SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Face-to-Face Meeting/Teleconference: 866-299-3188/9195415544#
Hyatt Regency Capitol Hill, Washington, DC
August 9, 2010; 9:00 a.m. – 12:00 p.m. EDT

The Environmental Laboratory Advisory Board (ELAB or Board) face-to-face meeting was held on August 9, 2010, from 9:00 a.m. to 12:00 p.m. EDT. The meeting was held as a session at the Environmental Measurement Symposium. The agenda for this meeting is 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

Ms. Lara Autry, Designated Federal Officer (DFO) for the Board, welcomed the members and guests to the meeting and explained that the Board is a Federal Advisory Committee to the U.S. Environmental Protection Agency (EPA or Agency). This is an official meeting of the Board and will include ELAB business as well as report outs of ELAB activities. After explaining that the ELAB members have more than 460 years of cumulative chemistry experience, Mr. Dave Speis asked the Board members to introduce themselves. Following the introductions, Mr. Speis reviewed the agenda and encouraged the guests to participate in the open discussion because ELAB is a conduit to the Agency and provides a great opportunity to elevate issues that are of concern to the environmental laboratory community.

2. REVIEW/APPROVAL OF JULY MINUTES

Mr. Speis asked whether there were any changes to or comments on the July 2010 meeting minutes; there were none. Mr. Jack Farrell made a motion to approve the July minutes, which Mr. Joe Pardue seconded. The meeting minutes for July were approved unanimously with no discussion.

3. GENERAL WORKGROUP UPDATES

Ms. Judy Morgan provided an update regarding the Monitoring Workgroup's activities. The workgroup is working with EPA's Design for the Environment (DfE) Program on green initiatives and hazardous waste in the laboratory. DfE does not have the staff available to support the effort directly but will support it in any other way that it can. The workgroup will need to gather the necessary information and publish it on a Web site to which the DfE will link from its own Web site. The goal is to provide resources for the environmental laboratory community. The other issue that the workgroup is following is the status of a petition (P-1555) filed by the American Council of Independent Laboratories (ACIL) in January 2010 to the U.S. Department of Transportation (USDOT) regarding the recently revised air shipment regulations for sample

shipments (49 CFR 173.4), which affect how the environmental industry ships samples. The regulations now align with international regulations, which require a drop test that certain environmental samples would not survive. USDOT sent a letter to Ms. Morgan on July 30, 2010, which indicates that the petition has been accepted, and a rulemaking change will be initiated. ACIL requested that domestic shipping rules be added to the international requirements; this domestic provision should benefit the 6,000 to 8,000 environmental laboratories that are negatively affected, albeit unintentionally, by the rulemaking. There will be a public comment period for the new rulemaking, and environmental laboratories are encouraged to provide comments of support.

Mr. Bob Wyeth asked whether a variance had been issued during the new rulemaking process. Ms. Morgan responded that no variance had been granted; it still is necessary to comply with the international regulations, but USDOT is aware that many environmental laboratories cannot comply. Mr. Speis added that USDOT staff members are present at the Symposium, and Ms. Morgan will be following up with them in person. Ms. Morgan stated that USDOT personnel have been very supportive of this effort. In response to a question from Mr. Speis about the timeframe for the rulemaking, Ms. Morgan explained that there currently is no timeframe in place.

Mr. Jeff Lowry explained that the Measurement and Technology Workgroup has been working on the proficiency testing (PT) issue and met with Mr. Greg Carroll of EPA's Office of Water (OW) in December 2009. The outcome of that meeting was the decision to bring the PT questions to the regions; this effort still is in progress. One question involved how EPA uses the PT data. The Agency has a 6-year data review, and the workgroup is collecting information on this review.

Another project of the workgroup was initiated at the request of The NELAC Institute (TNI) Fields of Proficiency Testing Subcommittee, which noticed that the data that it had been studying showed either improved or poorer acceptance limits when compared to CFR 141. The subcommittee asked ELAB to examine the data and possibly approach the Agency about determining whether CFR 141 regulations are realistic given the technologies currently in use. The workgroup will report its findings to the full Board in September. ELAB may opt simply to share the information with EPA or go further and make a recommendation to EPA that the acceptance limits be removed from CFR 141.

The Laboratory Management Workgroup, under Mr. Gary Dechant, completed the comparison of the OW Drinking Water Certification Manual standards with the new TNI Standards that will go into effect on July 1, 2011, and the comparison has been passed to EPA with general comments and suggestions. The workgroup also considered the ramifications of the TNI Standards on small laboratories and determined that this issue is more appropriate for TNI's Small Lab Advocacy Group (SLAG), and SLAG currently is addressing the issue. Mr. Speis added that the full outcome of the workgroup's comparison process will be discussed later in the meeting. Dr. Jeff Flowers noted that the comparison document is available on the ELAB Web Site (http://www.epa.gov/elab).

4. SW-846 POLICY REVISION—STATUS UPDATE

Mr. Speis explained that the current issue with the SW-846 policy revision is how to manage the differences between major and minor revisions. The approach suggested by ELAB was not sufficiently objective to allow the Agency to defend its decisions regarding these differences, and, as a result, EPA would have to defend every decision that it made in this area. The Board is helping the Agency to resolve this issue by identifying an objective process that can be easily defended. The ELAB task force and EPA's Office of Resource Conservation and Recovery (ORCR) are in the process of discussing proposed solutions. The next meeting between the two parties should be brief, and all differences are expected to be resolved. Ms. Kim Kirkland of ORCR will be discussing the SW-846 methods during the Methods Panel Mentoring Session in the afternoon.

5. OPEN DISCUSSION

Because the meeting was running ahead of schedule, but Mr. Speis did not want to move the Drinking Water Certification Program and TNI Standards update ahead on the agenda, he opened the discussion of old and new business early.

Ms. Nan Thomey explained that she had recently discovered a *Federal Register* notice about proposed rulemaking regarding the use of most sensitive method in the wastewater compliance and enforcement agenda. Today is the last day to provide public comment. This issue was brought to her from the regulated community because it will increase expenses and create the need for small laboratories to acquire technology that they cannot afford. Additionally, the most sensitive method is not necessarily the most appropriate method. The issues regarding the best or most appropriate method for determining method detection limits (MDLs) have not been resolved, so initiating rulemaking based on achieving the best MDL without lack of clarification or consensus on the best method is premature. There is concern in the community that this rulemaking has not been thoroughly considered. Ms. Thomey wondered whether ELAB had a role in this issue. Dr. Flowers noted that it was important for participants to provide their input as well.

Ms. Thomey also has received comments, from a regulatory standpoint, that indicate that there are some compounds for which the method with the lowest detection limit in 40 CFR 136 is not low enough to demonstrate compliance with water quality standards. Therefore, one driver for this rulemaking may be to specify that in such cases permittees will use a method with the lowest level that could be achieved to be closer to meeting water quality standards. This needs to be considered thoroughly so that there are no unintended negative consequences, and the regulated community has concerns that there will be such consequences.

Dr. Jim Pletl noted that the requirement in the proposal is not necessarily to use the most sensitive method but to ensure that the method that is used is sensitive enough to meet the respective water quality goals. The intent is in regard to the goals in each respective National Pollutant Discharge Elimination System (NPDES) permit. The concerns that Ms. Thomey mentioned also are concerns for municipal governments. There are concerns that, in cases in which there is no identified method to meet the goal, the director (i.e., the regulatory agency)

chooses the method, which eliminates the public comment process and may be a problem if the method is not interlaboratory validated.

Mr. Ed Askew has attempted to persuade the Government Affairs Committees of the Water Environment Federation and the American Water Works Association (AWWA) to comment on this issue, but they have not shown any interest. This rulemaking comes from 40 CFR 122 (i.e., permit writers) and backlogs into 40 CFR 136, which means that no public comment or review of the method of choice is necessary, but it also is being driven by water quality standards and antidegradation, which in turn is a state-driven process. Additionally, the "stealth" comment period on this proposed rulemaking was only 45 days, and ELAB should have been consulted. The permitters want a method to meet NPDES waste loads for antidegradation, and this is the manner by which they are choosing to obtain this. Is it necessary, however, to obtain levels this low for wastewater? Dr. Pletl agreed that the antidegradation portion was noteworthy; states have different requirements that can vary widely. Mr. Askew added that the number of analytes measured for antidegradation may increase 10- to 100-fold; Ms. Thomey wondered how many additional most sensitive methods would be needed for these additional analytes.

Ms. Morgan explained that Tennessee had a similar issue regarding methods and methodologies, and the problem was that the permitters were not engaged in the methods process. She would like the Board to submit comments on the proposed rulemaking as this could be a significant issue because the permitters are not necessarily familiar and/or engaged with the available methods.

In response to a question by Ms. Thomey regarding ELAB's potential role in this issue and the deadline, Ms. Autry explained that she could speak with the group proposing the rulemaking and facilitate a discussion between the group and the Board, but given the public comment period, it must be a timely request.

Dr. Flowers noted that one unintended negative consequence in similar, prior rulemaking was that methods that were sufficiently sensitive were disallowed and nonoptimal methods were chosen; this occurred because the decision-makers were not knowledgeable about the methodologies. ELAB can benefit the Agency by providing this type of input. Dr. Richard Burrows agreed that methods should be allowed as long as they are sufficiently sensitive to quantitate the analyte of interest at the appropriate level. Dr. Flowers stated that the proposed rule as written does not allow laboratories to choose the most appropriate methods for their goals. The Board can benefit the Agency by improving the language of the proposed rule. Mr. Farrell added that personnel presenting in the Methods Panel Mentoring Session in the afternoon, particularly Mr. Lemuel Walker (EPA/OW), may be able to provide some more insight.

Mr. Charles Carter noted that there is nuance to the proposed rule. In some cases, the objective is to use a method that is sensitive enough to meet the permit level, but in other cases permittees may be required to use a method that is exponentially more sensitive for analytes that always are detected nonetheless. This is more expensive and does not make sense as the compound always is present. Dr. Reza Karimi thought that the discrepancy was derived from the language of the proposed rule.

Ms. Autry suggested that the Board submit a comment today stating that it would like to discuss this issue further. It then will be on record that a Federal Advisory Committee is interested in the issue while meeting the deadline for the public comment period. Ms. Thomey will work on drafting the comments during the break; the Board can approve the comments following the break so that Mr. Speis can submit them by the end of the day. Mr. Askew suggested that ELAB's discussion include an example of the impacts to laboratories, including violation of limits set in the NPDES permit, given the ambiguities introduced in the language of the proposed rule.

Following the break, Ms. Autry explained that the Board meets via teleconference the third Wednesday of each month from 1:00 to 3:00 p.m. Eastern Time; this allows the laboratory community to participate on a routine basis. More information, including the Board's charter, products, and prior minutes, can be found on the ELAB Web Site. Those interested in attending the monthly teleconferences should contact Ms. Autry for further information.

Before moving to the Drinking Water Certification Manual and TNI Standards discussion, Mr. Speis asked that the outstanding business regarding the most sensitive methods rulemaking be finalized. Ms. Thomey read the proposed statement that she had developed:

> Comments on Proposed Rule: Use of Sufficiently Sensitive Test Methods for NPDES Permit Applications and Reporting, *Federal Register* Notice, June 23, 2010.
>
> The Environmental Laboratory Advisory Board (ELAB), the Federal Advisory Committee to EPA on issues related to laboratory measurement and accreditation, would like to comment on EPA's proposed rule for the Use of Sufficiently Sensitive Test Methods for Permit Applications and Reporting, 75 Fed. Reg. 35, 712-20, June 23, 2010. The proposed rule would require that, for NPDES permit purposes, analytical methods from 40 CFR Part 136 be used that have method minimum levels (ML) low enough to measure the amount of pollutant in a facility's discharge, the effluent limit in the permit, or the water quality criterion, or lacking such a method, the Part 136 method with the lowest ML for the pollutant. Where there are no approved methods in Part 136 for a pollutant, the rule would suggest monitoring by unapproved methods, at the discretion of the director.
>
> Stakeholders have indicated to ELAB that while there are benefits to the concepts outlined in the rule, there also is the potential for unintended negative consequences. ELAB would like to meet with appropriate regulatory officials to further discuss the details prior to final promulgation of the rule. ELAB would like the opportunity to suggest improvements in the language to address stakeholder concerns so that the desired goals can be achieved without compromising the ultimate data quality objectives and resulting decisions.

There was no further discussion, and Ms. Thomey moved that this language be submitted by Mr. Speis on behalf of the Board. Mr. Dechant seconded the motion, which was approved unanimously.

6. DRINKING WATER CERTIFICATION PROGRAM AND TNI STANDARDS–NEXT STEPS

Mr. Speis explained that the TNI Standards act as a quality systems standard with the intent to be expansive enough to apply to a broad array of environmental laboratories; the standards do not necessarily address program-specific requirements or act as prescriptive items needed to satisfy a regulatory need. The TNI Standards and Drinking Water Certification Manual each promote the generation and documentation of consistent quality. The Drinking Water Certification Manual is unique to the Drinking Water Certification Program in terms of its prescriptiveness; it contains requirements that are not appropriate for a general standard because of their specificity to program administration. The manual includes language that references TNI-like quality programs (e.g., ISO 17025). An ELAB subcommittee met with representatives of OW and TNI approximately 2 weeks ago to discuss ELAB recommendations to: (1) employ the ISO 17025-based TNI Standards—which meet or exceed quality system requirements for the Drinking Water Certification Program—as the quality systems standard for drinking water laboratories; and (2) apply the Drinking Water Certification Manual requirements for drinking water technical specifications. The benefits to this approach are that it substitutes an ISO program as the quality system framework for drinking water laboratories and promotes unification across EPA program offices. As EPA's programs are focused on protecting human health and the environment, it is disadvantageous to apply multiple standards across the Agency, and the Board's recommendations will help address this inconsistency. The recommendation also promotes the consolidation of duplicative state programs into a single, nationally recognized program.

The ELAB/OW/TNI group decided that the next step would be for TNI staff to complete a comparison between the TNI Standards and ISO 17025 that highlights the differences between the two so that OW can gain an improved perspective on the issue. Following this, the group will approach the Forum on Environmental Measurements (FEM) and EPA's Office of General Counsel (OGC) for their input on the viability of this approach.

Mr. Askew stated that AWWA has reservations about such an effort because small laboratories do not have the resources to hire a dedicated quality assurance (QA) staff member. Mr. Speis explained that this would not be a requirement. Mr. Askew noted that auditing is performed at no cost to the laboratories in Iowa, and if implementation of this recommendation results in increased costs, there will be a concerted effort to oppose it. This also could affect other regions that do not fall under NELAC programs. ELAB must consider this, and the SLAG will have a significant voice in the matter. Mr. Speis noted that the group was aware of these issues. Mr. Carroll added that nothing would be implemented quickly. FEM and OGC will be consulted, and the TNI Standards/ISO 17025 comparison will help with the OGC discussion. The Agency is examining the possibility of applying this broadly to all environmental laboratories in addition to drinking water laboratories. Mr. Dechant stressed that the recommendation does not state that all laboratories need to be accredited under TNI, just that they use the basic standard. Mr. Mike Shepherd noted that the taxpayers pay for the laboratory audits to which Mr. Askew was referring.

Mr. Lowry asked about the status of the comparison. Mr. Speis explained that Mr. Jerry Parr should have the comparison completed soon. Mr. Farrell noted that the comparison was not difficult because the ISO standards are included as italicized text in Module 2 of the TNI

Standards; the few items that are included in the ISO standards versus the TNI Standards deal with calibration laboratories rather than testing laboratories. The TNI Standards are available on the TNI Web Site without the ISO language.

Mr. David Friedman asked whether laboratories would be accredited to the TNI standards as a result of the drinking water standards being incorporated into the TNI Standards as the basic quality standards. Mr. Dechant agreed that this could be the case; the difference is that the criteria would have to be met, but laboratories would not have to pay the accreditation fee. Mr. Speis added that the vision is that the QA system will be an ISO system, and specifications for drinking water accreditation would be those that currently are stated in the Drinking Water Certification Manual. Assessments would include evaluation of the quality system as well as compliance for the specific requirements for drinking water certification. Mr. Dechant explained that this meets the intent of the Office of Management and Budget's *Circular A-119*, which promotes the use of internationally recognized consensus standards by federal agencies.

Mr. Askew wondered whether laboratories would be required to purchase the TNI Standards with the ISO language. Currently, the Drinking Water Certification Manual is provided to laboratories at no cost to them. Will there be a provision to provide the TNI Standards free-of-charge to those laboratories not seeking TNI accreditation so that they may comply with the quality standards? Ms. Judy Duncan explained that if EPA requires the ISO standards, these standards must be purchased regardless. TNI generates no revenue in charging for the TNI Standards that include the ISO language; it simply passes on the ISO costs. Ms. Duncan and Mr. Farrell explained that the institute charges $50 for the TNI Standards, and the cost to TNI to acquire the ISO standards is $51. Ms. Duncan also noted that although states currently provide laboratories with many items free of charge, this may change as states are beginning to pass on more costs in the current economy. Mr. Farrell added that the cost is $90 for a network copy of the ISO Standards, and the TNI Standards without the ISO language are available at no cost on the TNI Web Site. Because it is necessary to pay for the ISO standards regardless, it is worthwhile to purchase the TNI Standards with the ISO language integrated, as it is much easier to read.

Mr. Matt Sowards asked whether the original comparison of the Drinking Water Certification Manual and TNI Standards included "shoulds" as well as "musts." Mr. Dechant responded that it did include these, as well as the intent and drivers behind any similarities that were found.

Mr. Jim Broderick asked about the separation between technical specifications and quality superstructure. Is the intent harmonization or as a mechanism to establish a framework to identify additional quality systems requirements for different EPA programs? Mr. Speis explained that the effort has been called consolidation, but the term harmonization has been discussed. The approach should work to address harmonization and as the mechanism that Mr. Broderick described. Mr. Dechant added that this approach provides a good model for EPA to merge its programmatic requirements with industry, national, and international standards in a mechanism that can be an example for other organizations within EPA to follow. This would allow for any standard to be used throughout the Agency as a baseline.

Mr. Speis noted that the Thursday afternoon technical session at the Symposium on *Cryptosporidium* PT and QA programs may overlap with this issue and be of interest to the participants.

Mr. Doug Leonard noted that the charter of several related organizations (e.g., Interagency Committee for Standards Policy) is to seek national and international standards for regulatory purposes. The recommended approach may provide such organizations with the tools to meet their charters.

7. OPEN DISCUSSION (CONTINUED)

Mr. Speis called for continued discussion of new or old business. Ms. Autry reminded participants of ELAB's charter. Stakeholders have the opportunity to approach the Board members with issues and topics that affect the stakeholder community, but if an issue is not applicable to the Board's charter, the members can help the stakeholders work on the issue, but ELAB cannot address it with the Agency. ELAB attempts to enhance measurement and monitoring programs as a whole (e.g., development of new technologies, improvement of data quality and scientific and statistical rigor) and laboratory accreditation, including providing advice to the Agency regarding national environmental laboratory accreditation that covers the areas of water, air, solid waste, and pesticides. Members of the stakeholder community can suggest issues at any time by contacting Ms. Autry.

Mr. Dechant brought up a topic that had been discussed during a SLAG teleconference regarding whether or not EPA is considering requiring use of the new National Environmental Field Activities Program (NEFAP), an accreditation program for field sampling and measurement organizations, for some of the Agency's programs. The concern is that sampling already is covered by the new TNI Standards, and NEFAP will be applied at certain organizations, such as wastewater treatment plants that perform their own sampling; therefore, organizations that were not accredited suddenly will be required to complete two accreditations with two different sets of standards. If it is true that EPA is considering implementing NEFAP, Mr. Dechant asked whether these facts had been taken into account.

Ms. Autry stated that if the TNI Standards have created redundant requirements for certain organizations, then TNI should examine these redundancies and explore this issue because organizations should not be penalized or need to be accredited twice for identical work. The NEFAP Field Activities and Measurement Standard will provide accreditation for entities that were not accredited previously. This is a significant step toward creating a national environmental accreditation program in all areas. The Agency, however, only has statutory authority to require accreditation for drinking water, asbestos, and lead. Although it can encourage better data quality in other areas, EPA cannot require it in these areas unless the Agency is given statutory authority in future rules and regulations. Through FEM, the Agency currently is working on a policy that would require: (1) an acquisition agreement for parties purchasing environmental services in cases in which environmental services are required in the collection and analysis of data, and (2) that the organizations from which the services are purchased are accredited. These steps will promote improved data quality and use.

Mr. Speis added that the direction is toward commercial accrediting bodies, with the intent that it will not reside under government control. Currently, an accredited body must be ISO 17011 compliant and an International Laboratory Accreditation Cooperation signatory; these requirements are difficult for state agencies so this probably will be a voluntary accreditation. Mr. Dechant stated that community concern is increased because of the potential for states to impose the accreditation. The TNI Standards provide sufficient coverage for sampling; therefore, organizations accredited to the TNI Standards should be sufficiently accredited for in-house sampling. Any new requirements put in place should specify "or" rather than "and."

Mr. Flowers noted that the intent of the new program is that it will be adopted through commercial means, implying that this will be an extra incentive that organizations can provide to their clients during a bidding process. For example, in Florida, environmental accreditation was voluntary, but laboratories found this accreditation to be commercially beneficial. Regarding the concern that smaller, in-house laboratories will be required to become accredited, it is not realistic that state agencies will enforce such a requirement because of economic and logistical considerations. This will be a marketplace-driven tool to provide laboratories with a voluntary method to attract clients.

Mr. Speis asked Mr. Dechant whether this was an issue that he wanted ELAB to pursue. Mr. Dechant explained that he currently was gathering information but noted that it would be easier to fix any problems before implementation.

Mr. Askew introduced a new topic and noted that the TNI Standards state that an EPA alternate test procedure (ATP) is acceptable for method validation, and the ATP states that AOAC International's standards and procedures are acceptable for method validation. Additionally, *Standard Methods for the Examination of Water and Wastewater* has method validation and QA requirements, and the Standard Methods Committee does not want to be associated with ISO because of the expense. He suggested that ELAB form an *ad hoc* committee or designate a board position to represent consensus body methods that are utilized in wastewater and drinking water (e.g., ASTM International, AOAC International, U.S. Geological Survey) so that as quality systems decisions are made, unintended consequences can be identified. Ms. Autry stated that any person who would like to be a member of ELAB should contact her.

Mr. Wyeth noted that ELAB has addressed the issue of performance-based standards for several years, and the intensity level has fluctuated during that time. He mentioned an EPA directive from the highest levels within the Agency that advocates defining a performance-based approach. He asked about the status of the Board's considerations in this matter. Ms. Autry explained that the Performance-Based Measurement System now is called Flexible Approaches to Environmental Measurement. There is a white paper published on the FEM Web Site (http://www.epa.gov/fem) that outlines the four goals of Flexible Approaches to Environmental Measurement. After many years of working on this issue, it was recognized that the manner in which previous measurement systems were defined and designed attempted to be a "one size fits all" process, which is not appropriate. Therefore, the approach was redefined and redesigned. The redesigned approach was approved by EPA's Science Policy Council 2 years ago, and all four of EPA's predominant program offices (i.e., those focusing on water, air, solid waste, or pesticides) developed 2-year plans to implement this approach. The first annual progress report was released by each of the programs in October 2009, and the next set of annual reports will be

released in October 2010. To ensure that the program offices are communicating with and answering the needs of state agencies and regional partners, a Webinar series will be held during the next 3 months with every region and state, so that they can interact with experts from each office who will present the components of their plans for environmental measurement. Broader public participation is encouraged, and this topic could be added to the agenda of an ELAB teleconference or the next face-to-face meeting. A progress status is available on the FEM Web Site.

Mr. Broderick asked whether there was an update on the issue of detection limits. Mr. Speis responded that the Board's process on this topic had been completed. Ms. Autry explained that the Board deferred its activities when OW created a Federal Advisory Committee in 2005 specifically to examine the issue of detection and quantitation. Several ELAB members also were members of that committee, which released a final report on which the Agency still is deliberating. After the final report was submitted, a charge was issued to FEM to examine detection and quantitation limits more broadly across the Agency; Ms. Autry will provide an update on this 2-year effort this afternoon during the Best Practices for Data Reduction—Turning Data Into Information Session. Ms. Thomey stated that she, Dr. Burrows, and Dr. Pletl were on the OW Federal Advisory Committee, and she had received an e-mail recently from another committee member who reported that he had tried to contact the Agency regarding the status of the MDL issue but had received no response. Mr. Dechant noted that after the final report was issued, EPA performed a follow-up study and gathered additional data; he was involved in the review, and Agency staff members still are examining the MDL issue.

Mr. Speis noted the lack of user-friendliness of the *Uniform Federal Policy for Quality Assurance Project Plans*. Although the content is useful, the style and format are unfavorable. Mr. Dechant agreed that this was a valid concern for engineering contract firms but not for the environmental laboratory community.

Ms. Autry explained that all ELAB members serve simultaneous 2-year terms, and September 1, 2010, is the end of the current Board term. Members are allowed to serve three consecutive terms, and three current members have reached the end of this limit: Ms. Thomey, Mr. Dechant, and Mr. Rock Vitale. She thanked these members for their hard work and service in providing the Agency advice and feedback and representing the stakeholder community. Ms. Autry said she is working hard to ensure that a new Board is in place when the term for this one expires. She looks forward to introducing the new Board, if it is in place, during the September teleconference. Interested stakeholders should contact her for the teleconference information. In response to a question from Mr. Wyeth, Ms. Autry explained that anyone interested in serving on the Board should contact her directly.

Mr. Speis reiterated that stakeholders who have issues that they would like the Board to consider should contact Ms. Autry. She presents such issues to the ELAB members, who evaluate them for action. Many issues that the Board addresses are initiated by the stakeholders. Ms. Autry's contact information is available on the ELAB Web Site.

8. REVIEW ACTION ITEMS

A detailed list of ELAB action items can be found in Appendix C.

9. ADJOURN

Citing no additional comments or issues, Mr. Speis adjourned the meeting at 11:39 a.m.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD
Face-to-Face Meeting/Teleconference: 866-299-3188/9195415544#
Hyatt Regency Capitol Hill, Washington, DC
August 9, 2010; 9:00 a.m. – 12:00 p.m. EDT

9:00 – 9:30 a.m.	Opening Remarks, Roll Call, and Approval of July Minutes General Workgroup Updates • Monitoring • Measurement and Technology • Laboratory Management
9:30 – 10:00 a.m.	SW-846 Policy Revision—Status Update
10:00 – 10:30 a.m.	Break
10:30 – 11:15 a.m.	Drinking Water Certification Program and TNI Standards—Next Steps
11:15 – 11:50 a.m.	Open Discussion • Method Identification Issues (SW-846 Policy Revision) • Proficiency Test Frequency • Quality System Standard for Drinking Water • New or Old Topics
11:50 a.m. – 12:00 p.m.	Review Action Items

Attachment B

MEMBERSHIP LISTING AND GUESTS

ELAB MEETING
August 9, 2010; 9:00 a.m. – 12:00 p.m. EDT

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
Y	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. Jeff Flowers	City of Maitland, Florida Representing: Elected Officials of Local Government
Y	Dr. Reza Karimi	Battelle Memorial Institute Representing: Nonprofit 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
N	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
Y	Dr. Jim Pletl	Hampton Roads Sanitation District Representing: Municipal Environmental Laboratories
Y	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Owners of Full Service Laboratories
Y	Mr. Rock Vitale	Environmental Standards, Inc. Representing: Third Party Assessors
N	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	Dr. Edward Askew (Guest)	Askew Scientific Consulting
Y	Mr. Jim Broderick (Guest)	NYC DEP
Y	Mr. Greg Carroll (Guest)	EPA/OW
Y	Mr. Charles Carter (Guest)	TestAmerica
Y	Ms. Judy Duncan (Guest)	Oklahoma DEQ
Y	Mr. David Friedman (Guest)	Friedman Consulting
Y	Ms. Kim Kirkland (Guest)	EPA/ORCR
Y	Mr. Doug Leonard (Guest)	Laboratory Accreditation Bureau
Y	Mr. Mike Shepherd (Guest)	Shepherd Technical Services
Y	Mr. Matt Sowards (Guest)	ACZ Laboratories, Inc.
Y	Mr. Bob Wyeth (Guest)	Pace Analytical Services

Attachment C

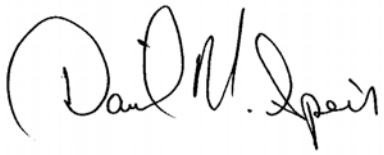
ACTION ITEMS

1. Ms. Autry will contact the EPA personnel associated with the most sensitive method rulemaking to encourage open discussion with ELAB.

2. Mr. Speis will submit the comments, which Ms. Thomey drafted and ELAB approved, during the public comment period for the most sensitive method rulemaking.

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on August 9, 2010.



Signature Chair

Mr. David N. Speis

Print Name Chair