

US EPA ARCHIVE DOCUMENT



ENVIRONMENTAL LABORATORY ADVISORY BOARD MEETING

Monthly Teleconference: 202-991-0477/7939251#, May 15, 2019; 1:00 – 3:00 p.m. ET

MEETING SUMMARY

The U.S. Environmental Protection Agency's (EPA) Environmental Laboratory Advisory Board (ELAB or Board) teleconference meeting was held on May 15, 2019. The agenda for this meeting is provided as Attachment A, a list of meeting participants is provided as Attachment B, and action items are included as Attachment C. The official certification of the minutes by the Chair or Vice-Chair and the Designated Federal Officer is included as Attachment D.

ROLL CALL/ INTRODUCTION

Mr. Mike Flournoy called the meeting to order and called roll.

APPROVAL OF THE PRIOR MINUTES

Mr. Flournoy motioned to approved minutes, as most recently edited, and the motion was passed. Dr. Francoise Chauvin abstained from voting, because she was not present at the previous meeting.

OPENING REMARKS AND UPDATES FROM THE DFO

Dr. Tom O'Farrell reminded everyone to mute their phone lines when not speaking to ensure a quality recording of the meeting.

TASK GROUP UPDATES ON CURRENT TOPICS

User-Generated Mass Spectral Library Acceptance Criteria

In Dr. Brian Buckley's absence, Mr. Flournoy and Ms. Deb Waller updated ELAB on this topic. Ms. Waller has previously raised concerns regarding the use of alternative tuning criteria from SW-846 for wastewater methods. SW-846 is guidance and state certification dictates the methods that are used. Ms. Waller wanted to ensure that Adrian Hanley (EPA) knew who raised the concerns and why. Mr. Flournoy received communication from Adrian Hanley that ELAB is the only entity that raised this concern, and for this reason, he believes this is not a widespread issue. Ms. Waller would like Adrian Hanley and Lemuel Walker to address this issue in the future.

Acrolein and Acrylonitrile Preservation

Mr. Brad Meadows updated ELAB on this topic. The ACIL ESS is open to sponsoring the study. ACIL ESS proposed that ELAB write a letter to the EPA Office of Water (OW) to recommend OW work with ACIL to design the study and get data. Dr. O'Farrell recommended ACIL contact OW themselves, and CC the ELAB task group.

Ms. Deb Waller presented concerns about ELAB charter not allowing any type of solicitation, including the letter ELAB is creating to solicit laboratory participation through ACIL. She also raised concerns about soliciting laboratories through ACIL being too exclusive. To resolve this concern, Mr. Meadows volunteered to draft a letter to EPA to expand the solicitation to laboratories that are not ACIL members. After approval from the Board, the letter will be sent it to Dr. O'Farrell, and then forwarded to OW.

Dr. O'Farrell proposed timing the letter to be sent when ACIL is ready to contact EPA. Mr. Meadows has a committee meeting, in which they can put together a timeline. The timeline will provide ELAB insight on the best time to send the letter.

Dr. Leibovitz recommended ELAB inform APHL about the project.

Dr. Delaney reiterated his interest in having his laboratory participate in the study.

Mr. Flournoy proposed moving this topic to inactive after the letter is completed.

600-Series Methods

Dr. Henry Leibovitz will meet with the task group on May 30th to discuss this topic. They are going to continue the discussion regarding the list of comments Dr. Delaney compiled on the the method update rule of the 600 series method.

OGWDW Guidance on Drinking Water MDLs

Mr. Flournoy motioned to vote on the current letter on this topic, and the motion was passed. Mr. Flournoy will send the letter to Dr. O'Farrell for distribution.

IDOC Requirements

Dr. Chauvin finalized the letter. Mr. Flournoy motioned to vote on the letter for this topic, and the motion was passed, with one abstention by Ms. Waller.

Inactive Topics

a) Whole Effluent Toxicity PT Standards

Dr. Delaney updated ELAB on this topic. Greg Savitske, the current DMRQA coordinator, is willing to meet with the ELAB task group and a TNI wet committee representative. The issue to be discussed is whether wet PT samples should be tested in the same manner as POTW samples. Greg Savitske agreed to set up a meeting after following-up with Laura Phillips (EPA expert on

WET). He inquired whether EPA or TNI are responsible for how PT studies are conducted. Dr. Delaney believes the EPA is responsible because the EPA wrote the instruction letter for the DMR-QA. Dr. Delaney proposed discussing this topic at the August face-to-face meeting, if Greg Savitske is unable to set up a meeting soon. Dr. Leibovitz stated an interest in this topic of who designs PT studies and creates instructions for the other parameters. Ms. Waller informed ELAB that there is an EPA document that addresses drinking water criteria, but that does not address WET PT samples. Ms. Stacie Crandall informed ELAB about the TNI proficiency testing tables that do provide instruction for how PT samples should be prepared. Ms. Crandall is unaware of any existing criteria for how the instructions are being written. Ms. Waller reminded everyone that not all states are part of NELAC. NELAC accredited members and PT providers approved by TNI are required to use the TNI proficiency testing tables. Dr. Leibovitz believes that when EPA externalized the regulation of PT samples, either EPA or NIST wrote a document. This document could provide some insight about how PT samples should be tested.

Dr. Delaney will pursue the meeting with Greg Savitske and contact Lynn Bradley (TNI).

This topic will remain inactive.

b) Addressing Emerging Contaminants

There are no updates on this topic, and it will be removed for the list.

c) Drinking Water Program Adoption of Recently Approved Methods

A Thank You letter will be sent to OW for their recent response letter. This topic will remain inactive.

NEW TOPICS/ISSUES FOR CONSIDERATION

a) Method Flexibility in Drinking Water Methods

ELAB commented on an e-mail from Scott Siders that was forwarded to ELAB, raising concerns about some states not allowing flexibility explicitly stated within in the methods. Dr. Delaney disagreed with states not allowing flexibility explicitly stated in the methods, and Ms. Waller agreed. He confirmed with EPA Region 1 and Massachusetts that they would allow for flexibility explicitly stated within the method. Ms. Waller questioned why Scott Siders believes that the EPA enforces the method, instead of the states. Ms. Crandall proposed finding specific examples to lead an ELAB discussion, if ELAB were to address this issue. Ms. Waller does not believe ELAB should address this issue because state regulations can be more stringent then the federal regulations. Dr. Meadows seconded this idea, and agreed to reply to the e-mail from Scott Siders. To address Ms. Crandall's concerns that Scott Siders won't be satisfied with the response, Dr. Meadows pointed to state regulation in the response and mention the Standard Interpretation Request (SIR). Dr. O'Farrell stated that ELAB does not need to address this issue, if it can be addressed by other means. Ms. Crandall added that the SIR is not intended to be method specific, and Scot Siders will need to connect it to a TNI requirement and provide specific examples. ELAB will work with Scott Siders to resolve this issue.

b) The use of collision reaction cell chemistry technology for drinking water

While evaluating the purchase of an ICPMS, Mr. Meadows noticed the ban on collision reaction cell chemistry technology on drinking water is still in place. He questioned whether it has been approved recently, or if not, if this is an appropriate topic for ELAB to take up. He reasoned that now that the technology has been in use for 15 to 20 years, there should be enough information for an approval. Ms. Crandall agrees that there is a need in the community to address this issue. Dr. Delaney does not have any current information on this topic and asks where it is explicitly stated that laboratories cannot use the technology. He is aware that this topic was addressed in a 2006 memo from EPA headquarters to the regions, but the memo is no longer available on the EPA website. Ms. Waller and Dr. Delaney agree that if the memo is something everyone needs to follow, it should be available on the website. Ms. Waller commented that this is the reason for ELAB's transparency on guidance request to the EPA. Mr. Flournoy does not believe there is any reason for EPA not to allow the use of the technology, especially if it has more power.

Mr. Flournoy asked if ELAB should ask the community for a question for ELAB to address, so that this issue becomes official topic. Dr. Leibovitz answered a question previously raised by Dr. Delaney, by stating that on the EPA webpage where laboratories ask questions on analytical methods, it is explicitly stated that the technology is banned.

Mr. Meadows asked if the question needs to come from someone outside of ELAB, or if his affiliations qualify him enough to be the originator the official question. Mr. Flournoy asks if ELAB should add this as a question, and if Mr. Meadows would lead the response. Mr. Meadows agrees.

Mr. Richard Gossett asked why EPA is against the technology, and Dr. Delaney responded that EPA did not have enough data to approve the technology 10 years ago. Ms. Waller comments that the author of the method, Jack Creed, never used the equipment, and that he is the correct person to direct the question to. She also adds the discussion that states will not allow the use of the technology unless the approval is promulgated in the Federal Register. Mr. Meadows volunteered to reread 200.8 to check what is allowed and not allowed in the method. He believes that there is nothing in the current method that bans the use of the technology, so EPA would not need to generate a new method.

Dr. Leibovitz indicated that there may be some EPA testing on-going to determine the acceptability of the technology. He proposed ELAB ask what studies the EPA are conducting to determine future accessibility instead of asking why the technology is banned. Then he indicated vendors may have stake in this issue as it may help them streamline and generate matrices, in addition to combining methods.

Mr. Meadows believes there may be several ways to ask the question, and that they should be written up and then voted on.

Mr. Flournoy motioned for a vote to add this topic for ELAB to address with Mr. Meadows leading the response. The motion was passed unanimously.

c) *Holding Time Regulations*

Mr. Meadows received complaints that some states interpreted EPA regulations on holding times spanning multiple days to be enforced down the hour. He will send ELAB members more specific information. Ms. Waller commented that for some tests, like cryptosporidium, some state regulators may require hold times down to the minute, while others dictate the hold times do not extend beyond a 24-hour period. Ms. Waller is aware of some discussion held by TNI regarding consistency among the regulations and believes Ms. Aaron Alger may have more information regarding this topic. Mr. Meadows adds that this issue did not originate with TNI, but from a technical bulletin from a government agency. He raised the question: should ELAB address this topic? Ms. Waller commented this issue is like the drinking water topic and the answer should be that if the states want to be more stringent, they have the authority to do so.

Mr. Meadows believes that regulating hold times down to the hour for items with an expiration of 7 or more days could be problematic for labs and is concerned this could impact the data. His opinion was influenced by a presentation he recently saw by a former EPA personnel on hold times. Dr. Delaney seconds this opinion. Dr. Leibovitz believes this issue is analogous to significant figures: hold times in hours should be hours, hold times in days should be in days, etc. Dr. Delaney believes that the question should be framed around defining the units of the holding times.

Ms. Waller commented that if a client sends a sample a day before it's due, the client needs to be notified. TNI labs are allowed to qualify samples out of hold, while non-TNI state labs are not. Dr. Leibovitz added that state labs can reject the sample if the client did not allow enough time for analysis. Ms. Waller said that most contract labs will take the sample, run it, and qualify it because they can. Dr. Leibovitz indicated that the labs should instead notify the client, and Ms. Waller agreed. Ms. Waller stated that most times labs take the blame for analyzing a sample out of hold, when the client that sent the sample did not allow enough time. Dr. Leibovitz added that the fact that sample was out of holding time does not get noticed in many cases where the client just takes the numbers off the report. Ms. Waller commented that the issue will impact the client when they use the results and are found in violation of their permit. Mr. Meadows commented that this issue expands beyond samples that arrive a day before expiration.

Mr. Meadows will find the memo this issue originated from and send it to ELAB. He believes this topic should be up for consideration if it did in fact originate from a government agency.

d) *PFAS*

Dr. Leibovitz led a discussion on PFAS. Basically, there is concern that there are currently no consistent methods laboratories are using for testing and validation. Mr. Meadows agreed this is an issue, stating that misinformation is being spread. Dr. Leibovitz concurred, adding that the misinformation is resulting in premature legislation. Mr. Meadows agreed, stating he has seen 6 to 8 bills on PFAS be introduced in California. Dr. Leibovitz is concerned that the use of different reporting methods for laboratories could result in drastic differences in the results. Dr. Leibovitz would like this to be a potential topic for ELAB, but now may be too soon to address. Dr. Delaney agreed, because there is no clear question yet.

WRAP-UP/SUMMARY OF ACTION ITEMS

1. Brad Meadows – Draft letter to EPA encouraging Agency to work with ACIL on their Acrolein/Acrylonitrile/pH study. It is suggested that this letter is timed with the initial contact of ACIL with the EPA Office of Water.
2. Brad Meadows – Let ACIL know that APHL should be informed of the Acrolein/Acrylonitrile/pH study.
3. Henry Leibovitz – A 600-Series Methods Task Force meeting will be held May 30.
4. Mike Flourney – Send final Drinking Water MDL and IDOC requirements letters to EPA to Tom O’Farrell for distribution to EPA.
5. ELAB – Will work with Scott Siders to resolve his issues with method modification and flexibility of Drinking Water methods. Mike Flourney to send an email to Scott and cc the board asking if Dan Hautman’s response was indeed sufficient.
6. ELAB – Will start to work on the topic of getting EPA to allow collision reactor cell technology to be used with drinking water methods.

CLOSING REMARKS/ADJOURNMENT

The May 2019 ELAB Meeting will be held on June 20, 2019 at 1 pm Eastern.

Mr. Flourney moved to adjourn at 2:33 p.m., and it was passed.

Attachment A

AGENDA
Teleconference Numbers 202-991-0477 / 7939251#
May 15, 2019
Webconference:
epawebconferencing.acms.com/ofarrell1/

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|-------|---|---------------------|
| I. | Call Meeting to Order | Flournoy |
| II. | Introduction of Board Members/Roll Call | Board |
| III. | Approval of Minutes for Previous Meetings | Flournoy |
| IV. | Remarks and Updates from the DFO | O'Farrell |
| VI. | Updates on Current Topics | |
| | a. User-Generated Library Acceptance Criteria..... | Buckley |
| | b. Acrolein and Acrylonitrile Preservation and pH..... | Meadows |
| | c. 600-Series Methods | Leibovitz |
| | d. OGWDW Guidance on Drinking Water MDLs | Delaney |
| | e. IDOC requirements..... | Chauvin |
| | f. Inactive topics awaiting feedback/input: | |
| | ▪ Whole Effluent Toxicity proficiency study standards | |
| | (will move to active when meetings are scheduled)..... | Delany |
| | ▪ Addressing Emerging Contaminants | Mertens |
| | ▪ Drinking Water Program Adoption of
Recent Approved Methods | Waller |
| VII. | New Topics/Issues for Consideration | Flournoy |
| | • Drinking water method modification and flexibility | |
| | What does the Laboratory community want ELAB to work on? (Waller) | |
| VIII. | Wrap-Up/Summary of Action Items | O'Farrell/Flournoy |
| IX. | Closing Remarks/Adjourn | O'Farrell/ Flournoy |

Attachment B

PARTICIPANTS LIST

Board Members Attendance (Y/N)	Name	Affiliation
Y	Dr. Michael (Mike) Delaney	Massachusetts Water Resources Authority (MWRA) Representing: MWRA
Y	Mr. Michael Flournoy (Chair)	Eurofins Environment Testing USA Representing: American Council of Independent Laboratories
Y	Dr. Thomas O'Farrell (DFO)	U.S. Environmental Protection Agency Representing: EPA
N	Dr. Kim Anderson	Oregon State University Representing: Academia-Oregon State University
N	Dr. Brian Buckley	Rutgers Environmental and Occupational Health Sciences Institute Representing: Academia and Laboratory—Rutgers
Y	Dr. Françoise Chauvin	NYC Dept. of Environmental Protection Representing: NYCDEP
N	Dr. Deyuan (Kitty) Kong	Chevron Energy Technology Company

		Representing: Chevron
Y	Ms. Stacie Crandall	Hampton Roads Sanitation District Representing: HSRD
Y	Dr. Henry Leibovitz	Rhode Island State Health Laboratories Representing: Association of Public Health Laboratories
Y	Mr. Brad Meadows	Babcock Laboratories, Inc. Representing: Commercial Laboratory— Babcock Laboratories, Inc.
N	Ms. Sharon Mertens	Milwaukee Metropolitan Sewerage District Representing: The NELAC Institute
Y	Mr. Richard Gossett	PHYSIS Labs Representing: PHYSIS Labs
N	Mr. David Thal	Environmental Standards Inc. Representing: Environmental Standards Inc.
Y	Dr. Jayesh Ghandi	Metrohm USA Representing: Metrohm USA
Y	Ms. Debra (Deb) Waller	New Jersey Department of Environmental Protection (NJDEP) Representing: State

		Government—NJDEP
Y	Mr. Ray Frederici	TestAmerica Representing: TestAmerica

PARTICIPANTS LIST (CONT)

Contractors and Guests Attendance (Y/N)	Name	Affiliation
Y	Ms. Alexis Bryant	EPA
Y	Penny Shanbdlin	Hunton, Andrews, Kurth
Y	Dale Tapp	Water One

Attachment C

Action Items

1. Brad Meadows – Draft letter to EPA encouraging Agency to work with ACIL on their Acrolein/Acrylonitrile/pH study. It is suggested that this letter is timed with the initial contact of ACIL with the EPA Office of Water.
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6. ELAB – Will start to work on the topic of getting EPA to allow collision reactor cell technology to be used with drinking water methods.

Attachment D

I hereby certify that this is the final version of the minutes for the Environmental Laboratory Advisory Board Meeting held on May 15, 2019.

X Michael Flournoy 6/27/2019

Mr. Michael Flournoy
Chair

X Thomas O'Farrell, 6/27/19

Dr. Thomas O'Farrell
Designated Federal Officer