

**SUMMARY OF THE
ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING
Teleconference: 866-299-3188/9195415544#
July 15, 2009; 1:00 – 2:00 PM**

The Environmental Laboratory Advisory Board (ELAB or Board) regular teleconference was held on July 15, 2009 from 1:00 to 2:00 PM EDT. The agenda and attachments for this meeting are provided as Attachment A, a list of meeting participants is provided as Attachment B, and action items are included as Attachment C. The official signature of the Chair or Vice-Chair is included as Attachment D.

AGENDA ITEMS:

1. OPENING REMARKS/ROLL CALL

Ms. Lara Autry opened the teleconference for ELAB. She stated that due to technical difficulties and flight plans, she will have to leave the call early. Ms. Lynn Bradley has agreed to help facilitate the call and act as Designated Federal Official (DFO) when Ms. Autry has to leave. Because Dr. Jeff Flowers was not able to attend the meeting, Mr. Dave Speis, the Board's Vice Chair, is moderating the meeting.

2. REVIEW AND APPROVAL OF JUNE MEETING MINUTES

A few changes were noted for the June 17 ELAB Meeting Minutes. On page 7 of the document, Mr. Michael Wichman commented that a statement made by himself beginning "Mr. Kingston asked Ms. Autry about..." was incorrectly attributed to Mr. Skip Kingston. Additionally, because Mr. Speis also moderated the June Meeting, his name will need to replace Dr. Flowers on the signature page so he can sign the document once completed. Mr. Orval Osborne initiated the motion to accept the minutes as amended. Mr. Wichman seconded the motion and the minutes were passed unanimously after a vote was called by Mr. Speis.

3. FOLLOW-UP ON KEY TOPICS

A. August ELAB Meeting Agenda

Mr. Speis stated that the August 10, 2009 San Antonio Meeting agenda was discussed in detail during the previous Board meeting and has been posted in a number of venues. Ms. Autry added that the agenda has been posted to the NEMC and TNI Web sites and should be available on the ELAB Web site by the end of this week. Mr. Wichman asked if the agenda could be posted on the Association of Public Health Laboratories (APHL) Web site, as well. Ms. Autry replied that since this agenda is now Board approved, it can be posted publicly wherever the Board members deem appropriate.

Mr. Speis stated that the Board members should be clear on their individual assignments and tasks in preparation for this meeting. The meeting has been broken up into two sections: general workgroup updates and the presentation of the TNI/OW Standard Comparison before the morning break, and review the activities with SW-846 and the policy document being discussed by the ELAB Tiger Team and the Office of Resource Conservation and Recovery (ORCR). The agenda leaves 15 minutes for discussion and questions from the public before lunch. Ms. Autry added that while each presentation does not need to be officially approved by ELAB, these materials should be circulated amongst the members prior to the meetings for comment.

B. ORCR Meeting With Tiger Team

Mr. Speis then led the discussion of the impending meeting between ORCR and the Tiger Team in their continued effort to address the issues involving the Office's SW-846 methods. An outline for the presentation for the San Antonio ELAB face to face meeting has been drafted and Mr. Speis hopes to complete his portion in the next three or four days. It could be available for Board distribution early the week of July 20, 2009.

He summarized the teleconference that took place on July 6 between the Tiger Team and ORCR in which the groups talked about the next iteration of ORCR policy document. The Tiger Team advocated that methods that were replaced or updated be withdrawn and that ORCR issue official dates for withdrawal. The Tiger Team also recommended eliminating methods that did not function according to their purpose. However, ORCR is firm in its stance that SW-846 is a guidance document. Any guidance (methods etc.) that ORCR has released in the past will remain as a document and any method can be used so long its application can be justified. Revisions that change QC requirements and create operational conflicts between method versions will continue to exist. The Tiger Team believes these are two key unresolved issues that cause problems for users and regulators. Keeping older versions active helps users understanding better ways to apply the revisions.

The Tiger Team and ORCR also discussed the team's version of the policy document. ORCR wrote some changes into the document and further clarified the alternative method acceptance process. The Tiger Team and ORCR are beginning the next iteration of the policy document in preparation for their San Antonio conference presentations. Mr. Speis has prepared this next iteration, which has been distributed to the Tiger Team and Ms. Kirkland. The parties are reviewing the document. It has also been shared with the Office of General Council (OGC) for comment. The Tiger Team and ORCR will meet again in another teleconference before the meeting in San Antonio to agree on what will be available to present at the conference.

As a whole the ELAB's work with ORCR is moving along well and quickly. While ORCR has not accepted all of the Tiger Team's recommendations, Mr. Speis believes good information has been included in the new policy that will help users understand how

to use the SW-846 compendium of methods provided by ORCR. Ms. Autry added that the Tiger Team needs to present a final document to the Board for review and approval and ELAB must transmit the document with their formal recommendation to ORCR as a final work product of the Board. There cannot be an official opinion or recommendation from ELAB until this final document is created and endorsed by the Board. Mr. Speis replied that a final product of this type will likely be prepared after the San Antonio meeting.

Mr. Jeff Lowry asked for clarification about ORCR's refusal to discontinue obsolete or older versions of methods. Mr. Speis stated that because the compendium is guidance, the use of previous guidance cannot be precluded. Even if a method is withdrawn, it still must remain available as a guidance document. Mr. Lowry then asked about the use of methods found to be scientifically unsound. Mr. Speis replied that if a user were to choose such a method, it would have to be validated for their purpose. Language to this affect has been added to the policy document. Users who choose to implement a method that is no longer listed in the compendium do so at their own risk. Since these methods were once part of the EPA record, they must remain part of the record. They may not be posted with the active methods but can be found if a user specifically looks for them on the SW-846 methods page of EPA's Web site. If the methods were no longer available on the ORCR Web site, then it will not be intuitive for future method users where to find withdrawn methods. Dr. Karimi replied that the withdrawn methods won't be visible on the Web site but a user can find them if they search for them. Mr. Lowry commented that this development is disheartening. Ms. Judy Morgan added that there are data that were generated by these methods, so the methods need to remain available to know what was done during the analysis. Mr. Lowry replied that the outdated methods should be changed as the Tiger Team suggested so people understand why they were withdrawn.

Mr. Speis stated that the Board will need to keep the SW-846 method issues as an important topic. In the course of method development, if a methodology is continually changed and the quality control requirements are altered, then the issues ELAB is dealing with today will continue to confuse method users. This means that ELAB must remain diligent and continue to work with ORCR on the methods issue, even if there is a new policy in place. One accomplishment of the dialog with ORCR is that updated methods that result in a change in data quality or comparability receive a new numerical designation.

C. TNI Standard Comparison with Drinking Water Program

Mr. Gary Dechant led the discussion of the TNI/Drinking Water Program standard comparison. He stated that at this point, the workgroup is about two-thirds of the way through the comparison document. Two meetings are scheduled for July, which should allow the group to finalize discussion of all the items before the face to face meeting in San Antonio. It may not be ready to be formally presented to the Board at that point, but it will be close. The presentation he plans to give at the August meeting is currently being reviewed by the workgroup and he will distribute this to the Board once it is finalized.

Mr. Speis complimented Mr. Dechant on the progress his workgroup has made with the comparison document.

D. Proficiency Test Frequency Update/Discussion

Mr. Lowry stated that there has been no change since the previous meeting. The final report from the PT Frequency Subcommittee should go to the PT Expert Committee by the end of July. The PT Frequency Subcommittee is having a meeting on Friday to vote on the report, after which it will be submitted to TNI. Once this report is completed, Mr. Lowry will distribute the document to the Board. There will be active discussion at the San Antonio meeting. Mr. Lowry commented that the subcommittee's report will likely suggest that there are insufficient data available to change requirement on PT frequency.

4. WORKGROUP UPDATES/ASSIGNMENTS (OLD AND NEW)

A. Monitoring Workgroup

Ms. Morgan stated that there have been no new developments regarding her workgroup since the previous meeting. The group is still waiting on information from groups within the EPA.

B. Measurement & Technology Workgroup

Mr. Lowry's report is included in the Proficiency Test Frequency Update/Discussion.

C. Laboratory Management Workgroup

Please see the TNI Standard Comparison with Drinking Water Program discussion above.

Mr. Lowry asked what will happen to the Tiger Team once they have completed their work with ORCR. Mr. Speis stated his expectation that members of the Tiger Team will participate in their original workgroups. There will be a few remaining issues with the SW-846 methods, but those should be handled by the Board as a whole.

5. GENERAL UPDATES FROM THE AGENCY

Because Ms. Autry was no longer available, so this part of the agenda was not discussed.

6. REVIEW ACTION ITEMS/ASSIGNMENTS

Mr. Dave Speis led the discussion of current action items for the Board members. Everyone should continue to work on their materials in preparation for the San Antonio

meeting and distribute these to the Board for review prior to the meeting. The Tiger Team will work on the next iteration of the policy document from ORCR and work to get the policy document closer to completion before the NEMC conference meeting. The Tiger team will also need to generate a final document concerning the ORCR policy for the Board's review and endorsement.

Mr. Dechant asked which ELAB members will be present at the San Antonio meeting. Mr. Speis then asked the group who will not be present. Mr. Vitale, Mr. Osborne, and Mr. Jim Pletl stated that they will not be in San Antonio, but plan to call in for the meeting. Mr. Speis added that he is sure Mr. Jack Farrell and Dr. Jeff Flowers will be present. The meeting will have a quorum to conduct official business.

Mr. Speis also reviewed the action items from the previous meeting. Ms. Autry did distribute the minutes from the Board meeting in June, which have been approved. The ORCR meeting was coordinated, however, Mr. Speis was not sure if Mr. Jack Farrell has formally invited Ms. Kirkland as of yet. The Monitoring Workgroup action item is still in progress. Ms. Autry did discuss the letter sent by ELAB at the most recent FEM meeting. She is also continuing to handle incoming messages from the ELAB Web site. In addition, everyone attending the San Antonio meeting in August should have made all necessary arrangements for the NEMC Conference in San Antonio.

7. CLOSING REMARKS/ADJOURN

Mr. Speis asked for comments from the guests in attendance. There were none. He stated that the next ELAB meeting would take place in San Antonio on August 10 and adjourned the meeting.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD
Monthly Teleconference: 866-299-3188/9195415544#
July 15, 2009; 1:00 - 3:00 pm (ET)

Opening Remarks	DFO/Chair
Roll Call of ELAB Members and Identification of Guests	Chair
Review/Approval of June Minutes	Chair
Follow-up on Key Topics	All
- August ELAB Meeting Agenda	All
- ORCR Meeting w/Tiger Team	Tiger Team
- TNI Standard Comparison with Drinking Water Pgm	Dechant
- Proficiency Test Frequency Update/Discussion	Lowry
Workgroup Updates/Assignments (Old and New)	All
General Updates from the Agency	DFO
Review Action Items/Assignments	Chair
Closing Remarks/Adjourn	DFO/Chair

MEMBERSHIP LISTING AND GUESTS

ELAB MEETING

July 15, 2009; 1:00 – 2:00 PM EDT

Attendance (Y/N)	Name	Affiliation
N	Dr. Jeff Flowers (Chair)	City of Maitland Florida Representing: Elected Officials of Local Government
Y	Mr. David (Dave) N. Speis (Vice Chair)	Accutest Laboratories Representing: American Council of Independent Laboratories (ACIL)
Y	Ms. Lara P. Autry, DFO	US Environmental Protection Agency Representing: EPA
Y	Dr. Richard Burrows	Test America Inc. Representing: Commercial Lab Industry
Y	Mr. Gerald (Gary) Dechant	Analytical Quality Associates, Inc. Representing: Data Users
N	Mr. John (Jack) E. Farrell, III	Analytical Excellence, Inc. Representing: The NELAC Institute (TNI)
Y	Dr. Reza Karimi	Battelle Memorial Institute Representing: Non-profit Research and Development Organizations
N	Dr. H. M. (Skip) Kingston	Duquesne University Representing: Government Consortiums, Native Americans, and Academia
Y	Mr. Jeffrey (Jeff) C. Lowry	Environmental Resource Associates Representing: Proficiency Testing Providers
Y	Ms. Judith (Judy) R. Morgan	Environmental Science Corp. Representing: Commercial Env. Lab.
Y	Mr. Orval Osborne	Creek Environmental Laboratories, Inc. Representing: Small Laboratories/Native Americans
N	Mr. Glenn (Joe) J. Pardue, Jr.	Pro2Serve Representing: Clients of QS Services
Y	Dr. Jim Pletl	Hampton Roads Sanitation District Representing: Municipal Env. Lab.
N	Ms. Nan Thomey	Environmental Chemistry, Inc. Representing: Owners Full Service Labs
Y	Mr. Rock Vitale	Environmental Standards, Inc. Representing: Third Party Assessors
Y	Dr. Michael D. Wichman	University of Iowa Hygienic Laboratory Representing: Association of Public Health Laboratories (APHL)
Y (Guest)	Ms. Jennifer Colby	Eastern Research Group, Inc (ERG)

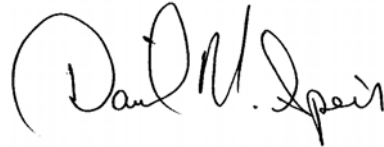
Attendance (Y/N)	Name	Affiliation
Y (Guest)	Dr. Raymond Merrill	Eastern Research Group, Inc. (ERG)
Y (Guest)	Ms. Lynn Bradley	EPA/OEI
Y (Guest)	Ms. Patsy Root	IDEXX Laboratory
Y (Guest)	Ms. Paula Hogg	HRSD

ACTION ITEMS

- Board members will continue to work on their materials for the NEMC meeting in August and distribute these materials to the Board for review prior to the meeting.
- The Tiger Team will work on the next iteration of the policy document with ORCR.
- The Tiger Team will develop a final recommendation document on issues discussed with ORCR for ELAB approval.
- Mr. Jeff Lowry will distribute a copy of the final PT Subcommittee Report to the Board.

Attachment D

I hereby certify that these are the final version of minutes for the Environmental Laboratory Advisory Board Meeting held on July 15, 2009.

A handwritten signature in black ink, appearing to read "David N. Speis". The signature is written in a cursive style with a large initial "D".

Signature Vice Chairman

Mr. Dave Speis

David N. Speis

Print Name Vice Chairman