

US EPA ARCHIVE DOCUMENT

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

Teleconference: 866-299-3188/9195415544#

March 18, 2015; 1:00 – 3:00 p.m. EDT

The U.S. Environmental Protection Agency's (EPA) Environmental Laboratory Advisory Board (ELAB or Board) teleconference was held on March 18, 2015. 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. ROLL CALL/INTRODUCTION OF GUESTS

Ms. Patty Carvajal, Chair of ELAB, and Ms. Rachel McIntosh-Kastrinsky (on behalf of Ms. Lara Phelps, Designated Federal Official of ELAB) welcomed participants to the teleconference and called an official roll of the Board members and guests.

2. APPROVAL OF FEBRUARY MINUTES

Ms. Carvajal asked whether any members had comments regarding the February face-to-face meeting minutes; there were none. Dr. Henry Leibovitz moved to accept the minutes, and Mr. Michael Flournoy seconded the motion. The Board approved the February minutes unanimously with no changes and one abstention.

3. UPDATES ON CURRENT TOPICS

Method Update Rule (MUR)

Ms. Carvajal reported that the MUR had been published in the *Federal Register*, and the MUR Task Group has drafted a response letter with comments. Ms. Carvajal had sent the letter to the Board members the day prior to this meeting. In response to a question by Ms. Aurora Shields, Ms. Carvajal stated that the Board's comments are due to EPA no later than April 20. Therefore, the Board will need to vote on the letter via email. Ms. Shields moved that ELAB vote via email on the letter to EPA regarding the MUR, and Mr. Flournoy seconded the motion. Mr. Flournoy asked for clarification on the voting process, and Ms. Carvajal indicated that the vote would be a majority (consensus) of the Board. The motion passed unanimously.

Mr. Flournoy explained that he has concerns about the MUR proposals regarding method detection limits (MDLs), which may place a significant burden on laboratories. Ms. Shields noted that this issue could be added to the letter, and she agreed that the proposal will result in increased costs for laboratories. The proposed MUR improves what currently is in place but does not resolve the MDL issue. She also thought that it would be helpful to request an extension to provide comments given the length and complexity of the MUR.

Dr. Mahesh Pujari noted that the pH requirement of 4–5 for acrolein and acrylonitrile methods was not removed in the proposed MUR. Ms. Carvajal stated that this concern could be added to the letter.

The Board discussed a justification for requesting an extension to the comment period, which has been set at the standard 60 days. Ms. Shields noted that because there are major changes for three methods and the MDL, the community needs additional time to review the MUR.

Ms. Michelle Wade observed that extensions had been granted in the past. Dr. Dallas Wait thought that the complexity of the MUR was sufficient justification to request an extension. Ms. Silky Labie suggested issuing a deadline for the Board members to provide comments; the group agreed on April 6 as the deadline. Mr. Flournoy suggested that ELAB members also obtain comments from their organizations.

Ms. Shields suggested that the MUR Task Group incorporate all of the comments that it receives into one document that the Board can review. She also recommended that Ms. Kristen LeBaron provide an edit of the final document before it is sent to EPA. Mr. Flournoy agreed with these suggestions, noting that the Task Group included in the letter EPA's language as well as the Task Group's suggested changes. Ms. LeBaron will collate all of the comments so that the Board members can review them in one document.

Ms. Shields asked whether the Task Group would be meeting via teleconference to further discuss the comments. Ms. Carvajal indicated that the group would be meeting the following day at 2:00 p.m. CDT. Because the Task Group is at a limit in terms of not exceeding the quorum, other Board members will not be able to attend. Ms. LeBaron will attend and provide the remaining ELAB members with highlights from the teleconference.

Ms. Carvajal clarified for Dr. Wait that the current Board membership, with the recent losses, now is 13 individuals, which allows six ELAB members to serve on Task Groups without violating the quorum of seven.

Polychlorinated Biphenyls (PCBs)

Dr. Mahesh Pujari explained that he has been speaking to Mr. Adrian Hanley (EPA), and when he receives the grant, which has been funded, he will know more about how many laboratories can be involved within the next month. At that point, Mr. Hanley plans to invite the PCB Task Group members to work with him.

Acrolein and Acrylonitrile Methods

Dr. Pujari noted that the Board had requested that EPA remove the pH requirement of 4–5 for acrolein and acrylonitrile methods, but the requirement was not changed in the most recent MUR. He is unsure whether the Agency considered the Board's letter on the subject as there was no official response from the Agency. In regard to a question from Dr. Wait, Dr. Pujari explained that EPA was provided data to support the Board's request. He will resend the letter with the justification data to the Board members. Dr. Leibovitz asked whether the requirement was the same in other EPA methods (e.g., SW-846). Dr. Pujari did not think that SW-846 included this requirement. Dr. Leibovitz will send the SW-846 instructions regarding sample preservation to the Board members. He recommended that the Task Group contact the Method Information

Exchange, which often can provide historical context or a rationale. Ms. Labie examined the preservation tables in the MUR, and the footnote indicates that pH adjustment is not required if acrolein will not be measured. This is different than the original footnotes, and she thought that a concession had been made in other footnotes. Later in the teleconference, Dr. Wait indicated that he had received the SW-846 information from Dr. Leibovitz regarding preservation of volatile organics, and it specifically states that chemicals should not be added to reactive compounds, with a list. It is important that the Board be able to see the original justification data.

Methods Harmonization

Dr. Wait explained that with the recent losses, his Task Group only has four members. The purpose of the effort is to examine methods for similar types of analytes within different EPA offices and determine whether there are differences in the methods about which ELAB could recommend harmonization. Those methods about which the Board can be persuasive in justifying harmonization will be broached with the Agency. The current focus includes seven areas, which are identified in the document that the Task Group provided to the Board members in January 2015. Although the Board previously had provided comments on Methods 608, 624 and 625 to improve the technical capabilities of the methods, the comments did not address harmonization, so the Task Group plans to briefly review these methods to determine whether there are harmonization recommendations that the Board can provide about volatile and semivolatile compounds. The Task Group is seeking additional members.

Interagency Data Quality Task Force (IDQTF)/Data Quality Objectives (DQO) Process

Dr. Leibovitz had contacted one of the EPA coordinators of the IDQTF, Mr. Doug Maddox, but did not hear back from him. Dr. Leibovitz then informed Ms. Phelps, who indicated that she will be speaking to an IDQTF member from the U.S. Navy (Dr. Jordan Adelson) and suggested that the Task Group wait until she has spoken with him. After this, the Task Group can request a meeting with him via teleconference to discuss how laboratories can contribute their expertise to the DQO process and Quality Assurance Project Plan development.

Qualification of Drinking Water Data

Ms. Carvajal explained that the discussion of this topic at the face-to-face meeting had been robust. Although the original request was regional, this topic will have a nationwide impact. She believes that the Forum on Environmental Measurements (FEM) is the appropriate contact at the Agency, but Ms. Phelps will need to confirm this. Ms. Labie and Ms. Shields noted that Methods 608, 624 and 625 indicate, in section 15.6.2.3, that data cannot be reported if all of the quality control measures are not met. Ms. Shields reported that this had been discussed at a recent NELAP Accreditation Council meeting, at which someone indicated that the Drinking Water Certification Manual states that qualified data are not acceptable. Ms. Labie thought that it would be helpful to approach the source to increase the Board's understanding. Ms. Shields will send the minutes from the NELAP Accreditation Council meetings at which this issue was discussed to the ELAB members. Ms. Carvajal would like the Board to provide input on any guidance on this issue. Dr. Leibovitz would like to see the discussion include the areas of qualifying data between the reporting and detection limits, in addition to quality controls, to determine whether they should be qualified as well. Laboratories are hesitant to report estimated values. Qualifying

data reported to state or municipal programs that are reported below the quantitation limit are considered to be estimated concentrations. Without a qualifier in the report, the data may be misused. Laboratories should not be held to standards that vary depending on the situation. Ms. Shields thought that the future direction would be toward not being allowed to report any qualified data. Ms. Labie referred the Board members to Comment 1, Section A, regarding suggested edits to Methods 608, 624 and 625.

Mr. Flournoy noted that the “perfect data” scenario never will work. Being able to assess whether the data meets the requirements and ensure that there are no adverse impacts to data quality should be the criteria to which laboratories are held. Dr. Liebovitz said that laboratories will have situations in which it is difficult not to qualify the data as well as situations in which the reverse is true. In terms of estimated values, laboratories will find it difficult not to qualify data.

Ms. Shields and Ms. Carvajal noted that the initial topic has become more broad, and the Board needs to identify the most appropriate Agency personnel with whom to discuss this topic so that ELAB can begin to address it. Mr. Flournoy said that the major issue is that laboratory flexibility was being decreased as states are being given more responsibilities without proper training. Ms. Shields agreed, adding that it puts additional pressure on permittees and municipalities as well. Ms. Carvajal explained that the next step for the Task Group is to determine, with Ms. Phelps, the most appropriate Agency contact.

In-Line and On-Line Monitoring

Mr. Flournoy explained that the Task Group had met twice. The goal is to identify a solution or guidance so that EPA can allow in-line and on-line monitoring for compliance. The Task Group identified questions to determine the root issues: Is this topic too broad? What are the specific technologies implicated in the document? The Task Group is exploring available information from vendors. The issue may come down to each permit and whether the technologies are acceptable to meet the permit requirements. The Task Group has examined some methods, 40 CFR 136.6 and Method 150.2. Ms. Barbara Escobar (Federal Emergency Management Agency) has been involved in the effort and has been helpful regarding equipment manufacturer guidelines. The group is examining how manufacturers already are qualifying instrumentation with calibration to determine whether there are recommendations that the Board can make to EPA regarding whether it should allow data from these equipment for compliance (i.e., recommended guidelines for calibration and whether results generated by monitors meets the various needs).

4. NEW TOPICS/ISSUES FOR CONSIDERATION

Ms. Shields thought that it might be beneficial to discuss with Ms. Phelps whether additional Board members are needed to address all of the current topics on which ELAB is working. Ms. Carvajal noted that the MUR Task Group will be ending within in the next 2 months, and these members can focus on other issues then. Each ELAB member must be involved to complete the Board’s current tasks. Ms. Phelps has indicated that she can put out a call for additional members. Dr. Wait said that the Board needed to consider whether the members

serving on the Task Groups that will be ending soon are able to assist with the other topics. Also, ELAB will receive more requests to address additional issues. Ms. Carvajal said that with the current Board composition, future requests would need to be tabled until ELAB could address them properly.

Ms. Carvajal asked what the Board members thought about putting out a call for additional members. Dr. Leibovitz wondered how often really complex topics reach ELAB. Ms. Shields responded that the MUR is released every 3 years, but other requests could be received from the Agency or the environmental laboratory community at any time, so it is hard to predict when a complex topic could be presented to the Board. Dr. Wait indicated that the Methods Harmonization Task Group has some flexibility in its deadline, but he would appreciate additional help as members become available so that the topic is not delayed for too long. Ms. Shields said that the qualification of data was included in the MUR, so there is a short time for this topic to be addressed. Ms. Carvajal will need to discuss with Ms. Phelps the process for adding new members. Ms. Wade thought that, if it is not too difficult, the process should be started. Ms. Shields noted that Task Groups can request outside help, which would negate the need to initiate the membership process.

5. WRAP-UP/REVIEW ACTION ITEMS

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

6. CLOSING REMARKS/ADJOURNMENT

Mr. Flournoy moved to adjourn the meeting; Dr. Leibovitz seconded the motion. The meeting was adjourned at 2:32 p.m.

Attachment A

AGENDA
ENVIRONMENTAL LABORATORY ADVISORY BOARD

Monthly Teleconference: 866-299-3188/9195415544#

March 18, 2015; 1:00 – 3:00 p.m. (EDT)

Roll Call/Introduction of Guests	Carvajal/LeBaron
Approval of February Minutes	Carvajal
Updates on Current Topics	All
Method Update Rule: Root	
Polychlorinated Biphenyls: Pujari	
Methods Harmony: Wait	
Interagency Data Quality Task Force/Data Quality Objectives Process: Leibovitz	
Qualification of Drinking Water Data: Carvajal	
In-Line and On-Line Monitoring: Flournoy	
Acrolein and Acrylonitrile Methods: Pujari	
New Topics/Issues for Consideration	
Wrap-Up/Review Action Items	Carvajal/LeBaron
Closing Remarks/Adjournment	Carvajal

Attachment B**MEMBERSHIP LISTING AND GUESTS****ELAB TELECONFERENCE****March 18, 2015; 1:00 p.m. – 3:00 p.m. EDT**

Attendance (Y/N)	Name	Affiliation
Y	Ms. Patricia (Patty) M. Carvajal (Chair)	San Antonio River Authority Representing: Watershed/Restoration
Y	Dr. A. Dallas Wait (Vice-Chair)	Gradient Corporation Representing: Consumer Products Industry
N	Ms. Lara P. Phelps, DFO	U.S. Environmental Protection Agency Representing: EPA
Y	Dr. Michael (Mike) Delaney	Massachusetts Water Resources Authority Representing: Massachusetts Water Resources Authority
Y	Mr. Michael Flournoy	Eurofins Environment Testing USA Representing: American Council of Independent Laboratories
Y	Mr. Keith Greenaway	ANSI-ASQ National Accreditation Board Representing: The NELAC Institute
N	Dr. Deyuan (Kitty) Kong	Chevron Energy Technology Company Representing: Chevron
Y	Ms. Sylvia (Silky) S. Labie	Environmental Laboratory Consulting & Technology, LLC Representing: Third-Party Assessors
Y	Dr. Henry Leibovitz	Rhode Island State Health Laboratories Representing: Association of Public Health Laboratories
Y	Dr. Mahesh P. Pujari	City of Los Angeles Representing: National Association of Clean Water Agencies
N	Ms. Patsy Root	IDEXX Laboratories, Inc. Representing: Laboratory Product Developers
N	Dr. James N. Seiber	University of California, Davis Representing: Academic and Research Communities
Y	Ms. Aurora Shields	City of Lawrence, Kansas Representing: Wastewater Laboratories
Y	Ms. Michelle L. Wade	Kansas Department of Health and the Environment Representing: Laboratory Accreditation Bodies

Attendance (Y/N)	Name	Affiliation
Y	Ms. Kristen LeBaron (Contractor)	The Scientific Consulting Group, Inc. (SCG)
Y	Ms. Rachel McIntosh-Kastrinsky (EPA ASPPH Fellow)	EPA
Y	Mr. Joe Lapcevich (Guest)	First Energy
Y	Ms. Penny Shamblin (Guest)	Hunton & Williams, LLP

Attachment C

ACTION ITEMS

1. Ms. LeBaron will finalize the February meeting minutes and send them to Ms. Phelps via email.
2. Board members will provide comments on the MUR letter to Ms. Carvajal and Ms. Root no later than close of business on April 6, 2015.
3. Ms. LeBaron will collate all of the Board comments on the MUR letter into one document for the Board to review.
4. The Board will vote on the letter to EPA regarding the MUR via email.
5. Ms. Carvajal will contact EPA regarding an extension to provide comments on the MUR.
6. Ms. LeBaron will attend the MUR Task Group teleconference and provide the remaining ELAB members with highlights from the teleconference
7. Dr. Pujari will resend to the Board members the letter to EPA requesting removal of the pH requirement of 4–5 for acrolein and acrylonitrile methods, which includes the justification data.
8. Dr. Leibovitz will send the SW-846 instructions regarding sample preservation to the Board members.
9. Board members interested in joining the Methods Harmonization Task Group will contact Ms. Carvajal or Dr. Wait.
10. Ms. Shields will send the October and November 2014 NELAP Accreditation Council meeting minutes to the ELAB members.
11. Ms. Carvajal will send the updated Task Group list to the Board members.

Attachment D

I hereby certify that this is the final version of the minutes for the Environmental Laboratory Advisory Board Meeting held on March 18, 2015.



Signature Chair

Ms. Patricia M. Carvajal

Print Name Chair