

## **Summary of the NELAP Accreditation Council Meeting August 3, 2020**

### **1. Welcome and Introductions**

Kristin welcomed everyone to the call. Attendance is noted in Attachment 1. The minutes of July 6 were approved.

### **2. Discussion of LA DOH Regulation Change**

On July 16, Grant had contacted Lynn to ask what was required for LA DOH to officially withdraw from NELAP, and provided a list of its out-of-state accredited labs. The AB's management did not allow Grant to discuss the matter prior to this contact. Lynn immediately brought Kristin and Jerry Parr into the conversation, but it was obvious that there was no chance of reversal, with publication of a regulatory change already scheduled for August 20. Kristin requested that Grant have his supervisor discuss the withdrawal at the August 3 Council meeting, and that discussion as well as the questions and responses are summarized below.

Grant explained that the primary reason for the withdrawal decision was the cost to accredit the out of state laboratories and their limited resources since the drinking water laboratory closed after Katrina, stating that they need to use existing resources in monitoring the laboratory performing drinking water analyses for LA DOH. The existing certificates for NELAP accreditations expire on December 31, 2020, and laboratories were notified on July 21 of the change in status.

- There was a public comment period about the rule change, but obviously not all impacted parties were notified of this action. LA DOH removed references to NELAP but retained the program requirements in its new regulation.
- Most NELAP ABs will be able to continue secondary recognition of labs with valid certificates until those certificates expire, although MN indicated that they may not be able to do so. MN noted that there would no longer be a primary AB to address complaints or concerns for enforcement.
- MN asked if LA DOH was going to issue new scope and certificates to their laboratories without the NELAP seal. Grant stated that they were not planning to issue new scope and certificates after August 20.
- LA DOH had planned to perform on-site assessments after August 20 for the two labs that are overdue since pandemic forced rescheduling, but once LA DOH is no longer a recognized NELAP AB, this would be meaningless to other NELAP ABs.
- Most but not all of the out-of-state NELAP-accredited labs are dual primaries, seeking accreditation for non-regulated contaminants from LA DOH. Two of the labs are in TX (which has the first primary accreditation for them), and TX does not renew its certificates until March 2021, so that some accommodation would need to be made. Other than the two TX labs, other on-site assessments are up-to-date.
- Kristin reported that NH reached out to all labs, but their response is unknown. FL noted that all of the labs could apply to FL while their certificates are valid, with 18 months of PT data, and schedule a site assessment with one of Florida's third party assessors in order to remain accredited.
- NJ and NY cannot accredit labs that do not report data to their state programs.
- LA DOH will automatically roll over its in-state labs to state certification, even though those labs are not performing drinking water testing for Louisiana.

- LA DOH has all PT data readily available to share with new AB for all of its labs.

Participants agreed to modify the Mutual Recognition Policy POL 3-100 in effort to ease this transition for LA-accredited labs while facilitating the handling of any potential future withdrawals, and then to vote on the revision by email.

NOTE 1: after the meeting, a revision of POL 3-100 was offered for comment, and after a day for comments, a motion and second were offered to approve the revision on August 10. At that point, an edit was requested and discussion ensued, followed by the motion and second being rescinded that same day. A revised version was offered for comment, and MN responded that after further review, there was essentially nothing that the Council can write into a policy that will make it possible to continue secondary accreditation for the LA DOH-accredited lab reporting data to MN. At that point, the question of revising the policy became somewhat less urgent, and discussions are on-going at the time of completing these minutes.

NOTE 2: after the meeting, Grant emailed a letter signed by Richard Tulley, the Louisiana Public Health Laboratory Director, formally notifying the NELAP Accreditation Council of LA DOH's withdrawal, effective August 20, 2020. The letter was sent to Kristin and also to Jerry Parr, as well as EPA Region 6 and to Dan Hautman, OGWDW.

### **3. Approval of Evaluation SOP 3-102 Revision about Remote Site Visits**

With time expiring, Lynn briefly explained the draft revision, and that both the NELAP evaluators and LASEC had reviewed the document, and recommended adoption. It seemed best to make this a roll call vote, so Carl moved and Travis seconded that the document be approved. All eleven ABs present voted in favor, and an email vote was requested from the four absent members. When the voting closed on Monday, August 17, there were 14 votes in favor of the revision, with PA not voting.

### **4. Approval of Revised Standards Review and Acceptance SOP 3-103**

The document was reviewed to ensure conformance with the revised Standards Development SOP 2-100, but required only minor revisions. The revised SOP was first introduced for the July meeting, but time expired before it could be addressed then. Participants agreed that this SOP could be approved as a matter of general business. Cathy moved for approval and Ken seconded, and approval was unanimous.

### **5. Approval of Revised SCM and NPW FoPT Tables**

The modified tables were circulated for review on July 8. Only minor edits were made to the footnotes, in response to a complaint filed with PTPEC, and the implementation date was already set as October 1, 2020. As a matter of accreditation, approval of the FoPT tables required a roll call vote. Celeste moved for approval and Michele seconded, and the votes were cast by email. With the final vote received on August 5, approval was unanimous with no abstentions. The Chair of PTPEC was notified that day of the Council's approval.

### **6. OR Request for Clarity about WET Accreditations**

Travis posed this question in April, and has been patiently waiting for time on the agenda, but time was expired so the issue will again wait. Kristin committed to making it the first agenda item for the September meeting.

**7. Next Meeting**

The regularly scheduled date of the next teleconference meeting would be Labor Day, Monday, September 7, 2020. The Chair asks that the **alternative date be Tuesday, September 8, with the usual time, 1:30 pm Eastern**. The agenda and documents will be provided in advance.

**Attachment 1**

STATE	REPRESENTATIVE	PRESENT
FL	Carl Kircher E: <a href="mailto:carl.kircher@flhealth.gov">carl.kircher@flhealth.gov</a>	Yes
	Alternate: Vanessa Soto E: <a href="mailto:Vanessa.sotocontreras@flhealth.gov">Vanessa.sotocontreras@flhealth.gov</a>	No
IL	Celeste Crowley T: 217-557-0274 F: 217-524-6169 E: <a href="mailto:celeste.crowley@illinois.gov">celeste.crowley@illinois.gov</a>	Yes
	Alternate: Dave Reed E: <a href="mailto:Dave.Reed@Illinois.gov">Dave.Reed@Illinois.gov</a>	No
	For information purposes: John South E: <a href="mailto:john.South@illinois.gov">john.South@illinois.gov</a>	No
KS	Paul Harrison E: <a href="mailto:paul.harrison@ks.gov">paul.harrison@ks.gov</a>	Yes
	Alternate: N. Myron Gunsalus T: <a href="tel:785-291-3162">785-291-3162</a> E: <a href="mailto:ngunsalus@ks.gov">ngunsalus@ks.gov</a>	No
LA DEQ	Kimberly Hamilton-Wims T: 225-219-3247 E: <a href="mailto:Kimberly.Hamilton-Wims@la.gov">Kimberly.Hamilton-Wims@la.gov</a>	Yes
	Altérnate: Elizabeth West E: <a href="mailto:elizabeth.west@la.gov">elizabeth.west@la.gov</a>	no
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	Alternate: Scott Miles E: <a href="mailto:Scott.Miles@la.gov">Scott.Miles@la.gov</a>	No
MN	Lynn Boysen E: <a href="mailto:lynn.boysen@state.mn.us">lynn.boysen@state.mn.us</a>	Yes
	Alternate: Stephanie Drier T: 651-201-5326 E: <a href="mailto:stephanie.drier@state.mn.us">stephanie.drier@state.mn.us</a>	No
NH	Bill Hall T: (603) 271-2998 F: (603) 271-5171 E: <a href="mailto:george.hall@des.nh.gov">george.hall@des.nh.gov</a>	No

	Alternate: Brian Lamarsh <a href="mailto:Brian.Lamarsh@des.nh.gov">Brian.Lamarsh@des.nh.gov</a>	Yes
NJ	Michele Potter T: (609) 984-3870 F: (609) 777-1774 E: <a href="mailto:michele.potter@dep.nj.gov">michele.potter@dep.nj.gov</a>	Yes
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NELAP AC PA and EC	Lynn Bradley T: 540-885-5736 E: <a href="mailto:lynn.bradley@nelac-institute.org">lynn.bradley@nelac-institute.org</a>	Yes
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California	Christine Sotelo <a href="mailto:Christine.Sotelo@waterboards.ca.gov">Christine.Sotelo@waterboards.ca.gov</a>	Eric Yee, substitute attendee
Guests:	Jessica Guillory, LA DOH Supervisor of NELAP Program Manager <a href="mailto:Jessica.Guillory@LA.GOV">Jessica.Guillory@LA.GOV</a>	