the end of each section. ELAB could start a roll call and review the previous minutes. The workgroups would follow with brief updates, announcing which areas they will go into more depth later in the meeting. She suggested each presenter would then briefly describe the topics their workgroup is

dealing with in the following order: Mr. Lowry followed by Mr. Dechant, and then Ms. Judy Morgan. More detailed discussion of particular topics would follow. If Mr. Dechant wants to limit discussion on his OW/TNI comparison document, then it could be scheduled next on the agenda. This would allow the break to limit and control the presentation and discussion time. After the break, the ORCR topic can be discussed followed by details on other important workgroup activities. The audience can ask their questions, including potential PT frequency questions at the end of the session. There was a general approval of Ms. Autry's suggestion from the Board. Mr. Lowry thought that idea was good since it helps the presenters optimize the amount of time available. Mr. Farrell agreed with Mr. Lowry. Ms. Autry reviewed the proposed schedule of presentations starting with the morning session before the break. If Mr. Dechant's OW/TNI comparison topic receives 30 minutes and 10 minutes is allotted for the introduction and meeting minutes review, then there will be about 20 minutes left for the three workgroup leaders to give their updates before the break. After the break, she suggested scheduling the ORCR issue for 10:30 to 11:30 AM and allowing open discussion on the presentations from before and after the break during the last 30 minutes of the session.

Based on Ms. Autry's suggestions, Mr. Speis envisioned an agenda could be developed well in advance of the meeting. Ms. Autry agreed with this approach since she may have opportunities to post the agenda for the meeting in up to four locations; perhaps even posting it in the Federal Register if it is available in time. However, being able to post the agenda is contingent on the Board being able to set and finalize the agenda in time for the posting. Mr. Speis asked Ms. Autry what date the Board should aim for getting a finalized agenda to her. Ms. Autry replied that there have already been inquiries for it with regards to the NEMC and TNI Web sites; therefore the sooner, the better. Mr. Speis agreed that posting the agenda in multiple places well ahead of time will draw a larger and more focused audience. Ms. Autry will post the agenda in two other Web locations: the ELAB Web site and the FEM Web site. Therefore, the agenda will be available on four Web sites: ELAB, FEM, TNI and NEMC.

Mr. Speis asked if there were any more comments from the Board regarding the August ELAB meeting. He added that the Board's discussion today provides a framework for the meeting agenda. Ms. Autry volunteered to prepare and send out a draft of a formal version of the agenda based upon the style of the Board's regular agenda. The Board can then send Ms. Autry a reply email indicating approval or disapproval. Mr. Speis asked when Ms. Autry would be able to provide the group with that document. Ms. Autry replied that she will be able to email it to the Board tomorrow, June 18, with the group responding by Monday, June 22.

B. Office of Resource Conservation and Recovery (ORCR) Meeting Follow-up

Mr. Speis is waiting for Dr. Flowers to be available to set a date for the follow-up meeting with ORCR. He reported that Ms. Kim Kirkland from ORCR was positive about the ELAB recommendations. Ms. Autry believes ORCR is very positive about doing a joint presentation at the August 10, 2009 NEMC meeting in San Antonio. Mr. Farrell asked if the follow-up meeting with ORCR would take the form of a conference call or a face-to-face meeting. Mr. Speis indicated flexibility for the format and deferred to the rest of the Tiger Team for input on their schedule and availability. Mr. Farrell indicated his availability for a face-to-face meeting as long as he has advanced notice enabling him to plan other meetings in Washington around the ORCR meeting. Dr. Reza Karimi asked if the follow-up meeting will occur before or after the August ELAB meeting. Mr. Speis replied that ORCR has a copy of the revised policy document and has already gone through and identified areas that they desire additional discussion. The purpose of the follow-up meeting will be to “close-the-gaps” between what they can and cannot do in response to the Tiger Team recommendations. Dr. Karimi asked if the ORCR will be presenting at the NEMC conference in August and Mr. Speis reiterated that ELAB and ORCR will present the update and response as a joint presentation. Ms. Autry added that Ms. Kirkland will be attending NEMC in San Antonio for the entire week of the conference. Ms. Kirkland is unsure if anyone else from their office will be attending. Depending on the final agenda, ORCR may send an appropriate second participant.

Mr. Speis asked Mr. Farrell if it was possible for ELAB to formally invite Ms. Kirkland to the National Environmental Laboratory Accreditation Program (NELAP) board meeting Thursday afternoon. Mr. Farrell agreed a formal invitation was in order; he was encouraged that Ms. Kirkland was interested in attending the NELAP board meeting and he offered to clear the issue with Mr. Jerry Parr from TNI before proceeding. Mr. Farrell asked about the thank you note to ORCR for the previous meeting. Ms. Autry informed the Board that Dr. Flowers sent the message. Ms. Maria Vickers’ replied via email thanking Dr. Flowers and expressing ORCR’s intent to keep the positive dialogue going. She expressed appreciation for ELAB’s contribution, identifying and resolving issues on the topics discussed. Ms. Autry forwarded the email message to the Board.

C. TNI Standard Comparison with Drinking Water Program

This topic was updated by Ms. Autry in Mr. Dechant’s absence during the discussion on the OW/TNI presentation at the San Antonio meeting. She planned to go over the OW/TNI comparison meeting minutes to determine if that workgroup needed help that the Board could provide. She updated the Board on the OW/TNI workgroup progress stating that the last meeting had worked through item 93 of the comparison spreadsheet. She relayed Mr. Dechant’s request for help covering details on chemical, radiochemistry, and microbiology testing. He needs volunteers to take the lead for the chemistry and microbiology items to review the essential Quality Control requirements for these test groups (starting with item 144 in the comparison table). Mr. Dechant will cover the radiochemistry expertise needs for the workgroup. Dr. Kingston asked if the meeting is

restricted to ELAB members only and Ms. Autry replied the workgroup is limited to the Board unless an outside expert is interested or is needed to assist the workgroup with a particular topic. She added that as long as the meeting is not an official full Board meeting, then outside participation is allowed. Mr. Dechant's OW/TNI comparison is just a workgroup effort and therefore allows outside participation.

D. Proficiency Test Frequency Update/Discussion

Mr. Lowry updated the Board on the PT issue. Mr. Lowry talked with the TNI PT Frequency Subcommittee chair this past week who informed him that TNI has data from three providers for the state-by-state study, allowing a large enough data set for statistically significant results. The PT Subcommittee chair will analyze the data and have a report ready in July for PT Expert committee. Mr. Speis asked if the Board will be receiving a copy of the report and Mr. Lowry assured the group that they will receive a copy. Mr. Speis was unsure about Board's function regarding this document and whether there was a specific response or goal that the Board should be focusing on. Mr. Lowry referred to the last meeting minutes, where this was discussed in depth.

Mr. Lowry provided a brief synopsis of the PT frequency issue for the Board. The issue was brought to TNI and ELAB about 18 months ago. His workgroup was already interested in the topic and ELAB members helped TNI to collect the scientific information needed to evaluate the effect of the PT frequency on laboratory quality. The ELAB members who participated with the TNI subcommittee acted as a conduit to bring back information and status on the TNI effort to ELAB. The workgroup would review the information to decide if there was a consensus with the TNI PT committee on the proper frequency for PT sample analysis. The goal is to pass the ELAB recommendation and supporting information on to the EPA. Mr. Lowry asked the Board if this approach sounded reasonable. Ms. Autry encouraged ELAB to make recommendations for PT frequency to EPA offices that have proficiency test programs.

4. Workgroup Updates/Assignments (Old and New)

Monitoring Workgroup

Ms. Morgan updated the Board on the monitoring workgroup activity. The group has not met since April since they are still trying to identify the proper contact at EPA for their assigned issue: hazardous waste in laboratories and helping EPA's "green" efforts in labs. She has spoken with Ms. Tanya Motley from the Office of Pollution Prevention and Toxics who was very interested in the topic and what type of information ELAB might provide to the Laboratory community. Ms. Motley has passed on information from Ms. Morgan to her management. Ms. Morgan hopes to receive more information back from Ms. Motley in the near future.

Measurement & Technology Workgroup

Mr. Lowry updated the Board, stating that the workgroup did not meet since they are waiting for the final report from the TNI PT frequency subcommittee. Mr. Lowry was not copied on the transmission of the Calibration letter authored by Dr. Richard Burrows and was not sure if it was sent to the EPA Forum on Environmental Measurements (FEM). Ms. Autry replied that she received the letter during the last ELAB meeting. She will bring up the letter at the next meeting of the calibration workgroup to be held tomorrow (June 18, 2009). Mr. Speis and Ms. Autry confirmed as noted in the last ELAB meeting minutes that the letter was sent during the last ELAB conference call. Ms. Autry reassured the group that she would raise the issue of the letter to both the FEM and the FEM calibration workgroup at their upcoming meetings.

Laboratory Management Workgroup

Ms. Autry updated the Board that the workgroup has been working through the OW/TNI comparison table. Mr. Speis was curious if the workgroup was able to work on anything else besides the comparison document. Ms. Autry informed the Board that the workgroup was focused on their main task of completing that comparison table document. Mr. Lowry asked when this workgroup would meet again and Mr. Speis replied that they will hold a meeting on the Friday following the ELAB monthly meeting. The next Laboratory Management Workgroup meeting is scheduled for this Friday (June 19, 2009).

5. General Updates from the Agency

Ms. Autry opened her updates by referencing an email recently received through the ELAB Web site. Since the email was related to locating a certified laboratory testing and not related to an ELAB issue, she asked permission from the Board to have someone in the EPA pesticides program answer the question. Mr. Speis asked the Board for their approval of Ms. Autry's request and the Board agreed without objection.

Ms. Autry informed the Board that phase two of the monitoring assessment proposed to EPA's Science Policy Council (SPC) will be reviewed at the June 29, 2009. Ms. Autry has been involved with briefing each of the 30 EPA deputy assistant administrators on the Council prior to their meeting. She has received very positive feedback and encouragement on the proposal and its importance to EPA. The short-term goal for this process is to develop an inventory of monitoring programs across the agency. This phase of the effort will help refine the definition for monitoring and improve inter-office communication. Ms. Autry and Ms. Lynn Bradley are collaborating to create a resource on the FEM Web site to help link the public and private sectors to all of the EPA funded monitoring programs with a "one-stop-shopping" design similar to the Web resource FEM developed on EPA methods.

Ms. Autry updated the Board on the FEM MDL/MQL/Calibration workgroup activity. The next workgroup meeting is tomorrow (June 18, 2009) and she expects the workgroup will start its first full glossary review. She is assuming that the glossary will be completed

before the toolbox component and will know more after the workgroup meeting tomorrow. She made the Board aware that in September she will ask the ELAB if it is interested to review the glossary.

Ms. Autry informed the Board that the next meeting for the Environmental Technology sensor workgroup will be tomorrow (June 18). For tomorrow's meeting, the workgroup will be discussing nitrate sensors and microsystems monitoring programs in depth.

Ms. Autry has not yet received an official answer from the invitation to the EPA Administrator regarding a presentation at the Environmental Measurements Symposium. The current EPA acting Science Advisor has expressed his support of having the Administrator deliver the presentation at the conference. If the Administrator is unavailable, the Science Advisor will request the acting administrator for EPA or the Administrator for EPA's Office of Research and Development to deliver the presentation.

Someone from the new administration will be giving the talk at the conference. The vetting process to fill the appointed positions at EPA is proceeding and neither the Assistant Administrator nor the ORD Administrator is confirmed. Mr. Speis asked if the failure to complete the vetting process for these positions preclude the administrator from presenting at the meeting. Ms. Autry replied that the longer the vetting process takes, the harder it will be for the administrator to make personal appearances due to her other responsibilities. Several people on the new administrator's team have been confirmed in the past week. The August meeting package is still on the administrator's desk, indicating that the event is still being considered. Ms. Autry encouraged the Board to start making arrangements and reservations for the August meeting since the deadlines for early registration and hotel deals are coming up soon (hotel block closes July 18).

Dr. Michael Wichman asked Ms. Autry about the ELAB charter renewal status. Ms. Autry replied that the charter is being processed and that the changes made to the document are editorial in nature with the most significant change being the resolution of inconsistent references to ELAB's reporting responsibility. With approval from the Office of General Counsel, the charter now states that ELAB provides advice and recommendations to the Administrator, the Science Advisor for the agency, and/or the Forum on Environmental Measurements. The charter is currently being signed and must be filed with Congress before the expiration date, which Ms. Autry believes is July 20, 2009. She does not expect any issues with meeting this deadline.

6. Review Action Items/Assignments

Mr. Speis reviewed the action items for the Board members as a result of this meeting.

- August Meeting Agenda—Ms. Autry will distribute a formalized agenda by June 19. The Board will review and return to Ms. Autry with comments if necessary by June 22.

- ORCR Meeting Follow-up—Mr. Speis will work with Dr. Flowers to get a meeting format and date scheduled. He will distribute resulting information to the Board.

7. Closing Remarks/Adjourn

Mr. Speis ask the invited guests to voice any issues or comments that they may have for the Board at this time. Ms. Bradley, Ms. Patsy Root, and Ms. Paula Hogg all replied that they did not have any additions to the meeting.

Mr. Speis thanked the Board members for participating, guests for attending, Ms. Tracey Footer for taking notes. He asked the Board if there was a motion to adjourn the meeting. Ms. Morgan made a motion to adjourn the meeting; Dr. Kingston seconded the motion, and Mr. Speis adjourned the meeting.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD
Monthly Teleconference: 866-299-3188/9195415544#
June 17, 2009; 1:00 - 2:00 pm (ET)

Opening Remarks	DFO/V-Chair
Roll Call of ELAB Members and Identification of Guests	V-Chair
Review/Approval of May Minutes	V-Chair
Follow-up on Key Topics	All
- August ELAB Meeting Agenda	All
- ORCR Meeting Follow-up	Tiger Team
- TNI Standard Comparison with Drinking Water Pgm	Dechant
- Proficiency Test Frequency Update/Discussion	Lowry
Workgroup Updates/Assignments (Old and New)	All
General Updates from the Agency	DFO
Review Action Items/Assignments	V-Chair
Closing Remarks/Adjourn	DFO/V-Chair

MEMBERSHIP LISTING AND GUESTS**ELAB MEETING****June 17, 2009; 1:00 – 2:00 PM EDT**

Attendance (Y/N)	Name	Affiliation
N	Dr. Jeff Flowers (Chair)	City of Maitland Florida Representing: Elected Officials of Local Government
Y	Mr. David (Dave) N. Speis (Vice Chair)	Accutest Laboratories Representing: American Council of Independent Laboratories (ACIL)
Y	Ms. Lara P. Autry, DFO	US Environmental Protection Agency Representing: EPA
N	Dr. Richard Burrows	Test America Inc. Representing: Commercial Lab Industry
N	Mr. Gerald (Gary) Dechant	Analytical Quality Associates, Inc. Representing: Data Users
Y	Mr. John (Jack) E. Farrell, III	Analytical Excellence, Inc. Representing: The NELAC Institute (TNI)
Y	Dr. Reza Karimi	Battelle Memorial Institute Representing: Non-profit Research and Development Organizations
N	Dr. H. M. (Skip) Kingston	Duquesne University Representing: Government Consortiums, Native Americans, and Academia
Y	Mr. Jeffrey (Jeff) C. Lowry	Environmental Resource Associates Representing: Proficiency Testing Providers
Y	Ms. Judith (Judy) R. Morgan	Environmental Science Corp. Representing: Commercial Env. Lab.
Y	Mr. Orval Osborne	Creek Environmental Laboratories, Inc. Representing: Small Laboratories/Native Americans
Y	Mr. Glenn (Joe) J. Pardue, Jr.	Pro2Serve Representing: Clients of QS Services
N	Dr. Jim Pletl	Hampton Roads Sanitation District Representing: Municipal Env. Lab.
N	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Owners Full Service Labs
N	Mr. Rock Vitale	Environmental Standards, Inc. Representing: Third Party Assessors
Y	Dr. Michael D. Wichman	University of Iowa Hygienic Laboratory Representing: Association of Public Health Laboratories (APHL)
Y (Guest)	Ms. Tracey Footer	Eastern Research Group, Inc (ERG)

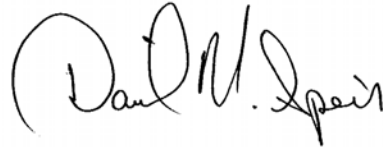
Attendance (Y/N)	Name	Affiliation
Y (Guest)	Ms. Lynn Bradley	EPA/OEI
Y (Guest)	Ms. Patsy Root	IDEXX Laboratory
Y (Guest)	Ms. Paula Hogg	HRSD

ACTION ITEMS

- Ms. Autry to formalize and distribute agenda by June 18
- Comments on agenda sent to Ms. Autry by June 22
- Ms. Autry to post approved agenda to appropriate websites
- Mr. Speis to coordinate with Dr. Flowers to schedule the next ORCR meeting
- Mr. Farrell to formally invite Ms. Kim Kirkland to NELAC Board meeting (pending approval from Jerry Parr)
- The Monitoring Workgroup to gather more information and make contact with key EPA personnel
- The Laboratory Management Workgroup will meet the Friday following the ELAB meetings
- Ms. Autry to discuss the ORCR letter authored by Mr. Farrell at upcoming FEM meetings
- Ms. Autry will continue handling incoming messages through ELAB website
- ELAB members will make arrangements and reservations for August NEMC meeting

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on June 17, 2009.

A handwritten signature in black ink, appearing to read "David N. Speis". The signature is written in a cursive style with a large initial "D".

Signature Vice Chairman

Mr. David Speis

David N. Speis

Print Name Vice Chairman