SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Teleconference: 866-299-3188/9195415544#
March 21, 2012; 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 March 21, 2012, 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

Ms. Judy Morgan, Chair of ELAB, and Ms. Lara Autry, Designated Federal Officer (DFO) of ELAB, welcomed participants to the teleconference, and Ms. Autry explained the logistics unique to this call. Ms. Morgan called an official roll of the Board members and guests.

2. APPROVAL OF FEBRUARY MINUTES

Ms. Morgan asked for any comments about the February Board minutes. Ms. Silkie Labie noted that "National Environmental Laboratory Assessment Program" needed to be changed to "National Environmental Laboratory Accreditation Program" in Section 2. Mr. Dave Speis moved to accept the minutes with this change, and Ms. Labie seconded the motion. The Board unanimously approved the February minutes with the discussed change.

3. GENERAL WORKGROUP ACTIVITY

Monitoring Workgroup

Ms. Patsy Root reported that ELAB had submitted comments regarding the EPA's Recreational Water Quality Criteria development. Ms. Denise Hawkins (EPA), a member of Ms. Grace Rubio's (EPA) group, had indicated to the Workgroup that it would be appropriate to continue discussions following the end of the comment period, so Ms. Root is developing a letter to send to the agency to promote further discussion regarding the issue. Ms. Morgan added that the Workgroup members hope that the letter stimulates a dialogue with the appropriate parties within the agency. It would help the implementation process tremendously if ELAB is able to provide input. Ms. Root thought that it would be beneficial to meet in person with the EPA representatives during the Washington, D.C., meeting, and Ms. Morgan agreed.

Measurement and Technology Workgroup

Mr. John Phillips reported that there had been difficulties in obtaining a quorum during the Workgroup meetings. The members present on the teleconferences have discussed the issues on which the Workgroup is working, and individuals are continuing to work on these issues, but no

official business has been completed. He asked for advice on how to continue. Ms. Aurora Shields wondered whether Workgroup business could be conducted via email. Mr. Phillips said using this approach was a possibility. Ms. Shields and Ms. Morgan thought that adding new members to the Workgroup might be helpful. In response to a question from Ms. Morgan, Mr. Speis thought that it had been 2 years since the Board had examined the membership of the various Workgroups, and it may be time to revisit Workgroup membership. In response to a question from Ms. Morgan, Ms. Kristen LeBaron (The Scientific Consulting Group, Inc.) explained that the Workgroup minutes are published on the ELAB website with a disclaimer that they are not endorsed by the full Board. Mr. Phillips noted that Ms. LeBaron should be copied on all Workgroup correspondence in which business is conducted to ensure that there is a record. Mr. Phillips moved that all of the Workgroups be able to discuss business and approve minutes via email as needed; Dr. Richard Burrows seconded the motion, which passed unanimously.

Mr. Phillips reported that the Workgroup is continuing its work on the data quality objective (DQO) issue, performing research and contacting various federal agencies and EPA program offices. The members have learned that most government agencies and EPA program offices follow the DQO process established by the EPA Office of Quality with two exceptions: the U.S. Department of the Interior and the EPA Office of Water (OW), neither of which has a consistent method to implement and use the DQO process. The goal of the Workgroup effort is to initiate a dialogue with OW regarding its utilization of the DQO process. The Workgroup's research revealed that ASTM International encourages the use of the process and has several standards that reference the process. Based on the lack of information on its website, The NELAC Institute (TNI) does not possess an opinion on utilizing the DQO process. The ultimate goal is to provide a recommendation that laboratories define a group of data quality indicators (DQIs), such as relative standard deviation (%RSD) for precision, percent recovery for bias, and detection and quantitation limits for sensitivity; the measurement quality objectives (MQOs) associated with each of these, including false positive error rate and precision and bias, also should be examined by each laboratory. The recommendation probably will be that all laboratories know the values of these DQIs for all of the methods and parameters that they analyze. A client would be able to find out about the current capabilities of the laboratory in terms of these DQIs. This would mean that if a client does not follow the DQO process, at least there would be a default set of DQI information that could be provided as needed.

Ms. Morgan asked what drives an organization to use the DQO process and whether most users know how to apply and use it. Mr. Phillips thought that there was a document issued through the EPA Office of Quality that recommended that federal agencies assess the use of and develop a DQO process. The U.S. Department of Defense (DoD) and U.S. Department of Energy (DOE) participate in a joint program with the EPA that has defined the DQO process very clearly, including the development of Quality Assurance Project Plans (QAPPs), particularly for site investigation and remediation activities. Ms. Shields asked whether laboratories used these methodologies, and Mr. Phillips said that they should for DoD and DOE projects, explaining that the DQO process includes examination of the employed methods. The laboratory has direct control over the DQIs of precision, bias and sensitivity.

Ms. Labie was not sure whether TNI needed to take action in terms of DQIs and MQOs. The TNI standards contain a list of essential quality control items that outline many of the factors that Mr. Phillips mentioned. By default, precision, bias and sensitivity are requirements that the laboratories must meet to be accredited. Laboratories are required to develop those indicators

whether or not they are labeled officially as DQIs. She was unsure that adding additional requirements within TNI would be necessary. In response to a question from Mr. Phillips, Ms. Labie confirmed that a TNI-accredited laboratory should be able to provide information on the factors that he mentioned. Ms. Phillips asked whether these values were measured in reagent water, and Ms. Labie explained that they also should be based on the matrix. Mr. Speis thought that matrix information would be available because of Resource Conservation and Recovery Act (RCRA) requirements; many laboratories have expanded this to include non-RCRA activities as well.

Ms. Lynn Bradley (TNI) said that the purpose of the quality objectives was to fit the minimum data quality needed to meet the analysis requirements of the project. From a quality systems perspective, it is important to involve the laboratory and determine how well the laboratory can perform, but it is not the laboratory's responsibility to set the parameters, which must be completed in consultation. It would be inappropriate for a laboratory to set these values. Dr. Michael Wichman agreed that the parameters are based on each project, but often the clients do not know what limits are appropriate. Ms. Bradley said that the Intergovernmental Data Quality Task Force has a standard QAPP template document that acts as a driver to set the DQOs for a project. Mr. Phillips said that this document had been circulated within the Workgroup.

Ms. Shields asked for clarification about the goal of the DQO effort. Mr. Phillips agreed with Ms. Bradley that it was not appropriate to try to set laboratory MQOs and DQIs that will translate to the project; this is the opposite of what should happen. Establishing these parameters must begin with the data needs and work down to DQIs and MQOs. The goal is that laboratories should be able to provide their current performance information on request, but given Ms. Labie's comments, perhaps this is not an issue for TNI-accredited laboratories. The main goal is to ensure that laboratories are ready to provide the information if it is requested. It is the responsibility of the client project managers to further determine the needs of the project and derive appropriate DQI and MQO parameters from the information. Another goal is to ensure that EPA programs are using the process in the best possible manner. For example, OW knows the quality and level of data that are needed to issue permits and therefore should be able to establish DQIs and MQOs for this work. For most agencies and program offices, using the DQO process is not a problem, but ELAB needs to engage in continued dialogue with OW to make the best recommendations for the office. Potentially the EPA could make recommendations regarding the information that laboratories need to provide in terms of certain DQIs.

Ms. Morgan was not sure that all laboratories know the DQO terminology, particularly outside of TNI. Ms. Shields said that laboratories would understand if they were asked for precision, bias and sensitivity information. Mr. Phillips said that such a request could result in a number of different measures of precision instead of %RSD, so it may be necessary to request specific measures. Ms. Shields thought that OW has done a good job establishing requirements for laboratories to determine precision, accuracy and sensitivity, but it is not clear that OW is applying the DQO process for permitting. Mr. Speis commented that the process is different for OW compared to RCRA programs. RCRA projects are very specific and managed by engineering consultants. He said that it appears as though OW is the project manager for the entire permitting process, so OW should be applying the DQO process to all laboratories that are performing analyses to support OW programs. Mr. Phillips added that the process is applied at the state and local levels within permitting requirements. In response to a question from Ms. Morgan, Mr. Phillips said that the original goal of the Workgroup was to find weak areas in

which the DQO process was not being followed and make improvements. The focus will be on OW, and discussions with the office will be beneficial. Mr. Phillips is ensuring that the Workgroup contacts the appropriate OW staff member using the right approach.

Mr. Phillips reported that the second task on which the Workgroup was working on is the Post Federal Advisory Committee on Detection and Quantitation (FACDQ) Pilot Study Report. The information has been disseminated to the Workgroup members, and Mr. Phillips has acquired the data from the report. The next step is to formally ask the EPA what it needs in terms of data to move the process forward and make revisions to the method detection limits (MDLs) and minimum levels (MLs) for more scientifically accurate data (or data that at least meet the FACDQ-established MQOs). The question is how to accomplish this. The following questions need to be asked: How many methods/parameters are there for which data are needed? Which methods/parameters need data? How many laboratories should participate to establish a data set? What procedure should be followed when evaluating MDLs and MLs versus detection and quantitation limits? Who is responsible for data reduction and processing (i.e., the EPA or a third party)? A first FACDQ pilot study was performed, and these data also may be available to be processed and added. The challenge is determining who to approach within the EPA to initiate this discussion and how to approach this individual (e.g., letter, in-person, telephone).
In response to a question from Ms. Morgan about the original EPA FACDQ representatives, Mr. Phillips said that they (Dr. Richard Reding and Ms. Mary Smith) had retired. Mr. Phillips further explained that they represented OW and the Office of Science and Technology.
Dr. Burrows mentioned Dr. Maria Gomez-Taylor (OW) as a possible contact, although someone more senior might be more appropriate. Ms. Root thought that Ms. Jan Matuszko (OW) or Mr. Robert Wood (OW) might be appropriate contacts, and she will provide Mr. Phillips with their contact information.

Laboratory Management Workgroup

Dr. Jeff Flowers explained that the Laboratory Management Workgroup's main focus is the health of national accreditation, which the Board discussed as a current action needing update/review.

Ad Hoc *Website Workgroup*

Ms. Morgan reported that the Workgroup had generated great ideas, and the design would incorporate the new look of the EPA website. Mr. Speis' son is helping with the logo, which has received positive feedback. The goal is to introduce the website by the following month to obtain final Board feedback before sending it to the EPA to be publicly updated. Mr. Speis asked Ms. Morgan to forward the current prototypes to the full Board. Ms. Root added that there is funding for this project. Ms. Shields commended Mr. Speis' son for his work on the logo.

4. CURRENT ACTIONS NEEDING UPDATE/REVIEW

Mr. Speis reminded the Board members that the goal was to review the 12-page summary document on national accreditation and determine whether changes needed to be made to the document so that it could be developed into a final recommendation to the agency. The Board discussed the operational category during its last meeting, and the goal for this meeting was to complete the review of the economic issues category.

In terms of Section A within the category of economic issues, Dr. Flowers said that Florida had recently altered its stance on its programs, so it may implement a new approach. Mr. Speis asked whether this would change any of the suggested solutions in the summary document, and Dr. Flowers thought that it could. Mr. Speis did not think that the Board should use information that was not generally available. Dr. Flowers said that although the state law was available, implementation currently was unclear, and conceded that Mr. Speis made a good argument. Mr. Speis said that it is necessary to recognize that changes are occurring in Florida, but there is not currently enough information to change the suggested solutions. Dr. Flowers agreed and said that this is a fast-moving topic that could have many changes, and states other than Florida also should be considered. There is a significantly increased amount of uncertainty compared to the past, and this uncertainty is not reflected in the current statement. Mr. Speis noted that suggested solutions do not necessarily translate into final recommendations to the agency, but uncertainty could be ameliorated with EPA leadership. The current discussion is to ensure that the document accurately reflects the feedback obtained from the stakeholders rather than to determine which suggested solutions could be implemented or should be considered for final recommendations.

In terms of Section B, Mr. Speis acknowledged the editorial comment that "pensive" should be changed to "perceive" throughout the document; the error was a result of a spell-check issue.

Ms. Root and Dr. Wichman thought that it would be difficult to eliminate multiple state recognition programs because states include these in their regulations. Mr. Speis reiterated that ELAB does not have to comment on the feasibility of the suggestions; the goal of this discussion is to ensure that the suggestions reflect the input received by the Board. In response to a question from Dr. Wichman, Mr. Speis explained that input had been received from each constituency that ELAB represents. Ms. Labie thought that some state programs might prefer to keep the *status quo* rather than provide a remedy, and that opinion might not be reflected. Dr. Wichman agreed, particularly because these are written into their codes. Mr. Speis agreed that states probably did not respond to the question because they did not have access to other input that requested a change from the *status quo*. Ms. Shields said that states generally perceive secondary accreditation as an economic issue and have not commented on the issue as it is a moot point for them. Dr. Wichman said that the Board must determine why nonparticipating states do not participate. Mr. Speis noted that Ms. Morgan's research indicated that the majority of states use the TNI standards in some manner whether or not they officially participate in TNI accreditation. Ms. Labie said that many smaller states and programs do not possess the capital to invest in accreditation programs.

Dr. Wichman thought that the summary document was driving toward eliminating state programs and moving to third-party accreditation, and he hoped that the document remained objective. Mr. Speis explained that the document was compiled from all of the input that had been received by stakeholders, but Dr. Wichman was not sure whether all of the input was present. Ms. Shields said that the input that Ms. Michelle Wade had received was that states desire more tools and funding from the EPA to implement and subsidize the programs. Not all of the input overlapped; some stakeholders want accreditation taken in a different direction, whereas some do not. The matrix was developed in a manner that might not collect all information. Mr. Speis said that it could not act on information that was not provided.

In response to a comment by Dr. Wichman, Mr. Speis explained that not all of the suggested solutions must be included in the Board's final recommendation to the agency. Dr. Wichman

noted that the responses depend on how the questions to the stakeholders were framed. He is concerned that the Board members did not obtain the input needed to accurately reflect what the stakeholders want based on how the questions were framed. Ms. Shields agreed that this is a valid concern. Mr. Speis also agreed and was concerned that these issues were not raised when the matrix was developed. Dr. Flowers said that ultimately the Board needed to consider all of the information that it had been provided, including the members' own experience. He could not support recommendations outside of current law, and it was not ELAB's responsibility to change the law.

Ms. Morgan wondered whether there was a method that could be employed to indicate which constituent group(s) made each of the suggestions without revealing the specific entities from which the recommendations were obtained. This information could dispel potential questions if readers could identify from which group(s) the comment originated. Ms. Root thought that even the condensed summary document would be challenging to digest; perhaps the Board should add an introduction that explains from which groups the information was obtained. Ms. Morgan agreed that the document needs an introduction if it eventually is published; she thought that denoting which groups suggested each solution also would be beneficial. Mr. Speis thought that a sentence should be included in the introduction that not all constituents provided comments on all issues, and Ms. Morgan agreed.

Ms. Morgan volunteered to develop an introduction to clarify the overall spirit of the document and what it meant to portray so that the information speaks for itself. Ms. Shields suggested that each subgroup review the sections of the summary document that it was assigned to condense and add the group(s) that provided each suggested solution. Dr. Flowers thought that the best method to annotate the document would be for one individual to complete the task. He added that to maintain transparency, the 28-page document could be released if individuals had questions about this document.

Mr. Speis reminded the Board members that the original and summary documents are working documents and are not close to being the final recommendations that the Board will release. He was opposed to including anything that had not been received during the original interviews. Ms. Morgan said that the document would not change except for the introduction and a letter designation indicating which group(s) made each suggestion. Ms. Shields agreed that an introduction was necessary because even the original document does not explain from which groups the information was obtained.

Mr. Eddie Clemons wondered what would be accomplished by included the group designations. Dr. Skip Kingston thought an introduction was necessary, but he did not think that the group designations were, especially given the constituents that he represents (e.g., tribes and universities). Ms. Morgan stated that the Board must be comfortable that the information is being represented in the best manner possible, and she would like to ensure that the majority of the members are in agreement about how the document is portrayed and whether the annotations should be included.

Dr. Flowers moved that Ms. Morgan review the document, develop an introduction, make the group annotations, and attach the original 28-page document as an appendix so that the information is transparent. Mr. Phillips seconded the motion. During the discussion of the motion, the Board members determined that ELAB had previously voted against the release of

raw information to protect the stakeholders, who were not informed at the time of the interviews that their responses might be published. Therefore, the motion needed to be amended to remove the last portion. Dr. Flowers rejected an amendment of his motion because he thought that it was important to be transparent. Dr. Reza Karimi did not tell his stakeholders that information would be published and did not support the motion without such an amendment. Dr. Wichman said that the issue was that the ELAB members were not consistent in their stakeholder interviews and did not disclose that the responses might be shared publicly. Mr. Speis agreed and explained that the stakeholders only were told that the information would be compiled and presented to the Agency as a recommendation. Ms. Morgan called for a vote on the standing motion. The motion did not pass, with eight "no" votes, two "yes" votes, and no abstentions.

Mr. Clemons asked for clarification about the current perceived problem: Was the issue that readers would not know who provided the suggested solutions or that the Board is concerned that the document is biased? Ms. Morgan said that there was disagreement regarding what the compiled document represents. Her opinion is that the summary document accurately represents the original document. It is a summary, not a recommendation, so she did not think that the document needed to be changed. She is more protective of the original document because she is concerned that constituencies were not notified that their comments might be made public. The current discussion should be about what annotations are or are not added to the 12-page summary document. Ms. Root reiterated that she thought that an introduction would be enough, and each suggested solution did not need to be annotated. Dr. Wichman thought there might be confusion regarding those items on which stakeholders did not provide input. Mr. Speis moved that Ms. Morgan draft an introduction for the document and that the Board approve the introduction via email. Mr. Phillips seconded the motion, which passed unanimously. The Board will approve the introduction via email and continue discussing the document during the next meeting.

Ms. Autry stated that, as DFO, she was not supportive of finalizing any portion of the document via email without further conversation because of all of the confusion that the members have expressed. Ms. Morgan said that the motion focused on finalizing the introduction, not the document as a whole, via email. Ms. Autry emphasized that the confusion surrounding the document and the various motions made in the past indicated that no part of the document should be finalized via email. Drs. Karimi and Wichman agreed that all of the confusion indicated that more discussion was needed. Ms. Autry expressed her understanding that the process has been long, and those who have contributed the most effort would like to see the process concluded. Nonparticipation has been a challenging factor in conducting and concluding the effort.
Dr. Karimi thought that the document could be controversial if it was not handled correctly.
Ms. Autry supported an email discussion to help the conversation during the next meeting.
Ms. Morgan asked the members to review the summary document and be prepared to make their comments during the next meeting.

5. UPDATES FROM THE DFO

Ms. Autry thanked Ms. Morgan for her leadership during the past year, including the many accomplishments the Board achieved in the face of challenging issues. Ms. Morgan thanked the members for their involvement and interest on the issues that they have confronted and noted that she has learned a great deal from the ELAB members. The dynamics of the Board have

shown that ELAB can address challenging issues successfully. She was grateful for the opportunity to lead the Board. Dr. Karimi thanked Ms. Morgan for her leadership. Ms. Shields expressed her appreciation and hopes that she can follow in Ms. Morgan's footsteps. The Board contains a good group of people with whom she is eager to work. Ms. Morgan welcomed Ms. Shields to the Chair position, and Ms. Autry explained that she would provide guidance to Ms. Shields via email during her tenure as Chair. Ms. Root will assume the Vice-Chair position.

6. OTHER ITEMS

The Board members did not identify any additional items for discussion.

7. WRAP-UP/REVIEW ACTION ITEMS

There was insufficient time to review the action items, which are included in Attachment C.

8. CLOSING REMARKS/ADJOURNMENT

Determining that there were no more issues to discuss or procedural items to be taken care of, Ms. Shields asked for a motion to adjourn the meeting. Ms. Morgan made the motion, which Mr. Speis seconded. The members voted unanimously to adjourn the meeting at 3:05 p.m.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD
Monthly Teleconference: 866-299-3188/9195415544#
March 21, 2012; 1:00 – 3:00 p.m. (EDT)

Opening Remarks	Autry/Morgan
Approval of February Minutes	Morgan
General Workgroup Activity	
Monitoring Workgroup	Root
Measurement and Technology Workgroup	Phillips
Laboratory Management Workgroup	Flowers
Ad Hoc Website Workgroup	Morgan/Root
Current Actions Needing Update/Review	
- State of National Accreditation	Morgan/Speis
Updates From the DFO	Autry
- Transition Chair/Vice Chair in March	
- Membership Interest	
Other Items	All
Wrap-Up/Review Action Items	Morgan
Closing Remarks/Adjournment	Autry/Morgan

Attachment B

MEMBERSHIP LISTING AND GUESTS

ELAB TELECONFERENCE
March 21, 2012; 1:00 p.m. – 3:00 p.m. EDT

Attendance (Y/N)	Name	Affiliation
Y	Ms. Judith (Judy) R. Morgan (Chair)	Environmental Science Corp. Representing: Commercial Environmental Laboratories
Y	Ms. Aurora Shields (Vice-Chair)	City of Lawrence, Kansas Representing: Wastewater Laboratories
Y	Ms. Lara P. Autry, DFO	U.S. Environmental Protection Agency Representing: EPA
Y	Dr. Richard Burrows	TestAmerica Laboratories, Inc. Representing: Commercial Laboratory Industry
Y	Mr. Eddie Clemons, II	Practical Quality Consulting Services Representing: Clients of QS Services
N	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
Y	Dr. H. M. (Skip) Kingston	Duquesne University Representing: Government Consortiums, Native Americans and Academia
Y	Ms. Sylvia (Silky) S. Labie	Environmental Laboratory Consulting & Technology, LLC Representing: Third Party Assessors
Y	Mr. John H. Phillips	Ford Motor Company Representing: Alliance of Auto Manufacturers
N	Dr. James (Jim) Pletl	Hampton Roads Sanitation District Representing: Municipal Environmental Laboratories
Y	Ms. Patsy Root	IDEXX Laboratories, Inc. Representing: Laboratory Product Developers
Y	Mr. David (Dave) N. Speis	Accutest Laboratories Representing: American Council of Independent Laboratories (ACIL)
N	Ms. Michelle L. Wade	Kansas Department of Health and the Environment Representing: Laboratory Accreditation Bodies
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)	TNI

Attachment C

ACTION ITEMS

1. Ms. Kristen LeBaron will finalize the February 2012 meeting minutes with the discussed change and send them to Ms. Autry via email.

2. In terms of the Measurement and Technology Workgroup's efforts on the FACDQ post pilot study, Mr. Phillips will contact Ms. Autry about potential contacts within the agency, and Ms. Root will email the contact information for those who replaced the retired staff members.

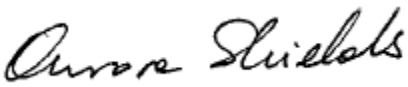
3. Ms. Morgan will send the website and logo prototypes to the Board members via email.

4. Ms. Morgan will re-send the documents devoted to the health of national accreditation to the ELAB members via email as well as create an introduction for the 12-page summary document.

5. The Board members will review the 12-page summary document and be prepared to offer their comments about items C through I in the economic issues category.

Attachment D

I hereby certify that this is the final version of the minutes for the Environmental Laboratory Advisory Board Meeting held on March 21, 2012.



Signature Chair

Ms. Judith R. Morgan

Print Name Chair