

**Summary of the NELAP Accreditation Council Meeting
Monday, October 2, 2023 1:30 pm Eastern**

1. Welcome and Introductions

Kristin welcomed everyone to the meeting. Attendance is recorded in Attachment 1. The minutes of September 11, 2023, were approved by unanimous vote after making one change (to delete a comment that was unclear) following a motion by Lynn Boysen, seconded by Cathy, with Carl abstaining.

2. Renewal of Recognition for Oklahoma

Carl moved to accept the recommendation of the evaluation team to renew the recognition of Oklahoma as a NELAP AB, and Travis seconded. Eleven votes were cast during the meeting, with OK abstaining, and two additional votes were cast by email, with the final vote arriving on October 6. The vote tally is presented in the table below.

State AB	Vote		State AB	Vote
FL	Yes		NY	Yes
IL	Yes		OK	Abstain
KS	Yes		OR	Yes
LS	Yes		PA	Yes
MN	Yes		TX	Yes
NH	Yes		UT	Yes
NJ	Yes		VA	Yes

3. Update on Ombudsman

Kristin and Lynn explained that this issue was raised to the Board in May, after the Council’s discussion, and planned for discussion there at a later date, which was the September Board meeting. After the Board’s discussion, Task Force of volunteers met on September 29 and determined to ask the Board for permission to conduct a survey of all TNI members to obtain information about the issue. The proposed survey will seek to either confirm or invalidate the hypothesis that numerous complaints about TNI activities are not being raised through the existing mechanisms for resolving such complaints, possibly due to fear of retaliation from the purported offending party.

Kristin asked if any states have an ombudsman role in existence and we noted that six states do not identify a complaint mechanism to be listed on the NELAP AB webpage listing contact information for ABs. One state has already updated its information.

Participants expressed support for a “data driven process” in making the decision about whether an ombudsman role is desirable for TNI, and Kristin asked that any additional comments be sent to her and to Lynn Bradley.

4. Additional Feedback on Technical Specialist Language

After the discussion at the September 11 meeting, Kristin had asked that any additional comments be sent to her before she responded to QMS Expert Committee’s request. Several ABs submitted additional comments, one with a request for further discussion, but after seeing all of the additional comments, that

request was dropped. Kristin explained that she intends to send all comments to QMS, without seeking to identify and/or resolve any conflicts between different sets of comments. She will also request that the final draft of this section be provided to the Council for review prior to publication of the actual Draft Standard V1M2 for comment. QMS representatives may also request to discuss the comments with the Council at a future meeting.

A brief discussion ensued about whether and how an AB should establish criteria for allowing exceptions to the Technical Specialist competency requirements that will be included in the standard. Some ABs still foresee difficulties for labs in identifying potential employees who meet the defined requirements, and anticipate many requests for exemptions. In response to a question, Michella noted that the Certification Manual does allow state programs to make exceptions, but that the program then accepts any risks that might emerge after doing so, and she noted that the drinking water program awaits the final language of the standard as a possible improvement to its current guidance as the Manual undergoes revision.

One additional question raised was whether competency requirements for laboratory top management should be established, but only minimal discussion ensued.

5. Vote on Revised General Operations SOP 3-100

This SOP needed to be updated to reflect that the NELAP Voting SOP is obsolete and has been replaced with a TNI Voting SOP 1-102. This will also qualify as the 5-year review for this SOP. Paul Bergeron moved and Annmarie seconded that the revised SOP be approved and the vote was unanimously in favor. The revision has been sent to Policy Committee for review and approval.

6. New Business

One AB noted that Aldrich (formerly RTI) is ceasing its PT services as of January 2024. This particularly impacts dioxins, furans and PCBs, but others offered that ERA still offers dioxins for drinking water and multiple PTPs offer PCB congeners. Also, Millipore/Sigma will stop PTs in 2024 (unclear if these are the same company).

Michella expressed the Agency's frustration that PTs for asbestos in drinking water are unavailable, except through NY State, and the NY PTs are available only to NY accredited labs. The National Technology Transfer Act prohibits EPA from providing PTs itself. In response to a question, she also noted that the finalization of the PFAS proposed rule is still in the deliberative phase but the agency hopes to publish a final rule by the end of calendar 2023.

7. Next Meeting

The next teleconference meeting of the NELAP AC is tentatively scheduled for **Monday, November 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	Yes
	Alternate: Vanessa Soto E: Vanessa.sotocontreras@flhealth.gov	no
IL	Millie Rose T: 217-557-0220 E: mildred.rose@illinois.gov	No
	For information purposes: Dave Reed E: Dave.Reed@Illinois.gov	No
KS	Carissa Robertson Carissa.Robertson@ks.gov (785) 291-3162	No
	Alternate: Paul Harrison paul.harrison@ks.gov (785) 296-1656	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
MN	Lynn Boysen E: lynn.boysen@state.mn.us	Yes
	Alternate: Stephanie Drier T: 651-201-5326 E: stephanie.drier@state.mn.us	Yes
	For Information only: Windsor Molnar Windsor.Molnar@state.mn.us	Yes
NH	Brian Lamarsh (603) 271-2998 F: (603) 271-5171 Brian.M.Lamarsh@des.nh.gov	Yes
	Alternate: Bill Hall T: (603) 271-2998 E: george.hall@des.nh.gov	No

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
	Alternate: Gretchen Welfinger Gretchen.Welfinger@health.ny.gov	No
	For Information only: Derek Symula derek.symula@health.ny.gov	No
OK	Taryn Hurley Taryn.hurley@deq.ok.gov (405) 702-1006	Yes
	Alternate: Ryan Lerch Ryan.Lerch@deq.ok.gov (405) 702-1020	No
OR	Travis Bartholomew T: 503-693-4122 E: travis.j.bartholomew@dhsosha.state.or.us	Yes
	Alternate: Lizbeth Garcia 971 865 0443 E: Lizbeth.garcia@dhsosha.state.or.us	No
	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
TX	Jody Koehler (512) 239-1990 Jody.Koehler@tceq.texas.gov	No
	Steve Gibson (512) 239-1316 Steve.Gibson@tceq.texas.gov	Yes
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

	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
EPA Liaison	Michella Karapondo Karapondo.michella@epa.gov	Yes
CA	Christine Sotelo Christine.Sotelo@waterboards.ca.gov	No
	Christopher Hand Christopher.Hand@Waterboards.ca.gov	Yes
NV	Michael Antoine mantoine@ndep.nv.gov	No

Attachment 2

Recommendation of LASEC to NELAP AC TNI Standard V1M3 Final Standard: Asbestos Testing Recommendation Approved by LASEC September 7, 2023

The LASEC has reviewed the Final Standard for Asbestos Testing, Volume 1 Module 3, with particular attention to the suitability criteria itemized in the LASEC Standards Review for Suitability SOP 3-106, which are that it is:

- Auditable
- Implementable
- Understandable
- Improvement over previous version
- Clearly written -- only one possible interpretation of the language
- Enforceable
- Clearly defined responsibilities
- Economically advantageous to labs and/or ABs

Based on this review, LASEC finds that the Final Standard V1M3 is suitable for adoption and implementation by the NELAP Accreditation Council, once incorporated into the Final Volume 1 when the other modules of V1 are finalized.