

**Summary of the NELAP Accreditation Council Session
Forum on Laboratory Accreditation, San Antonio, TX
Tuesday, January 10, 2023 1:00 pm Central**

1. Welcome and Introductions

Kristin welcomed everyone to the meeting and asked each of the AB representatives to introduce themselves. Attendance is noted in Attachment 1.

2. Updates from NELAP ABs

The primary agenda items (see Attachment 2) were updates from each of the NELAP AB representatives about two items – current implementation status of the 2016 TNI EL Standard and expected (or actual) implementation plans for the 2021 Method Update Rule (MUR) – and then a discussion of remote assessments, including plans for future operations. State responses to these items are displayed in the three separate tables below.

Implementation Plans for 2016 TNI ELS Standard – 1/10/2023		
State	Process for Implementing the New Standard	(Anticipated) Implementation Date
FL	FL adopted the TNI 2016 Standards by regulation on September 26, 2018. Laboratories were granted a grace period until April 1, 2019, to implement the new standards	Fully implemented on April 1, 2019
IL	Full implementation on January 31, 2020	January 31, 2020
KS	Rulemaking not yet finalized but definitely updating to the 2016 Standard. Allows labs to upgrade now and is assessing to 2016 Standard even though 2003 NELAC standard is still the official version	2023?
LA DEQ	Implemented 2016 Standard in August 2022 and is transitioning now	August 2022
MN	Full implementation of 2016 Standard accomplished.	January 2021
NH	Regulation finalized on November 23, 2021	March 1, 2022
NJ	Incorporated into regulation by reference	January 31, 2020
NY	Implemented 2016 Standard effective March 22, 2022.	March 22, 2022
OK	The rulemaking proposal to implement the 2016 standard was approved and is effective September 15, 2022.	September 15, 2022
OR	Implemented 2016 Standard effective January 1, 2021	January 1, 2021
PA	Incorporated into regulation by reference, all labs are required to have the 2016 standard implemented by July 2020.	January 31, 2020
TX	Incorporated into regulation by reference. Implementation has gone well.	January 31, 2020
UT	Rulemaking complete, 2016 standard implemented.	June 11, 2021
VA	Regulation updated. Implementation in November 2022.	November 1, 2022

State	Implementation Plans for 2021 Method Update Rule – 1/10/23
FL	Now using MUR methods for most labs, as FL DEQ set an implementation date of July 2021.
IL	MUR is implemented as is the 23 rd edition of Standard Methods. Working on certifying new methods now.
KS	Working with permitting authority (KS Bureau of Water) to determine date. Still uncertain. KS is allowing updated method versions on request.
LA DEQ	MUR was implemented July 2022, and the department will accept data from older methods until August 2023. Labs are not charged for submitting updated MUR methods, only new methods.
MN	Is accrediting new methods on request, will soon have all certified. MN PCA wants compliance with MUR by January 2023.
NH	NH DES has not set implementation. AB is accrediting MUR methods on request.
NJ	MUR implementation date was July 1, 2022.
NY	Fully implemented this MUR on April 1, 2022.
OK	The rulemaking proposal to implement the 2021 MUR was approved June 21, 2022, and went into effect September 11, 2022. Not all labs are yet accredited for the updated methods. However, certificates were issued prior to that time, so the certificates will be updated by September 2023.
OR	State regulations reference “current federal regulations”. OR DEQ permit writers will implement this as a rolling implementation, and labs will update methods as they renew accreditations. AB will work with labs for NPDES methods and intends to enforce requirements during the coming year.
PA	All labs are using the most current method as of December 31, 2022. PA is granting an exception for our primary VA labs since VA has a tentative date in 2023.
TX	The Water Quality Division decides on implementation and has not yet done so, but the AB is encouraging labs to upgrade to the latest methods.
UT	MUR is implemented and labs can request certification for updated methods.
VA	VA DEQ must update its rule but no timeline estimate is available. Is requesting that labs upgrade their methods voluntarily.

State	Use of Remote Assessments by NELAP ABs – 1/10/2023
FL	Ceased remote assessments after June 2021 and resumed in-person site visits. Has an SOP for remote assessments in place, should it be needed.
IL	All assessments are in-person, on-site now.
KS	All assessments are in-person, but remote assessments are being defined, in case it becomes necessary.
LA DEQ	Never allowed remote assessments, but more documents reviews are being done off-site when conditions warrant remote assessments.
MN	All assessments done by third party assessors and remote assessments ceased in July 2021. All assessments are current.
NH	All assessments are in-person unless a situation like a COVID outbreak occurs and we are instructed by management not to go out in public for an extended period of time. May use remote assessments on rare occasions, such as with

	follow-up to an on-site assessment. May use remote assessments for simple analyte accreditation addition requests where the laboratory has a history of performing the method correctly. New technologies and major changes in personnel typically require an on-site assessment.
NJ	All in-person, on-site assessments, although a remote assessment is occasionally done for addition of a new method.
NY	NYS is only performing in-person assessments as of September 2022. Remote assessments may be utilized. Defined criteria would determine if a remote assessment could be performed.
OK	Currently, all primary TNI labs are receiving in-person assessments, but we have developed an SOP for remote assessments if needed.
OR	Primarily using on-site assessments but has a permanent rule in place to allow remote assessments under the Governor's emergency declaration. For lab relocations, is using remote facility inspections. Is open to integrating remote assessments into future planning if agreed to by the NELAP AC and EPA's drinking water program.
PA	PA is implementing a hybrid assessment program to include performing an onsite assessment once every three assessment cycles with the two assessment cycles having remote assessments. PA is currently conducting onsite assessments on an as needed basis if a laboratory is struggling with compliance and experiencing multiple notice of violation (NOV) for serious violations. PA has conducted one onsite assessment in 2022 for serious violations.
TX	Performing in-person assessments but with data reviews done off-site to minimize exposure times; will reschedule in outbreak situations.
UT	In-person assessments for all labs. May use remote assessments if necessary, and is using them for method updates.
VA	Has an SOP for making risk-based decisions on use of remote assessments, per CDC guidance, with a required supplemental on-site assessment when safe if the scheduled assessment is a second remote in a row.

3. Status of Evaluations

The 2019-2022 evaluation cycle is wrapping up and a new cycle has begun (2023 – 2025). There are now three Lead Evaluators, contracted to TNI, and each team has a state AB representative. Additionally, several state AB representatives have volunteered to serve on the teams for the non-governmental AB (NGAB) evaluations during 2023. In response to a question, Kristin noted that all NELAP evaluations will continue to be virtual (remote), and one of the Lead Evaluators noted that the additional value of a site visit is not justified by the additional cost to TNI. NELAP personnel do not know whether the NGAB evaluations will be remote or not, but those will be performed in conjunction with the NEFAP and PTPEC evaluations.

4. Discussion

One commenter noted that, seeing changes in the participants of the Accreditation Council and increasing differences in the various AB operations, it might be helpful to establish a training program for AB program managers. Several current AB managers enthusiastically supported this proposal.

Another comment was that all ABs should be requiring the same processes for internal audits, and this is not presently the case. This same commenter requested that TNI establish an ombudsman to supplement the various state appeals processes, since

sometimes, clients get different responses depending on which AB accredited a particular lab.

An AB representative noted that one AB uses Survey Monkey to get “honest” feedback from labs about assessors.

Another AB staff person asked the Council to please consider revisiting its policy that assessor performance not be included as part of the evaluation. Currently, evaluators are limited to determining whether assessors follow the SOP, but not all aspects of the assessor’s performance. Another commenter noted that ABs do ask for feedback beyond specific deficiencies, for instance, whether the findings in assessment reports match the actual citations, and that perhaps this could be done when the “Technical Review” checklist is updated.

5. Next Meeting

The next scheduled teleconference meeting of the NELAP AC is scheduled for **Monday, February 6, 2023, at 1:30 pm Eastern**. An agenda and documents will be provided in advance.

Attachment 1

STATE	REPRESENTATIVE	PRESENT
FL	Carl Kircher E: carl.kircher@flhealth.gov	No
	Alternate: Vanessa Soto E: Vanessa.sotocontreras@flhealth.gov	Yes
IL	Millie Rose T: 217-557-0220 E: mildred.rose@illinois.gov	Yes
	For information purposes: Dave Reed E: Dave.Reed@Illinois.gov	No
	For information purposes: John South E: john.south@illinois.gov	No
	For information purposes: Shirlene South E: shirlene.south@illinois.gov	No
KS	Carissa Robertson Carissa.Robertson@ks.gov (785) 291-3162	Yes (phone)
	Alternate: Paul Harrison paul.harrison@ks.gov (785) 296-1656	No
	For information purposes: N. Myron Gunsalus 785-291-3162 E: myron.gunsalus@ks.gov	No
	For information purposes: Amy Suggitt Amy.Suggitt@ks.gov	No
LA DEQ	Tramecha Rankins E: tramecha.rankins@la.gov 225-219-3247	No
	Paul Bergeron E: paul.bergeron@la.gov	Yes (phone)
MN	Lynn Boysen E: lynn.boysen@state.mn.us	No
	Alternate: Stephanie Drier T: 651-201-5326 E: stephanie.drier@state.mn.us	Yes (phone)
	For Information only: Windsor Molnar Windsor.Molnar@state.mn.us	No

NH	Brian Lamarsh (603) 271-2998 F: (603) 271-5171 Brian.M.Lamarsh@des.nh.gov	Yes
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NJ	Michele Potter T: (609) 984-3870 F: (609) 777-1774 E: michele.potter@dep.nj.gov	Yes
	Alternate : Rachel Ellis E: rachel.ellis@dep.nj.gov	No
NY	Amy Steuerwald 518-473-0748 E: amy.steuerwald@health.ny.gov	Yes (phone)
	Alternate: Gretchen Welfinger Gretchen.Welfinger@health.ny.gov	Yes (phone)
	For Information only: Derek Symula derek.symula@health.ny.gov	No
OK	Ryan Lerch Ryan.Lerch@deq.ok.gov (405) 702-1020	Yes
OR	Travis Bartholomew T: 503-693-4122 E: travis.j.bartholomew@dhsosha.state.or.us	Yes
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	Included for information purposes: Ryan Pangelinan E: Ryan.pangelinan@dhsosha.state.or.us	No
PA	Annmarie Beach E: anbeach@pa.gov T: 717-346-8212	Yes
	Alternate: Amber Ross ambross@pa.gov	No
TX	Steve Gibson (512) 239-1316 Steve.Gibson@tceq.texas.gov	Yes (phone)
	Jody Koehler (512) 239-1990 Jody.Koehler@tceq.texas.gov	No

UT	Kristin Brown T: (801) 965-2540 F: (801) 965-2544 E: kristinbrown@utah.gov	Yes
VA	Cathy Westerman T: 804-648-4480 ext.391 E: cathy.westerman@dgs.virginia.gov	Yes (phone)
	Alternate: Shane Wyatt shane.wyatt@dgs.virginia.gov	No
NELAP AC PA and EC	Lynn Bradley T: 540-885-5736 E: lynn.bradley@nelac-institute.org	Yes (phone)
EPA Liaison	Michella Karapondo Karapondo.michella@epa.gov	No
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NV	Michael Antoine mantoine@ndep.nv.gov	No