

**SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING**

Teleconference: 866-299-3188/9195415544#

July 21, 2010; 1:00 – 3:00 p.m. EDT

The U.S. Environmental Protection Agency's (EPA) Environmental Laboratory Advisory Board (ELAB or Board) teleconference was held on July 21, 2010, from 1:00 to 3:00 p.m. EDT. The agenda for this meeting is provided as Attachment A, a list of the participants is provided as Attachment B, and action items from the teleconference are included as Attachment C. The official certification of the minutes by the Chair or Vice-Chair is included as Attachment D.

AGENDA ITEMS:

1. OPENING REMARKS/ROLL CALL OF ELAB MEMBERS AND IDENTIFICATION OF GUESTS

Ms. Lara Autry, Designated Federal Officer (DFO) for ELAB, welcomed participants to the teleconference, and Mr. Dave Speis, Chair of the ELAB, called an official roll of the Board members and guests.

2. REVIEW/APPROVAL OF JUNE MINUTES

Mr. Speis asked whether there were any changes to or comments on the June 2010 teleconference minutes. Ms. Judy Morgan asked that references to "Dr. Richard Burton" be changed to "Dr. Richard Burrows." This change already has been addressed in the May minutes and was not required for the June minutes. Ms. Morgan made a motion to approve the June minutes; Mr. Jack Farrell seconded the motion. The meeting minutes for the June meeting were approved unanimously with no additional discussion.

3. SW-846 POLICY UPDATE: OFFICE OF RESOURCE CONSERVATION AND RECOVERY (ORCR) MEETING AT THE NATIONAL ENVIRONMENTAL MONITORING CONFERENCE (NEMC)

Mr. Speis reported that he had contacted Mr. Jim Michael of ORCR regarding meeting in August at NEMC, which is part of the Environmental Measurement Symposium; the best time to meet appears to be late afternoon on Wednesday, August 11, 2010. Members of ELAB and ORCR will meet to discuss what constitutes a major versus a minor revision in terms of SW-846 policy; ELAB members should try to meet prior to the August 11 meeting with ORCR to discuss possible solutions regarding this issue.

4. UPDATE ON OFFICE OF WATER (OW) DISCUSSIONS

Mr. Speis explained that he and several other ELAB members (Ms. Morgan, Mr. Jeff Lowry, Dr. Jim Pletl, and Dr. Michael Wichman) had met the previous week via teleconference with OW staff and several members of The NELAC Institute (TNI) to discuss the recommendation

that ELAB had made to OW to use the TNI Standards as a quality superstructure and retain the Drinking Water Certification Manual for technical guidance for program requirements. The recommendation was met with a favorable response, and the group will investigate its feasibility. The ultimate approach should be a complement of the standards and the manual. The OW staff would like to retain some of the practices outlined in the Drinking Water Certification Manual that provide sound advice on technical laboratory practices; the group agreed that it is a good idea to retain these items. During the teleconference, Mr. Greg Carroll pointed out that there is supplemental language in the Safe Drinking Water Act that allows use of the International Organization for Standardization (ISO) 17025 quality system.

The group also discussed the differences between recommendations and requirements, and available options were considered. The Drinking Water Certification Manual provides recommendations, and OW can revise the language to focus on the TNI Standards as being appropriate for the regulation. Another option would be to mandate rulemaking. Although the goal is to obtain general recognition of the TNI Standards by the Agency as a whole, the standards may not be appropriate for some programs. The EPA Office of General Counsel (OGC) will provide final determination, and the Agency probably will not be able to advocate a specific approach. Ms. Autry confirmed that EPA cannot advocate a specific product or service, but the Agency can provide information and examples relevant to EPA programs provided that the language is very clear regarding any comparisons. OGC must be consulted in this endeavor so that appropriate language is included, which acknowledges the existence of a program (i.e., the TNI Standards) that meets EPA requirements but does not exclude other possibilities.

One ELAB member found it interesting that Mr. Carroll thought that ISO 17025 was too general for environmental laboratories. Mr. Speis indicated that this issue was discussed, and Mr. Jerry Parr had commented during the teleconference that the TNI Standard was very similar to ISO 17025, with additional specificity included in the standard. The group that met also discussed performing a comparison between the TNI Standards and ISO 17025 so that the specificity of the standards could be compared to ISO 17025. Mr. Farrell stated that the ISO standard is included in the TNI Standards in its entirety as italicized text. There also is a version on the Web with the ISO titles but without the language. Mr. Speis acknowledged that the comparison would be an easy task. The rulemaking process, however, would require a notice and comment period, so the suggestion was to strengthen the language in the current regulation and then initiate the rulemaking process. Generally, the states have primacy for implementing standards, and many will not implement them until they know that they are approved by EPA; rulemaking will be beneficial for facilitating states' acceptance. OW will obtain feedback from the states during its next conference call with them, which will be held in September or October. Once feedback from OGC and the states has been received, the group should be able to schedule another meeting to proceed to the next step. Overall, Mr. Speis was pleased with the discussions during the teleconference.

Ms. Lynn Bradley mentioned that it is common in the United States to use interpretive language with ISO 17025. The Association of Analytical Communities developed chemistry and microbiology criteria to apply to food and pharmaceutical laboratories, which were adopted by the American Association for Laboratory Accreditation for food laboratories. In the European Union, it is not common to have interpretative language. Mr. Speis noted that Mr. Parr had stated that European Union professionals approve of the additional clarity that has been added to U.S. standards so that laboratory practices are more consistent.

5. MEASUREMENT/TECHNOLOGY WORKGROUP ACTIVITY

Mr. Speis reported that Mr. Lowry has had difficulty obtaining information from Dr. Judy Brisbin, who has not been forthcoming with the study data. Mr. Lowry needs the data before speaking to the regions. He also has had no response from Ms. Wynne Miller and will attempt to reconnect with Mr. Greg Carroll. The workgroup has not met since the June ELAB meeting, but the members will continue to review the TNI volatiles data and forward their analysis and recommendations to the Board by September.

6. LABORATORY MANAGEMENT WORKGROUP ACTIVITY

Mr. Speis explained that Mr. Gary Dechant did not have anything to report regarding his workgroup, which probably will not be active until September when a new Chair is assigned.

7. MONITORING WORKGROUP ACTIVITY

Ms. Morgan reported that the workgroup had not held a conference call since before the June ELAB meeting. The workgroup is waiting for the EPA Design for the Environment Program to provide input, and there are less personnel and support available than the workgroup had expected. Ms. Morgan may consult with Ms. Autry regarding the next steps, as a different plan may need to be developed. Ms. Morgan said she spoke to the U.S. Department of Transportation (DOT) last week, and although no specific information is available, the petition has moved to the Federal Aviation Administration. The petition should receive a final resolution soon. Mr. Speis suggested speaking to DOT personnel at NEMC, and Ms. Morgan agreed, explaining that the DOT staff members who are providing training at the meeting have been involved in the petition process. Ms. Morgan hopes, however, to have a resolution before NEMC.

8. NEW ISSUES/UPDATES/ASSIGNMENTS

There were no new issues, updates, or assignments.

9. NEWS/UPDATES FROM THE DFO

Ms. Autry explained that the Forum on Environmental Measurements (FEM) is entering an exciting period. It is releasing two Requests for Proposals to procure the types of efforts that FEM performs on a routine basis from a measuring, monitoring, and laboratory science standpoint; these awards are cooperative agreements to benefit the public and private sectors. They have received positive attention, and Ms. Autry looks forward to continuing to advance measuring, monitoring, and laboratory science. The Environmental Measurements Symposium will be held August 9–13, 2010, in Washington, DC, and the previous attendance record should be met or exceeded. Ms. Autry has had several inquiries regarding the ELAB face-to-face meeting that will occur at the symposium, so the Board can expect good attendance, including members of the EPA Federal Advisory Committee Act (FACA) staff. Ms. Autry is continuing to move forward with assembling the new Board and acknowledging the service of those members who are rotating off of ELAB. FEM has concluded its discussion on points made in the

Association of Public Health Laboratories letter, and there were many thoughtful conversations regarding the points made in the letter. The report will be shared with Dr. Paul Anastas and then ELAB, which probably will be able to further discuss this matter in September. FEM expects to finish its effort regarding the toolbox for method detection and quantitation limits and calibration by October. During the course of the last year, FEM has worked on devising monitoring assessments for the Agency's monitoring programs. The group has created an inventory for the Agency to monitor legitimately run monitoring programs; a leveraging document has been created that highlights four theme areas (with several identified subareas) that must be explored further to better leverage external and internal resources to meet EPA's present needs and gaps. The goal is to finalize the report by the first week of August and share it with EPA's Science Policy Council, which now is the Science and Technology Policy Council, in September.

Mr. Speis asked whether it was common practice for FACA staff to attend FACA public meetings. Ms. Autry explained that it was, and FACA staff members have attended at least two ELAB meetings in the past. It is particularly common when the meeting is held in or near Washington, DC. There is a new FACA staff member, so this will be an excellent opportunity for her to meet the Board members.

Dr. Skip Kingston noted that several meeting times for the ELAB meeting to be held during NEMC had been discussed so he asked if a final date and time had been selected. Ms. Autry responded that the ELAB meeting would be held on Monday, August 9, from 9 a.m. to 12:00 noon. Mr. Speis mentioned that another meeting that had been discussed was to be with OW staff, but this meeting will not be necessary given the conference call that took place with OW and TNI. Mr. Speis said he is trying to arrange a meeting with ORCR staff on Wednesday (August 11) during NEMC, but Mr. Michael appears to have several time constraints.

10. REVIEW ACTION ITEMS/ASSIGNMENTS

Mr. Speis reviewed the action items from the previous meeting, most of which have been completed. He still is working to set up the meeting with Mr. Michael. So far, he has not been successful in obtaining permission from Ms. Kim Kirkland to release the SW-846 policy for comment. Mr. Speis then reviewed the action items identified during this meeting, which are outlined in Attachment C.

Mr. Lowry asked whether meeting notes from the conference call with Mr. Carroll were available. Mr. Speis replied that he plans to forward them to Ms. Autry to verify that they are accurate, and then she will distribute them. Mr. Lowry explained that his workgroup should receive the pesticide, herbicide, and carbamate data from TNI by September or October.

Mr. Farrell asked whether the Board could verbally brief the American Council of Independent Laboratories (ACIL) regarding the SW-846 policy if the document itself could not be released. Ms. Autry thought that it would be feasible to summarize ELAB's issues and concerns in its own words as long as none of the specific wording of the SW-846 was quoted. Mr. Farrell stated that he understands the Agency's view, but if ELAB can gather information and input from ACIL, the issue could be moved forward.

11. CLOSING REMARKS/ADJOURN

Mr. Farrell made a motion to adjourn the meeting, which Ms. Morgan seconded. Mr. Speis thanked everyone for their attendance and participation and adjourned the meeting at 1:48 p.m.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD (ELAB)
Monthly Teleconference: 866-299-3188/9195415544#
July 21, 2010; 1:00 – 3:00 p.m. (ET)

Opening Remarks	Autry/Speis
Roll Call of ELAB Members and Identification of Guests	Speis
Review/Approval of June Minutes	Speis
SW-846 Policy Update: Office of Resource Conservation and Recovery Meeting at the National Environmental Monitoring Conference	Speis
Update on Office of Water Discussions	Speis
Measurement/Technology Workgroup Activity Proficiency Testing Issue	Lowry
Laboratory Management Workgroup Activity Small Laboratory Workgroup	Dechant
Monitoring Workgroup Activity Green Chemistry Sample Shipment Regulations	Morgan
New Issues/Updates/Assignments	All
News/Updates From the DFO	Autry
Review Action Items/Assignments	Speis
Closing Remarks/Adjourn	Autry/Speis

Attachment B**MEMBERSHIP LISTING AND GUESTS**

ELAB TELECONFERENCE
July 21, 2010; 1:00 p.m. – 3:00 p.m. ET

Attendance (Y/N)	Name	Affiliation
Y	Mr. David (Dave) N. Speis (Chair)	Accutest Laboratories Representing: American Council of Independent Laboratories (ACIL)
Y	Ms. Judith (Judy) R. Morgan (Vice-Chair)	Environmental Science Corp. Representing: Commercial Environmental Laboratories
Y	Ms. Lara P. Autry, DFO	U.S. Environmental Protection Agency Representing: EPA
Y	Dr. Richard Burrows	Test America Inc. Representing: Commercial Laboratory 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)
N	Dr. Jeff Flowers	City of Maitland, Florida Representing: Elected Officials of Local Government
N	Dr. Reza Karimi	Battelle Memorial Institute Representing: Nonprofit Research and Development Organizations
Y	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
N	Mr. Orval Osborne	Centauri Labs 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 Environmental Laboratories
N	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Owners of Full Service Laboratories
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)

Attendance (Y/N)	Name	Affiliation
Y	Ms. Kristen LeBaron (Contractor)	The Scientific Consulting Group, Inc. (SCG)
Y	Ms. Lynn Bradley (Guest)	EPA/OEI
Y	Mr. David Friedman (Guest)	Friedman Consulting
Y	Ms. Paula Hogg (Guest)	Hampton Roads Sanitation District

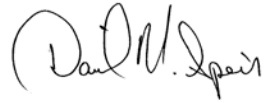
Attachment C

ACTION ITEMS

1. Mr. Speis will determine a time during the Environmental Measurement Symposium to meet with Mr. Michael and/or his staff.
2. Mr. Speis will continue to receive feedback from OW or the EPA OGC regarding the OW recommendations.
3. Mr. Lowry will continue to follow up on proficiency testing data.
4. Ms. Morgan will contact Ms. Autry regarding developing an alternate plan for green chemistry.
5. Ms. Kristen LeBaron of The Scientific Consulting Group, Inc. will finalize the June meeting minutes and forward them to Ms. Autry.

Attachment D

I hereby certify that this is the final version of the minutes for the Environmental Laboratory Advisory Board Meeting held on July 21, 2010.

A handwritten signature in black ink, appearing to read "David N. Speis", written over a horizontal line.

Signature Chair

Mr. David N. Speis

Print Name Chair