

**SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Teleconference
March 21, 2007; 1:00 – 3:00 PM EDT**

The Environmental Laboratory Advisory Board (ELAB) meeting was held via regular teleconference on March 21, 2007 from 1:00 – 3:00 PM EDT. The 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

Ms. Lara Autry (USEPA/ORD) welcomed Board members. Ms. Autry then handed the meeting over to the ELAB chair, Mr. Robert Wyeth (Severn Trent Laboratories), who took a roll call of the Board. There were no guests that participated in the call.

AGENDA ITEMS

APPROVAL OF OR CHANGES TO PREVIOUS MEETING/CALL MINUTES

Minutes from February 21, 2007 meeting – Mr. Wyeth asked members to submit to him any comments or changes to the minutes. He will revise the minutes based on the comments and finalize them.

Minutes from Open forum – Mr. Wyeth noted that he had re-sent the minutes to ELAB members.

Minutes from the face-to-face meeting – Mr. Wyeth noted that he asked Versar to send the minutes from the face-to-face meeting to Dr. Pletl for his review. Once Dr. Pletl completes his review, Mr. Wyeth will send the minutes to all ELAB members.

WORK GROUP CORRESPONDENCE TO FEM

Performance Approach

Mr. Wyeth noted that there was a good discussion on Performance Approach at the last meeting. Some workgroups have distributed their write-ups on Performance Approach. He noted that the group needs to decide how to pull all these materials together. At the previous meeting, Ms. Autry indicated that a 2 to 3 page document summarizing ELAB's position was sufficient. This document would be preceded by a transmittal letter with a summary of ELAB's thoughts. He stated that the emphasis should be on Performance Approach as it applies to modifying existing methods with only some reference to new methodology development. The position document is due to Ms. Autry not later than April 2nd. The ELAB's presentation to the FEM will take place the 24th of April; a briefing package is due to Ms. Autry by the 13th.

It was suggested that only one person work on combining all the pieces into a consistent presentation. The whole group can then review the final product. Mr. Wyeth noted that it is important to be clear about the message ELAB is trying to convey. It was noted that the message should be that ELAB supports the Performance Approach while at the same time providing recommendations for implementation. Mr. Wyeth indicated that, with some exceptions, most of the information he has seen from workgroups identifies issues but does not provide solutions. He also noted that ELAB has written other position papers in the past and has also re-written Chapter 5 to include the concept of Performance Approach. It was agreed that, in general, ELAB is in favor of Performance Approach but there are implementation

issues that need to be considered. Mr. Vitale noted that his workgroup identified the components that go along with implementation. He noted that in the previous discussion it was agreed that ELAB would prepare a PowerPoint presentation not a white paper.

Mr. Wyeth asked whether all the critical issues are included in the outline put together at the face-to-face meeting. It was noted that the issues in the outline are the ones that the group collectively agreed upon at the meeting. It is not possible to include all the issues related to Performance Approach.

Ms. Autry noted that the ELAB has 15 minutes at the FEM meeting on the 24th. The opportunity on the 24th is to discuss any topics the ELAB wants. ELAB members can introduce themselves to the FEM and present a quick overview of ELAB's work. The briefing to Dr. Grey is a different meeting. Mr. Wyeth indicated that it would be nice if both meetings can be coordinated so that ELAB members can plan to be in DC for both meetings. Ms. Autry noted that it takes a lot of preparation so it may not be possible to meet with Dr. Grey on the 24th. It is not necessary that ELAB members travel to DC to meet with the FEM; ELAB members can participate in the meeting via teleconference call.

Mr. Wyeth noted that it would be useful to set a date for that meeting with Dr. Grey so that the group can start preparing. Ms. Autry will work on getting a date for the meeting. One ELAB member noted that the meeting with FEM would be a good opportunity for ELAB to express support for Performance Approach and to point out things that are needed for implementation of Performance Approach. A short letter describing ELAB's position would be best. Ms. Autry stated that the meeting with Dr. Grey provides an opportunity for ELAB to discuss its contribution to the mission of the Agency. It would also give Dr. Grey an opportunity to discuss some of the areas that are of interest to him and how the ELAB can provide advice or help to the Agency.

Ms. Autry noted that the FEM has been conducting pre-meetings in preparation for the half-day session on April 12th. In these meetings it has become clear that there isn't a one-fits-all approach to implementation of Performance Approach. There is a renewed commitment to make sure that all Program Offices are able to implement Performance Approach. The success of the meeting will be determined by development of a plan for moving forward with Performance Approach and scheduling of future meetings. She noted that for the first time ever it seems that the various offices are on the same page with regards to recognizing the need to implement Performance Approach. Even the Office of Enforcement is slated to participate in the meeting so that the Office can present its position with regards to Performance Approach. Mr. Wyeth asked whether the plan is a strategic plan or a tactical plan. Ms. Autry noted that the plan will be both a strategic and tactical plan. The purpose is to make certain that the Agency can figure out the best way to go forward. Future meetings will include stakeholders in an effort to understand their issues to make sure that Performance Approach is implemented in the best way possible.

Mr. Wyeth asked whether the expectation is that ELAB's position on Performance Approach will be reflective of the perspective of the testing community. Ms. Autry noted that the FEM is expecting that ELAB's paper is reflective of all the organizations that ELAB represents. She noted that she has shared with the FEM all the documents that ELAB has prepared related to Performance Approach.

Mr. Wyeth noted that ELAB has not addressed the issue of enforcement, but this needs to be factored in ELAB's comments. He indicated that a set of materials need to be put together to give to Lara by the 2nd regarding Performance Approach. The meeting on the 24th is not specific to Performance Approach; Performance Approach is just a part of the briefing package that will be a general presentation of the work of ELAB. ELAB's position on Performance Approach and its value to the industry should be given to Lara by April 2nd. He asked for volunteers to help him put the document together. Mr. Dechant and Mr. Pardue volunteered to help Mr. Wyeth combine the write-ups into a position paper on Performance

Approach. Ms. Autry noted that she has not seen the write-ups from the workgroups. She will take a look at what the workgroups have put together and let the group know what she thinks. Mr. Wyeth will send everyone the workgroups' write-ups. Mr. Dechant, Mr. Pardue and Mr. Wyeth will meet next week to start working on the document.

Mr. Wyeth asked if a discussion about ISO should be included. Mr. Dechant suggested that this not be discussed at this moment. Mr. Wyeth also noted that NELAC has put together a document with proposed changes to the quality system to reflect the Performance Approach. It was noted that the issue of performance approach needs to be addressed in the NELAC standards. Mr. Wyeth indicated that he will start writing introductory material. He noted that quality objectives are a mechanism by which PA can be implemented.

Ms. Autry noted that, to prepare the FEM members for the ELAB's presentation to the FEM on the 24th, she would need the materials by April 13th.

WORK GROUP REPORTS

Mr. Wyeth asked the workgroups if they had anything to report other than the work they are doing regarding Performance Approach.

Ms. Morgan indicated that there was nothing to report from her workgroup.

The Laboratory management group noted that there was nothing to report.

Mr. Lowry noted that there was a question two meetings ago about the Web site. He asked if he could get an update on the status of the Web site from Ms. Autry (See discussion under Pending and New Issues).

PENDING AND NEW BUSINESS

TNI update(s)

Ms. Autry noted that there was a vote to nominate the Board of Directors for TNI. New faces and new folks are involved. She does not have an exact list of Board members yet. She will send it to ELAB members as soon as she gets it. She will meet with the new Board of Directors to help them with the strategic planning session that will take place the first week of April. At that time the new Board of Directors will be inducted or trained in their new roles. There is a huge effort to prepare for the NUC-TNI meeting that will take place in Boston in August.

Mr. Wyeth asked whether there was a vote on some standards they have proposed. Ms. Autry noted that the vote was in the process of being taken. Mr. Wyeth asked ELAB members to look at the information on the standards that has been distributed.

Web Site Work Group

Ms. Autry noted that she has not heard anything from the Web site workgroup since the last conversation she had with the workgroup. She stated that she will have a meeting with the Webmaster to find out where things are in the bigger plan of getting the entire Web site done. She is still trying to make sure she has a complete listing of finalized meeting before posting on the Web site. She noted that she needs to know if there are any changes to the draft design before asking the Webmaster to create the new site. The entire group or the workgroup needs to tell her that the design is approved. Mr. Wyeth asked for the

workgroup's opinions regarding the draft design. Mr. Lowry noted that the basic design is fine, but it needs to include contact information.

Ms. Autry noted that she and Mr. Banfer had a meeting with the Web person to make sure there was nothing in the design that couldn't be done. The Web person was given the minutes and the rooster but those have not been posted yet. She will make sure these documents get posted as soon as possible. She noted that the Web site workgroup needs to tell her when they want to have the meeting to solidify the design. Mr. Wyeth noted that he will contact Mr. Banfer to get the workgroup to make their final recommendations to the Board regarding the design at the next Board meeting. These recommendations/directions will be forwarded to Ms. Autry.

FAC on Detection and Quantification

Ms. Nan Thomey stated that there have been a couple of teleconferences. The technical workgroup is looking at the pilot study. The policy group is having a face to face meeting at the end of April to go over policy issues and start looking at recommendations for implementation.

Method update rule

Mr. Wyeth noted the Method update rule has been promulgated. He received a request for ELAB to raise an issue of concern to EPA. The rule states that within 30 days certain methods are not longer applicable. However, those methods are still written in permits. The question is how various providers of data (laboratories and states) are to implement the changes in the methods update rule. He noted that it is within the ELAB's charter to present the issue to EPA on behalf of stakeholders.

Ms. Morgan noted that the biggest question regarding the rule is whether laboratories are supposed to stop using those methods as of the date stated in the rule. Labs need to know if they are going to be allowed to use alternate methods if they are certified for these methods. Mr. Wyeth noted that if a lab does not report results from methods listed in the permit the lab will get a notice of violation.

Mr. Vitale noted that in one section the rule addresses other related methods that have differences or contradictions with the rule. The expectation is that in the next round of revisions to these methods they will be brought into parity with the rule. He assumes based on this that when the permit is updated the alternate method will be listed. Ms. Morgan noted that another concern is that there are some states that intend to discontinue certification for those methods listed in the rule. This raises the issue of whether labs would be allowed to run a method they are not certified for just because it is in the permit but not in the Federal Register any more.

Mr. Wyeth noted that an ACIL member asked whether the ELAB can request clarification from the authors of the rule to serve as guidance to the states on how to address this issue. He asked Ms. Autry whether this is an issue for the FEM or for a specific program office. Ms. Autry noted that if the issue only involves a single program office it is more appropriate that it be directed to that office, copying her and Dr. Gray.

Mr. Wyeth indicated that the Monitoring workgroup should draft a letter to the Office of Water with copies to Ms. Autry and Dr. Grey. It was noted that since the rule has just been issued, other concerns may be brought forward. Ms. Morgan suggested that ELAB members spend some time reviewing the rule to see if there are other issues that should be raised. All comments or concerns should be forwarded to Ms. Morgan. It was agreed that the issue be added to the list of issues to be handled by the Monitoring workgroup. The workgroup will draft the letter by the next ELAB meeting. All ELAB members will review the letter.

Issues Spreadsheet

This issue was not discussed during the meeting.

COMMENTS AND/OR ADDITIONAL ISSUES

Ms. Autry noted that the Agency is doing a complete review of its entire laboratory network. The purpose is to make sure that the Agency's laboratories are functioning efficiently; it is not an effort to shut down laboratories.

ADJOURNMENT

Mr. Wyeth adjourned the Board meeting at 3:00 p.m. EST. The next ELAB meeting will take place April 18, 2007.

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING

March 21, 2007; 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	Role Call for ELAB Member Introduction of Guests	Chair
3	Approval of or changes to Previous Meeting/Call Minutes <ul style="list-style-type: none"> February 21,2007 Open Forum Face to Face, 	Chair
4	Work Group Correspondence to FEM/Response form EPA <ul style="list-style-type: none"> Performance Approach - FEM Presentation; Coordination 	Chair All
5	Work Group Reports – Definitions and assignments <ul style="list-style-type: none"> Monitoring Work Group Laboratory Management Work Group Measurement and Technology Work Group 	Chair Morgan Flowers Lowry
6	Pending and New Business <ul style="list-style-type: none"> TNI update(s) Web Site Work Group FAC on Detection and Quantification Method Update Rule Issues Spreadsheet <ol style="list-style-type: none"> Corrections and/or updates to spreadsheet New issues 	DFO Banfer/DFO Pletl/Thomey Chair/Pletl All
7	Comments and/or Additional Issues	All
8	Open Discussion and Comments from Guests	All
9	Adjourn/Closing Remarks	Chair/DFO

**MEMBERSHIP LISTING AND GUESTS
ELAB MEETING**

March 21, 2007; 1:00 – 3:00 PM EDT

Attendance (Y/N)	Name	Affiliation
Y	Mr. Robert (Bob) K. Wyeth (Chair)	Severn Trent Laboratories Representing: ACIL
Y	Ms. Lara P. Autry, DFO	US Environmental Protection Agency Representing: EPA
Y	Mr. Gerald (Gary) Dechant	Analytical Quality Associates, Inc. Representing: DOE Analy. Mgmt. Pgm.
N	Mr. Paul Banfer	EISC (Environnemental Info. Sys. Corp.) Representing: Information Systems
Y	Mr. James (Jimmy) Jordan	Bechtel Jacobs, Inc. Representing: Large Go's Contractors
Y	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Small Laboratories
Y	Mr. Rock Vitale	Environmental Standards, Inc. Representing: Third Party Assessors
N	Mr. Eddie Clemons	Golden Specialty Laboratory Representing: INELA
N	Mr. Scot Cocanour	Promium Representing: Lab. Customers of Information Technology
N	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
N	Dr. Jim Pletl	Hampton Roads Sanitation District Representing: Municipal Env. Lab.
Y	Dr. Albrecht Schwalm	Oglala Lakota College Representing: Academic & Indian Nations

ACTION ITEMS

1. Mr. Wyeth will revise the February 21 meeting minutes based on the comments provided by ELAB members and finalize them.
2. Once Dr. Pletl completes his review, Mr. Wyeth will send the minutes from the face-to-face meeting to all ELAB members.
3. Mr. Dechant, Mr. Pardue and Mr. Wyeth will meet next week to start working on the Performance Approach document. This document will be submitted to Ms. Autry not later than April 2nd.
4. ELAB will submit a briefing package for the April 24th meeting with the FEM to Ms. Autry by the 13th.
5. Mr. Wyeth will contact Mr. Banfer to get the workgroup to make their final recommendations to the Board regarding the design at the next Board meeting. These recommendations/directions will be forwarded to Ms. Autry.
6. The Monitoring workgroup will draft a letter to the Office of Water with copies to Ms. Autry and Dr. Grey regarding the Method update rule. ELAB members will review the rule to see if there are other issues that should be raised and will provide comments or concerns to Ms. Morgan.

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on March 21, 2007.

A handwritten signature in black ink, appearing to read "RatK Wyeth", with a large, loopy initial "R" and a long horizontal stroke extending to the right.

Signature Chairman

Robert K. Wyeth

Print Name Chairman