

**SUMMARY OF THE  
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING  
Teleconference  
October 17, 2007; 1:00 – 3:00 PM EDT**

The Environmental Laboratory Advisory Board (ELAB) meeting was held via regular teleconference on October 17, 2007 from 1:00 – 3:00 PM EDT. The original agenda for this meeting is provided as Attachment A. A list of participants is given in Attachment B. Action items are included in Attachment C. The official signature of the Chair or Vice-Chair is included in Attachment D.

**INTRODUCTION**

Ms. Lara Autry (USEPA/ORD) welcomed Board members. Ms. Autry then handed the meeting over to the ELAB chair, Dr. Pletl, who took a roll call of the Board.

There was one guest that participated in the call: Ms. Lynn Bradley from FEM's Communication Action Team.

**AGENDA ITEMS**

**APPROVAL OF OR CHANGES TO PREVIOUS MEETING/CALL MINUTES**

Minutes from August 15, Meeting - There were no comments on the minutes. The Board approved the minutes from the August 15 meeting.

Minutes from September 19, Meeting - Ms. Autry noted that the signature name needs to be changed to the new Chair name.

Dr. Pletl asked Ms. Autry whether it is okay to post the minutes if there was no quorum at the meeting. Ms. Autry indicated that it is okay to post the minutes as long as it is made clear that there was no quorum and therefore, the meeting was an administrative meeting. She noted that this is stated at the beginning of the minutes but the language needs to be expanded to make clear in the introduction that this was just information sharing and no decisions were made. It is the Board's choice to decide whether or not to post minutes from administrative meetings, but some statement needs to be posted to indicate that an official meeting could not take place for lack of quorum. It was noted that the minutes contain action items. Ms. Autry indicated that the action items need to be deleted from the minutes since the Board cannot assign tasks to itself during an administrative meeting. Instead, the Board should state that there are plans to discuss these issues in the future.

It was agreed that the action items will be named suggestions or ideas to pursue. Ms. Autry will add some text to the introduction to indicate that because a number of Board members were not present it was not possible to have an official meeting and that, instead, the members present decided to discuss issues that the Board will need to address in the future.

Dr. Pletl will make editorial changes to the minutes and incorporate Ms. Autry's text in the introduction. Ms. Thomey noted that she was not listed in the list of members. The Board agreed to approve the minutes, with corrections.

## **BOSTON MEETING REVIEW**

### *Number of PTs*

Dr. Pletl noted that the group discussed issues raised at the open forum of the Boston meeting during the administrative meeting in September. He added that the Board needs to decide if and how to move forward on these issues. Dr. Pletl suggested that the group discuss the number of PTs. He asked what actions are appropriate for the Board regarding this issue.

Mr. Wyeth noted that TNI is looking at reducing the number of PT samples. He noted that he is not sure if the Board should use their energies to propose something. The Board cannot provide advice to TNI but could do its own review for EPA.

Dr. Pletl stated that the number of PTs may be inhibiting our ability to have a national accreditation program. And that is part of ELAB's charter. The question is whether ELAB should make a recommendation to EPA regarding this issue.

Mr. Vitale asked whether the basis of the comment or the concern was that there are too many PTs. Board members indicated that this was expressed directly by representatives from New Jersey and other states.

Dr. Flowers also noted that the reason states are running dual programs is because of the TNI/NELAC requirement to run dual PTs on every different matrix. By bringing PTs back in line with the EPA requirements; people will be able to do away with dual programs in their states.

Mr. Vitale indicated that the fundamental issue is not too many PTs; too many PTs are the result of bad accreditation processes. The fundamental question is: is it more appropriate within ELAB's purview to address the accreditation process as a function of analyte/method/prep technology?

Ms. Thomey stated that, historically, this issue of accreditation by analyte/technology/matrix has been in ELAB's radar for a number of years. One of the workgroups had this as one of their action items.

Dr. Pletl stated that at the Boston meeting this issue was introduced as redundancy among the programs in accreditation/PT programs.

Mr. Vitale added that the number of PTs is due to the accreditation issue. It is not appropriate that the accreditation issue stay the way it is; the current regime and number of PTs used is not appropriate. If the issue is that accreditation should be based on technology and representative analytes, then whatever it is that the group potentially comes up with in terms of what is a reasonable swatch of representation in the accreditation, then the PT reduction will follow suit. It is a function of how the accreditation is structured. Dr. Karimi agreed that this is a better issue to tackle than just the number of PTs. The accreditation issue needs to be resolved; PTs follow from the accreditation process.

Ms. Thomey asked whether the issue is the number of PTs per year or how we are looking at PTs. She noted that there are two programs within the EPA that requires performance testing once a year (Drinking Water and DMR). Neither program addresses exactly how the PTs are going to be looked at. If the PT requirements are aligned with current EPA requirements more labs will join the accreditation program. A lot of states don't have the manpower to look at two performance tests each year. That is a holdback in bringing other states into the accreditation program. It was

noted that redundancy is the problem not how the program is structured. If redundancy is eliminated more labs will join the program. It was also noted that states indicated that more labs would participate if the accreditation program is made more consistent with the EPA requirements. This is the actual issue identified by the states.

Dr. Pletl noted that the Board needs to figure out what exactly it will do about this issue. It seems that there are these large issues that impact and cascade over numerous smaller issues. If there were measurement quality objectives for our analytical methods a number of issues associated with PTs would be resolved. For example, as new technologies come up the number of PTs increases. But if you have measurement quality objectives this would not be an issue since no matter what technology you use you need to meet your measurement quality objectives. Dr. Pletl asked whether it would be better for the Board to address these core issues. The Board can recommend to EPA that we go back and revisit the basis for PTs. The Agency may want to revisit the genesis of the programs and see if changes can be made to solve some of the problems that have evolved from those decisions that were made decades ago.

Mr. Wyeth noted that the TNI standards were not developed by EPA. The Board would need to make recommendations to TNI. Dr. Pletl stated that TNI is going to follow suit with EPA. TNI is very much interested in coming up with approaches that EPA would support. It is better to start discussions about this issue with EPA than with TNI.

Dr. Karimi noted that with the current emphasis on performance-based methodology, PTs are going to be a big issue. The Agency may need to think about how to structure the PTs in the future in order to resolve these issues all together.

Dr. Pletl asked if the Board thinks it is appropriate to write to EPA noting that this idea of how PTs are structured be revisited and provide some suggestions or options to be considered; opening up the dialogue to start considering how PT programs are designed.

Mr. Dechant suggested that a starting point would be to determine if any one, but EPA in particular, concisely defines the function of the PT program or the PT samples. It is critical to know what people are trying to accomplish with PTs before the Board tries to define what needs to be done with the PT program. There are no EPA documents that describe the function of the PT program and its goals. The PT program has taken on its own life and no longer addresses what was originally intended.

Dr. Pletl suggested that the Board talk to EPA to understand what we are trying to accomplish with the PT program, then look at the way it is structured now and make a decision as to whether changes are necessary.

Mr. Vitale indicated that it is important to understand what is meant by too many PTs and provide very specific examples of why it is prohibitive. In addition, it would be useful to provide some real life examples of labs that get excessive number of PTs and invest a great percentage of productive time analyzing these samples.

Dr. Flowers noted that the state of Florida has gone through tax reductions. Many of the municipal labs that have operated successful programs for years will need to close down because their PT burden cannot be sustained at the rate that the taxpayers of Florida are willing to pay.

Mr. Wyeth stated that the goal is to accomplish national accreditation. Small laboratory participation is very limited. Small laboratories complain about the costs of running so many PT

samples. There are different reasons why people want current accreditation programs to be reviewed. He suggested that an introductory letter be sent to the FEM to present the problem and list potential approaches. This is a good way to start.

Mr. Lowry noted that the PT issue was discussed on the Measurement and Technology workgroup call earlier this month. The workgroup agreed that the Board should look into this issue. He suggested taking the issue back to the workgroup for further discussion.

Dr. Pletl asked whether the group will put together a letter to EPA discussing this topic. Mr. Lowry noted that it is up to the Board what the product is. The Board should also decide the recipient of the letter.

It was noted that the Board's opinion is that something should be put together that, at a minimum, explains the issues. Potentially, the document would also include some recommendations on what to do about this. Mr. Wyeth suggested that the Measurement and Technology workgroup discuss the issue first, followed by discussion by all Board members.

Ms. Autry noted that this issue is far beyond the content of a letter. She suggested that the Board consider creating a white paper on the topic to fully discuss the pros and cons related to this issue. Also, the Board could write a cover letter to ask the FEM to read that white paper and suggest a face-to-face meeting to discuss the report. Board members agreed with Ms. Autry's suggestion.

Dr. Flowers noted that the Laboratory Management workgroup worked on the technology issue last year so this workgroup should cover that aspect of the issue. It was noted that no one workgroup can by itself take this up.

Dr. Karimi suggested that each workgroup work on sections of the white paper (1.5 pages long). The sections can then be combined into one document. Mr. Wyeth suggested the creation of an outline of the white paper. It was agreed that the workgroup leaders will draft an outline and a workplan for each of the workgroups. In this way, the work of the workgroups will be coordinated.

Ms. Morgan asked whether the Board should write a letter to TNI about reducing the number of PTs. This is the immediate issue in the hands of the LAMC. June Flowers has conducted a small poll of the states about their feelings on reducing the NELAC requirements of PT frequency from 2 to 1 per year. The Board needs to decide if ELAB has any part in that. Dr. Flowers noted that there is a lot of support for this coming from other states. A letter would encourage TNI to make the changes. We can then follow up with our white paper. Ms. Morgan added that reducing the number of PTs will have an immediate impact on the NELAC community. Following the letter, the group can work on developing suggestions that will impact the entire program in the future.

Mr. Wyeth noted that the Board should not rush to support some position that it may ultimately decide is not its final position on this issue. Dr. Pletl agreed and noted that there is not enough information right now to support one approach or the other. Cost is an important factor but that is not the only issue. Without reviewing this issue in detail in regards to the function of PTs the Board should not make a recommendation one way or the other.

Ms. Morgan noted that years back when EPA was running the program there was one PT per year. Under NELAC we moved to two per year and added a program not mandated by EPA

DRAFT

(RCRA). LAMC is working with TNI to move it back to the original requirement of 1 per year in order to capture participation.

---

ELAB meeting

Dr. Pletl asked Board members if there are any concerns about the time and structure of the Boston meeting. He also asked for suggestions about conducting future face-to-face meetings.

Mr. Lowry noted that during the open meeting the Board should deal with business issues quickly to give more time to the audience to provide input to the Board.

Dr. Karimi suggested that for future meetings materials be provided along with the agenda to participants so that people have an idea what the Board is currently working on.

Mr. Wyeth noted that the open forum has not been very effective for the past five years. He agreed with Dr. Karimi's idea of providing a summary of the Boards' activity to be distributed with the meeting material. The Board should go through a brief general meeting as suggested to allow more audience participation.

It was suggested that the open forum be the Board's real business meeting and the business meeting would be made more like an open forum with audience participation.

Ms. Thomey suggested distributing the agenda before the open forum so that people can be prepared to ask questions. During the business meeting the next day, the Board can allow a one-hour long public comments period.

Dr. Pletl noted that another possibility is to have the open forum follow the business meeting.

Mr. Wyeth asked Ms. Autry if there are any requirements regarding ELAB's meetings. Ms. Autry noted that the only requirement about meetings is that they be announced in the Federal Register. The Board can conduct the meeting as they see fit to interact with the public and obtain input from them. There is no reason the Board needs to have two meetings.

Mr. Wyeth noted that during the informative stages of the NELAC standard there were a lot of issues to discuss and that was the reason to have two meetings. Ms. Autry noted that ELAB's charter has evolved since that time. The sole focus at that time was setting up an accreditation program. That was the only way the private sector could provide advice to the Agency on forming and managing that program. The current charter is a lot broader now; the Board can still share their thoughts about accreditation but doesn't see the demand on its time that it once saw.

It was suggested that the open forum on Tuesday night be cancelled. The title of the Wednesday meeting may be changed to ELAB/Open forum. Ms. Autry noted that she can write a description of the meeting indicating that there will be opportunities for the public to interact with the Board.

Dr. Pletl noted that the proposal on the floor is to drop the open forum and prepare an agenda and some other materials to be distributed with the meeting materials. The Board will have a business meeting and an open forum on the morning of the 16<sup>th</sup> of January, 2008.

It was noted that, during the open forum, the Board tends to sit back and allow people to say what they want and then we write their thoughts. It was suggested that the Board interact more with stakeholders to understand the issues. The Board should then request information or documentation to support the issue.

It was noted that some of the Board's comments will resolve themselves if we combine the meeting and open forum. Historically, the open forum format did not encourage discussion. Once the open forum is folded into the meeting it will be more of a discussion rather than the listening approach used during the open forum.

Mr. Lowry noted that the Board should encourage public comments. It is okay to ask a clarifying question but to argue with them or to demand proof would be a mistake. It is a bad idea to debate the public on the comments they provide.

Dr. Karimi stated that the Board should be able to ask a follow up question to get a more clear understanding of the issue. It was noted that the intention is not to have a debate with the public. But at the end of the comment, the speaker needs to clearly identify the problem. The Board cannot just be quiet and write everything people say. The Board should ask further questions to understand the issues better.

Ms. Thomey stated that it is important to collect contact information on the person providing comments. In this way, the Board can contact the commenter in case clarification or assistance is needed in further defining the issue.

Ms. Autry noted that the Board needs to let the organizers of the Newport meeting know what the Board plans are regarding the meetings. This information is needed by the end of the week. Dr. Pletl indicated that he has been communicating with Jerry Parr on this issue. Dr. Pletl will let Mr. Parr know that the Board is dropping the open forum and making the meeting on the 16<sup>th</sup> a combined ELAB meeting/open forum.

## **PERFORMANCE APPROACH**

Dr. Pletl noted that Ms. Autry and Mr. Mike Shapiro gave presentations on this topic at the Boston meeting. Dr. Pletl asked Ms. Autry about the public information package she is preparing.

Ms. Autry noted that at the Boston meeting she presented a draft of the position with which the Agency plans to go forward. The document was just finalized; it will be presented to the FEM and then to the Science Policy Council. There are several components in the information package, but the position document is the most important; it requires various levels of approval. The FEM will hold a meeting on November 8. Ms. Autry will report at the next ELAB meeting what actions the FEM has taken regarding this document. She hopes to be able to present the position document at the next Science Policy Council meeting on December 3. When the document is approved by the Science Policy Council, a Federal Register notice will be published. Ms. Autry will share the document with ELAB members after the FEM approval; the document will not be considered final until after the Science Policy Council approves it.

The FEM has been working very hard to make sure that all Program Offices are part of this effort and follow a consistent template in describing their actions regarding the performance approach. The Program Offices are still working on this part of the information package. The FEM is taking advantage of speaking opportunities to present the new approach.

Ms. Autry noted the workgroup that prepared the position document has representatives from each Program Office and the Regions. The workgroup meets every 4 to 6 weeks. The Program Offices are sharing their draft documents with each other.

There is a new title for this effort. It is called *Flexible Approaches for Environmental Measurement: the evolution of the performance approach*.

## **WORKGROUP REPORTS**

Dr. Pletl suggested that this topic be tabled until next meeting.

Ms. Morgan asked Ms. Autry for information regarding an update to the FEM website. Ms. Autry said the update will be posted before the next FEM meeting on November 8.

## **PENDING AND NEW BUSINESS**

### Website

Dr. Pletl asked Ms. Autry what she needs from the Board at this point. Ms. Autry noted that at the last meeting the group had agreed that since there were no comments/changes to the web page it was okay to post the web page. The web page template is ready to be posted but needs information to populate into it. The web page will be posted within one week of getting this information. It was agreed at the last meeting that the workgroups need to decide what and how much information to include.

Dr. Pletl noted that there is canned language that describes what each workgroup does. Ms. Autry noted that there was some concern that that language was outdated. Ms. Autry noted that the idea she got from the last meeting was that the Board needed to decide on the information to include once the web page template was completely constructed. The template is ready now and it is only awaiting information.

Dr. Pletl asked if anyone was opposed to using the language that has already been developed about the workgroups. Mr. Wyeth noted that those descriptions were written prior to the new charter. He asked that the workgroups leaders review those descriptions to make sure that they are consistent with the types of actions included in the new charter. He noted that the mission statements are very NELAC-accreditation oriented not FEM-oriented.

It was suggested that the workgroup leaders be tasked with reviewing the descriptions within a week. Workgroup leaders agreed to do this.

Ms. Autry noted that, at the last meeting, the group also talked about putting other things in their workgroup pages.

The workgroup leads will send the mission statements to Ms. Autry by next week. Ms. Autry indicated that it is okay if the goal is just to have the site up and running with the understanding that there will be some pieces populated along the way. She will look at the web page and let the Board know if there is any other information needed to make the site more complete. She can post the minutes and agenda for the past year. Every one agreed that this was a good plan.

Dr. Pletl asked Ms. Autry about the process for updating the web site. Ms. Autry noted that there will be a monthly check-in. If there are definite products, Ms. Autry will provide those to the Web master within a week after each ELAB meeting to have them posted in two days. Dr. Pletl noted that he will make needed edits to the minutes within a week of receiving draft minutes and submit the finalized minutes to Ms. Autry for posting.



DRAFT

Homeland Security

Dr. Pletl noted that Ms. Autry has invited someone from EPA to come to the next meeting. He asked if Board members will be ready with questions for that meeting. Ms. Autry suggested that the group share with each other the questions they plan to ask. Ms. Autry asked the Board to let her know if they feel that they will not be ready for that meeting. Since the next scheduled meeting is the day before Thanksgiving, the Board agreed to postpone the presentation on this topic for the December meeting.

Mr. Wyeth will send the most recent Homeland Security eLRN document to ELAB members.

**COMMENTS AND/OR ADDITIONAL ISSUES**

Ms. Autry suggested that a poll be taken of the ELAB members to see if they will be attending the November meeting. The group may want to postpone the November 21 meeting or have an administrative meeting in November.

The Board agreed to meet on November 29. An administrative call to discuss measures of success for the Board will take place on November 14.

**ADJOURNMENT**

Dr. Pletl adjourned the Board meeting at 3:00 p.m. EST.

## Attachment A

**AGENDA  
for  
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING**

October 17, 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	Roll Call for ELAB Members Introduction of Guests	Chair
3	Approval of or changes to Previous Meeting/Call Minutes <ul style="list-style-type: none"> <li>• August 15, 2007</li> <li>• September 19, 2007</li> </ul>	Chair
4	Boston meeting review <ul style="list-style-type: none"> <li>• Open Forum <ol style="list-style-type: none"> <li>1. # PTs/year</li> <li>2. Hexavalent Chromium holding time</li> <li>3. Role of DMR QA, privatization</li> <li>4. Redundancy in accreditation/PT programs</li> </ol> </li> <li>• ELAB meeting <ol style="list-style-type: none"> <li>1. Comments on structure, time, etc.?</li> </ol> </li> </ul>	Chair All      All
5	Performance Approach <ul style="list-style-type: none"> <li>• NEMC presentation discussion</li> <li>• Next steps?</li> </ul>	Chair All All
6	Work Group Reports <ul style="list-style-type: none"> <li>• Monitoring Work Group</li> <li>• Laboratory Management Work Group</li> <li>• Measurement and Technology Work Group</li> </ul>	Chair Morgan Flowers Lowry
7	Pending and New Business <ul style="list-style-type: none"> <li>• Website <ol style="list-style-type: none"> <li>1. Comments</li> <li>2. Approve website for release?</li> <li>3. Next steps – assignments for missing information</li> </ol> </li> <li>• TNI/ELAB Meeting in January <ol style="list-style-type: none"> <li>1. Proposed schedule, comments</li> </ol> </li> <li>• Homeland Security eLRN</li> <li>• Draft Chair/Vice-Chair Designation Policy</li> <li>• New Jersey Air Methods and ELAB charter</li> <li>• TNI letter to FEM</li> <li>• ELAB Measures of Success</li> </ul>	Chair All All All DFO/Chair All All DFO/Chair All Chair Chair
8	Comments and/or Additional Issues	All
9	Open Discussion and Comments from additional Guests	All
10	Review Action Items and Assignments	Chair
11	Adjourn/Closing Remarks	Chair/DFO

## Attachment B

**MEMBERSHIP LISTING AND GUESTS****ELAB MEETING****October 17, 2007; 1:00 – 3:00 PM EDT**

<b>Attendance (Y/N)</b>	<b>Name</b>	<b>Affiliation</b>
Y	Dr. Jim Pletl (Chair)	Hampton Roads Sanitation District Representing: Municipal Env. Lab.
Y	Mr. Robert (Bob) K. Wyeth	Columbia Analytical Services, Inc. Representing: ACIL
Y	Ms. Lara P. Autry, DFO	US Environmental Protection Agency Representing: EPA
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	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
Y	Dr. Jeff Flowers (Vice-Chair)	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.
N	Mr. Joe Pardue	Parallax, Inc. Representing: Clients of QS Services

Attachment C

**ACTION ITEMS**

- Ms. Autry will provide some language regarding the administrative meeting that took place in September.
- The September minutes will be revised to indicate that there were suggestions made rather than action items.
- The Board will work on a white paper about PTs.
- Mr. Dechant will work with Ms. Thomey to draft a letter about the hexavalent chromium holding time.
- The open forum at the Newport meeting will be cancelled; the meeting on Wednesday will address business and open forum. An agenda and background material will be included in the meeting materials given to meeting participants.
- Workgroup leaders will provide information to Ms. Autry on the mission statements within a week.
- Mr. Wyeth will send a PowerPoint file on the eLRN presentation.
- The Homeland Security eLRN presentation will be postponed until the December meeting.
- The November meeting will take place on November 29.
- A call will take place on November 14 to discuss measures of success.

DRAFT

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on October 17, 2007.

---

Signature Chairman

Jim Pletl

---

Print Name Chairman