

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

**Teleconference: 866-299-3188/9195415544#**

**November 21, 2012; 1:00 – 3:00 p.m. EST**

The U.S. Environmental Protection Agency's (EPA) Environmental Laboratory Advisory Board (ELAB or Board) teleconference was held on November 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. Aurora Shields, Chair of ELAB, and Ms. Lara Phelps, Designated Federal Officer (DFO) of ELAB, welcomed participants to the teleconference and called an official roll of the Board members and guests.

**2. APPROVAL OF OCTOBER MINUTES**

Ms. Shields asked whether the Board members had comments regarding the October 2012 minutes. Mr. John Phillips said that he had submitted comments via email, and they had been incorporated in the most recent version that had been sent to the Board members. Mr. Jack Farrell moved to accept the most recent version of the minutes, and Dr. Mahesh Pujari seconded the motion. The Board approved the October minutes with no discussion and Mr. Phillips' changes.

**3. ORIENTATION FOR NEW BOARD MEMBERS**

Ms. Shields thought that the new Board members would benefit from an orientation that would include information on how ELAB meetings are run and details about prior Board projects. She asked the ELAB members what other topics should be included. Mr. Phillips thought that it would be helpful to provide a documented history of the Board to new members. In response to a comment that a list of Workgroup members would be helpful, Mr. Farrell said that this information was available on the ELAB website. Ms. Shields agreed that the website provides a great deal of information, but it does not answer all of the questions that new members may have. Mr. Farrell belongs to other boards that orient new members with instructor-led PowerPoint presentations about procedures, current issues, and member duties and responsibilities. Such an orientation, potentially via a webinar, would be beneficial for ELAB. The presentation also should include the status of active ELAB projects. In response to a question by Mr. Farrell, Ms. Phelps explained that an administrative meeting could be scheduled at anytime with no advance notice in the *Federal Register* as long as no new topics were introduced and the agenda included only informational topics. Dr. James Seiber thought that this type of meeting should be scheduled as soon as possible.

Dr. Pujari asked which entity was responsible for travel costs to the Board's face-to-face meetings. Ms. Phelps said that the Agency does not have the budget to reimburse travel costs, so the members are responsible for their travel costs. A teleconference line is provided at all face-to-face meetings to facilitate the attendance of those who cannot attend in person. Another mechanism to facilitate in-person attendance is holding Board meetings in conjunction with national meetings. The annual January face-to-face meeting is held in conjunction with the Forum of Laboratory Accreditation, and the annual August face-to-face meeting is held in conjunction with the National Environmental Monitoring Conference. The face-to-face meeting scheduled for January 2013 will be held in Denver, Colorado, and the August 2013 face-to-face meeting will be held in San Antonio, Texas. Mr. Farrell said that the Forum of Laboratory Accreditation allows the members to immerse themselves in laboratory accreditation issues.

Ms. Phelps will schedule a 1-hour administrative meeting for a new-member orientation. Ms. Patsy Root thought that it would be beneficial for a small group to determine which information should be disseminated during the orientation to ensure that the training is as effective as possible and the proper information is available. Mr. Farrell said that an orientation presented in webinar format could be saved to provide a self-led orientation for future members. Ms. Shields, Ms. Root and Dr. Michael Wichman volunteered to plan the orientation, and Mr. Farrell volunteered to help review the materials for the orientation. The group will work via email using the presentation from the August 2012 face-to-face meeting as a starting point.

The Board members discussed the information available on the ELAB website, and Ms. Phelps announced that the website had been updated that week with the most recent information.

#### **4. PROCESS ESTABLISHMENT FOR BUSINESS HANDLED VIA EMAIL**

Ms. Shields read the results of the recent Board votes conducted via email to ensure that they were reflected in the Board's minutes. Regarding the changes to the ELAB website, 10 members voted to accept them with no negative votes. The cover letter for the Board's recommendations to EPA on national accreditation was approved with 14 "ayes" and no "nays." The generic response letter to stakeholder comments on national accreditation was approved with 13 votes to accept and no negative votes.

Ms. Shields noted that the Board needed to determine a process for future voting via email. Ms. Phelps noted that all issues for voting would be discussed via teleconference or at the face-to-face meeting with a quorum present. The Board would never vote via email about any issue that had not been discussed by a quorum of the ELAB members. Ms. Shields added that a quorum of the Board would need to approve an email vote during an ELAB meeting.

Mr. Farrell said that confusion was introduced in the email voting when members recommended changes to a document after other members had voted. Did a new vote need to be taken? He thought that it would be helpful to have a period for comments and changes that closed before any voting was initiated. He thought that editorial changes should not need to be approved, and the ELAB members agreed. The Board discussed various methods for sharing updated documents, including Google Docs and SharePoint, and decided to continue to share via email. Ms. Shields recommended instituting a 1-week comment period prior to voting. Ms. Phelps said

that a PDF version of documents up for voting could be sent to the members following the comment period so that no further changes could be made.

In response to a question from Dr. Dallas Wait, Ms. Phelps explained that she and Ms. Kristen LeBaron of The Scientific Consulting Group, Inc. (SCG) would create a one-pager explaining the email voting process.

A Board member asked whether it was necessary to respond to the entire group when voting. Ms. Shields said that she had received votes privately and those shared with the Board as a whole. Ms. Phelps said that email votes should be sent to the Chair and the DFO, and comments about documents should be sent to the entire Board.

Mr. Farrell moved that the Board adopt the email voting process as discussed (i.e., institute a 1-week comment period and then vote on a PDF version of documents to ensure that all Board members were voting on the same version with no changes) and to use the process to vote on the one-pager, which Ms. Root seconded. The Board voted unanimously to approve Mr. Farrell's motion.

## **5. PROCESS ESTABLISHMENT FOR PUBLISHING DOCUMENTS ON THE ELAB WEBSITE**

Ms. Shields explained that the Board needed to determine which documents would be published to the ELAB website via which procedures. Ms. Phelps said that transparency is necessary, and all issues that the Board discusses can be posted without explicit approval because all ELAB work is always within the public domain. It is, however, beneficial for the Board to determine what information it would like to present on the ELAB website. Final products always should be considered for publication. She thought that informational pieces used to help make decisions and prepare final products should be voted on before being published to the website. These documents can help to provide clarity about the process that the Board followed. Mr. Farrell noted that all of the Board's minutes are approved by the membership and so should be published automatically. He thought that if the Workgroups approve their minutes, then they should automatically be published on the website as well, with the disclaimer that they are not approved by the full Board and do not necessarily reflect a consensus of the ELAB members. He thought that final Board products should be published, and the Board should vote to approve any other documents. Ms. LeBaron clarified that she adds a disclaimer to all Workgroup minutes that indicate that they do not reflect a consensus of the full Board; the Workgroups vote to approve their prior minutes during their teleconferences or via email. Ms. Shields noted that it was difficult to approve the ELAB PowerPoint face-to-face meeting presentation prior to the meetings because there often are last-minute changes. Ms. Phelps said that a disclaimer could be added to PowerPoint meeting presentations indicating that they have not been approved by the Board. Another alternative is to document the presentations via the face-to-face meeting minutes, which Ms. LeBaron has done in the past.

Mr. Lemuel Walker (EPA) asked about the best way to communicate information from the Office of Water (OW) to the ELAB members. Ms. Shields explained that she and Ms. Phelps disseminate all of the information that he sends to the Board members. Mr. Farrell appreciates the background information that he receives and maintains a file to assist him with his

involvement in several different groups. It is very beneficial to refer to this background information when ELAB discusses the issues. Mr. Walker said that he participates in the state assessors' teleconferences, and it would be helpful for ELAB members to examine this information as well. Dr. Wichman, Mr. Farrell and Ms. Michelle Wade indicated that they attend those teleconferences as well. Ms. Shields said that given that three ELAB members generally attend the teleconferences, the Board is very likely to hear about relevant issues. Mr. Farrell commented that he would rather receive pertinent information multiple times rather than not at all, and Ms. Silky Labie agreed.

Mr. Walker said that there would be an upcoming presentation/discussion on Monday, November 26, 2012, about helium, and he wondered whether ELAB would be interested in being a part of the discussion. Ms. Shields explained that ELAB would be focusing on this topic, so she would like at least one person to attend the presentation. Mr. Walker said that it might be possible to present to ELAB about the issue. Ms. Phelps said the Board can invite anyone to present information during its teleconferences at any time. Ms. Wade did not think it would be a problem for ELAB members to attend the presentation/discussion via teleconference, and Ms. Phelps said that a quorum of Board members was not necessary to attend the presentation as it will be discussed by the Board during one of its own meetings. Mr. Farrell suggested obtaining information about the presentation from Ms. Stephanie Drier (Minnesota Department of Health); Ms. Wade promptly contacted Ms. Drier via email during the ELAB teleconference, indicating ELAB's interest in attending, and reported that Ms. Drier had responded and will send the information about the Monday's teleconference to Ms. Phelps and Ms. Shields to be distributed to the Board members. Dr. Wichman added that Dr. Megan Latshaw (Association of Public Health Laboratories) is coordinating the teleconferences.

## **6. GENERAL WORKGROUP ASSIGNMENTS/ACTIVITIES**

Ms. Shields explained that the Laboratory Management Workgroup comprised five members, the Monitoring Workgroup comprised four members, and the remainder of the Board members were assigned to the Measurement and Technology Workgroup. Dr. Robert Miller was added to the Monitoring Workgroup. Ms. Phelps will update the ELAB website with the new Workgroup members. In response to a question from Mr. Dave Speis, Ms. Phelps reported that the website changes that the Board had developed and approved would not be made until at least March 2013 as a result of the current continuing resolution.

Dr. Pujari requested to be a member of the Monitoring Workgroup in addition to the Measurement and Technology Workgroup.

Ms. Shields will send the new Workgroup assignments to the ELAB members via email. In response to a question about how Workgroup chairs are chosen, Ms. Phelps said that the Workgroups handle elections of chairs. She noted that Ms. LeBaron (or an alternate from SCG) is available to attend Workgroup meetings and provide the minutes or other administrative support as necessary.

### ***Monitoring Workgroup***

Ms. Root explained that the Monitoring Workgroup had not met during the transition from the old to new Workgroup membership, and there had been no new information from the Agency

regarding Recreational Water Quality Criteria. In response to a question from Ms. Shields, Ms. Root said that the Workgroup could proceed with the rapid method training recommendation that had been discussed previously.

### ***Measurement and Technology Workgroup***

Mr. John Phillips provided details about the Measurement and Technology Workgroup's current topics of interest, which include working with the Intergovernmental Data Quality Task Force regarding data quality, addressing OW's use of the data quality objective process, and establishing a stakeholder review group to review The NELAC Institute's (TNI) Expert Chemistry Committee's revisions of method detection limits and minimum limits (ML). A fourth topic was added to the Workgroup's agenda during the October 2012 teleconference, which is in regard to using SW-846 methods for wastewater analysis. He hopes to hold the Workgroup's first teleconference call in early December.

Dr. Pujari commented that people interpret the ML in any way that they want. Mr. Phillips said that this issue, including several different definitions, would be addressed by the TNI Expert Chemistry Committee. Dr. Pujari said that interpretation must be uniform. Mr. Farrell said that it would not be a good use of ELAB's time to duplicate the work of other committees, and several Board members agreed. Mr. Phillips said that the stakeholder group that ELAB plans to convene also will provide input.

Mr. Walker said that it is posted on EPA's website that solid waste methods should not be used for Clean Water Act (CWA) compliance monitoring; however, some permits contain solid waste methods. The methods were written as guidance, which presents an issue for quality assurance/quality control. Dr. Wichman asked for clarification that, because SW-846 methods are guidance methods, they are not applicable to CWA analyses. Mr. Walker said that they are not listed in 40 CFR 136 as approved methods. Dr. Pujari thought that 40 CFR 136 was outdated and needed to be revised and updated. He provided examples of how laboratories handle this issue in practice. Mr. Farrell said that 40 CFR 136.6 and 136.7 help provide guidance about flexibility.

Mr. Walker explained that the Agency is updating Methods 608, 624 and 625, including additional analytes. Near final copies of Methods 624 and 625 should be available by mid-January 2013. Mr. Farrell said that ELAB was available to review any documents. Mr. Walker said that he would like the Board's input on the current drafts, which Ms. Shields will re-forward to the Board members via email. In response to a question from Mr. Phillips, Ms. Shields said that the topic may be referred to a Workgroup for further investigation.

Mr. Phillips said that it might be necessary to obtain clarification from OW or the Agency in general regarding whose responsibility it is to develop new analytes or methods to comply with permit requirements. It is his understanding that it is the permittee's responsibility. Mr. Walker said that this was complicated by the fact that certain states have added certain analytes and methods, including solid waste methods, whereas EPA works on a national level. The Board members discussed examples of various states.

Mr. Farrell suggested that the revisions of Methods 624 and 625 be assigned to the appropriate Workgroup with the realization that this is a time-sensitive topic. Ms. Root thought that the

Monitoring Workgroup would be the appropriate group to address this issue. Mr. Farrell thought that the ELAB members should assist with the Agency's review process. Mr. Farrell moved to assign this issue to the Monitoring Workgroup, which Dr. Wichman seconded. The Board unanimously approved the motion.

Ms. Shields asked Mr. Walker to copy Ms. Phelps on all correspondence about this topic. In response to a question from Ms. Root, Mr. Walker said that there was no official docket for this issue. Once the methods revision is complete, it will need to be published in the *Federal Register*. The Board members were excited to be able to provide input during the revision process.

### ***Laboratory Management Workgroup***

Mr. Speis explained that the Laboratory Management Workgroup had finished its efforts on national accreditation and had not taken up any new issues. Ms. Phelps said that Dr. Michael Shapiro (EPA) had written a letter acknowledging the Agency's receipt of the Board's recommendations. The letter also will serve to notify the Board that Ms. Phelps is convening a small group of members of the Forum on Environmental Measurements (FEM) to discuss ELAB's recommendations. Two or three FEM members plan to attend the Board's December meeting to ask clarifying questions and then develop a response to the report, which ELAB can expect to receive in February. The Board should receive Dr. Shapiro's letter shortly.

Mr. Speis volunteered to lead the first meeting of the new Laboratory Management Workgroup, during which a new chair and vice-chair will be elected.

## **7. LETTERS FROM DR. MICHAEL SHAPIRO/FEM**

Ms. Shields explained that Dr. Shapiro had requested (via letter) ELAB's assistance in examining the helium issue. Ms. Phelps explained that the Agency had convened an analysis group of experts on helium methods, and they all agreed that they have heard rumors rather than actual facts about problems and issues. Currently, only one office within the Agency has offered a statement regarding this issue. No data or information has been provided to EPA that will compel the Agency to take additional steps. The Agency would appreciate any definitive facts about a true helium shortage that ELAB could glean from its stakeholder community, including any potential problems that such a shortage would cause. Dr. Richard Burrows reported that his vendors only will commit to providing helium at 90 percent of the level of the previous year. Their reason is that because of the helium shortage, they are trying to distribute the supply among as many customers as possible. Ms. Phelps said that this type of information would be useful to the Agency. The other piece is to determine what difficulties and problems a shortage will cause for the laboratory community and identify potential solutions or alternate carrier gases.

Ms. Shields said that the issue had many layers, including supply, cost, technical aspects and whether alternate carrier gases can provide the quality control required by the methods. The real driver is to present data to EPA to help the Agency determine whether a change is needed. Ms. Phelps agreed that this would be the primary purpose of the effort. Ms. Shields thought that the issue should be assigned to a Workgroup. Mr. Farrell thought that this issue was cross-cutting in terms of Workgroup assignments, and it could be divided among them. Mr. Speis thought that

the Measurement and Technology Workgroup had a full agenda so components could be assigned to the Laboratory Measurement and Monitoring Workgroups. Mr. Farrell seconded Mr. Speis' motion that finance and shortage issues be addressed by the Laboratory Management Workgroup, and the Monitoring Workgroup address the technology issues. The Board approved the motion unanimously.

## **8. NEW TOPICS/ISSUES FOR CONSIDERATION**

Mr. Farrell asked whether an agenda had been developed for the January 2013 ELAB face-to-face meeting. Ms. Shields thought that one should be developed to be discussed during the December meeting. In response to a question, Ms. Phelps explained that she attempts to publish the agenda on the ELAB website when practical. To ensure that the agenda is available in the printed meeting program, Mr. Jerry Parr (TNI) requires it 1 month prior to the meeting. The Board members discussed potential items to include in the agenda, including a short discussion on ELAB's accomplishments during the past year and current issues the Board is undertaking. A historical perspective was provided during the August 2012 face-to-face meeting. Ms. Shields will provide a straw agenda to the members so that it can be discussed via email prior to the next ELAB meeting. Dr. Seiber said that a historical perspective would be helpful for the new Board members. Ms. Shields agreed with Mr. Farrell that it was good to remind the community of the work that Board has undertaken and the subsequent results.

## **9. UPDATES FROM THE DFO**

Ms. Phelps did not have any additional updates to share with the ELAB members.

## **10. WRAP-UP/REVIEW ACTION ITEMS**

Ms. LeBaron reviewed the action items identified the meeting, which are included in Attachment C.

## **11. CLOSING REMARKS/ADJOURNMENT**

Dr. Wichman moved to adjourn the meeting, which Mr. Phillips seconded. The meeting was adjourned at 2:50 p.m.

## **Attachment A**

### **AGENDA ENVIRONMENTAL LABORATORY ADVISORY BOARD**

Monthly Teleconference: 866-299-3188/9195415544#

November 21, 2012; 1:00 – 3:00 p.m. (EST)

Opening Remarks	Phelps/Shields
Approval of October Minutes	Shields
Orientation for New ELAB Members	Shields
Process Establishment for Business Handled via E-mail	Shields
Process Establishment for Publish Documents on the ELAB Website	Shields
General Workgroup Assignments/Activities	Shields
Monitoring Workgroup	
Measurement/Technology Workgroup	Phillips
Laboratory Management Workgroup	
Letters From Dr. Michael Shapiro/FEM	Phelps/Shields
New Topics/Issues for Consideration	Shields
Updates From the DFO	Phelps
Wrap-Up/Review Action Items	Shields
Closing Remarks/Adjourn	Phelps/Shields



**Attachment B****MEMBERSHIP LISTING AND GUESTS****ELAB TELECONFERENCE****November 21, 2012; 1:00 p.m. – 3:00 p.m. EST**

<b>Attendance (Y/N)</b>	<b>Name</b>	<b>Affiliation</b>
Y	Ms. Aurora Shields (Chair)	City of Lawrence, Kansas Representing: Wastewater Laboratories
Y	Ms. Patsy Root (Vice-Chair)	IDEXX Laboratories, Inc. Representing: Laboratory Product Developers
Y	Ms. Lara P. Phelps, DFO	U.S. Environmental Protection Agency Representing: EPA
Y	Dr. Richard Burrows	TestAmerica Laboratories, Inc. Representing: Commercial Laboratory Industry
Y	Ms. Patricia M. Carvajal	San Antonio River Authority Representing: Watershed/Restoration
Y	Mr. John (Jack) E. Farrell, III	Analytical Excellence, Inc. Representing: The NELAC Institute (TNI)
Y	Ms. Ruth L. Forman	Environmental Standards, Inc. Representing: Large Third-Party Assessors
Y	Ms. Sylvia (Silky) S. Labie	Environmental Laboratory Consulting & Technology, LLC Representing: Third Party Assessors
N	Ms. Susan L. Mazur	Florida Power and Light Representing: Utility Water Act Group
N	Dr. Robert O. Miller	Colorado State University Representing: Soil and Agronomy Community
Y	Mr. John H. Phillips	Ford Motor Company Representing: Alliance of Automobile Manufacturers
Y	Dr. Mahesh P. Pujari	City of Los Angeles Representing: National Association of Clean Water Agencies (NACWA)
Y	Dr. James N. Seiber	University of California, Davis Representing: Academic and Research Communities
Y	Mr. David (Dave) N. Speis	QC Laboratories Representing: American Council of Independent Laboratories (ACIL)
Y	Dr. A. Dallas Wait	Gradient Representing: Consumer Products Industry
Y	Ms. Michelle L. Wade	Kansas Department of Health and the Environment Representing: Laboratory Accreditation Bodies
Y	Dr. Michael D. Wichman	State Hygienic Laboratory at the University of Iowa Representing: Association of Public Health Laboratories (APHL)

<b>Attendance (Y/N)</b>	<b>Name</b>	<b>Affiliation</b>
Y	Ms. Kristen LeBaron (Contractor)	The Scientific Consulting Group, Inc. (SCG)
Y	Mr. Martin Hyman (Student Contractor)	EPA
Y	Ms. Lynn Bradley (Guest)	TNI
Y	Mr. Stuart Magoon (Guest)	City of Takoma Environmental Services Laboratory
Y	Mr. Lemuel (Lem) Walker (Guest)	EPA/OW

## **Attachment C**

### **ACTION ITEMS**

1. Ms. LeBaron will finalize the October 2012 meeting minutes and send them to Ms. Phelps via email.
2. Ms. Phelps will schedule an administrative teleconference for new member orientation. Ms. Shields, Ms. Root, Dr. Wichman and Mr. Farrell will work on materials for the orientation.
3. Ms. Phelps and Ms. LeBaron will develop a one-pager regarding ELAB's email voting procedure, which will be approved by ELAB using the process.
4. Ms. Shields will send the new Workgroup assignments to the ELAB members via email, and Ms. Phelps will update the Workgroup information on the ELAB website.
5. Ms. Shields will provide a straw agenda to the members so that it can be discussed via email prior to the next call.
6. The Monitoring Workgroup will work on revisions to Methods 624 and 625 and the technical aspects of the helium issue. Ms. Shields will re-forward the information that she received from Mr. Walker regarding Methods 624 and 625 to the Board members.
7. The Laboratory Management Workgroup will work on the financial and shortage aspects of the helium issue.

## Attachment D

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



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Signature Vice-Chair

Ms. Patsy Root

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Print Name Vice-Chair