

**Laboratory Accreditation Advisory Committee
Minutes for November 15, 2022 – Hybrid Meeting**

MEMBERS PRESENT

Danielle Cappellini, A.E. Kirby Memorial Health Center (Commercial Environmental Laboratory)
Cristin Geletei, US Steel Clairton Works Lab (Industrial Environmental Laboratory)
David Kohl, CWM Environmental (Environmental Laboratory)
Justin Matincheck, Skelly and Loy (Environmental Engineer)
Molly Campbell, Sharon Sanitary Authority (Wastewater System Member)
Joel Jordan, PA Rural Water (Community Water Supply Member)
Andrew Yench, Penn State University (General Public Member)

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) STAFF PRESENT

Pamela Higgins, Bureau of Laboratories Director
Annmarie Beach, Laboratory Accreditation Program Chief
Yumi Creason, Laboratory Accreditation Program
Virginia Hunsberger, Laboratory Accreditation Program
Ron Houck, Laboratory Accreditation Program
Dawn Hissner, Bureau of Safe Drinking Water
Kim Snook, Bureau of Safe Drinking Water
June Black, Bureau of Safe Drinking Water
Jason Minnich, Bureau of Safe Drinking Water

CALL TO ORDER AND ATTENDANCE

The meeting was called to order by Annmarie Beach at 9:06 am.

REVIEW AND APPROVAL OF 5/24/2022 MEETING MINUTES

Dave Kohl called for a vote on the minutes from the May 24, 2022 meeting. The number of members present (7) was sufficient for a quorum.

For the May 24, 2022 meeting, there were no comments or requests for changes to the minutes. The minutes were unanimously approved.

INTRODUCTION OF NEW MEMBERS

Annmarie Beach introduced two new Committee members recently approved by DEP Secretary Patrick McDonnell: Molly Campbell and Justin Matincheck.

One vacancy remains to be filled, including a representative from a wastewater treatment plant.

CHAINS OF CUSTODY PRESENTATION

Jason Minnich gave a presentation on *Chains of Custody*. He asked if labs use prepopulated chains of custody.

Questions/Comments on Chains of Custody.

Cristin Geletei said that her lab uses prepopulated CoCs.

Dave Kohl stated that his lab uses them as well, but they are prepopulated by their LIMS.

Annamarie Beach commented that labs use prepopulated CoCs due to neatness and handwriting issues.

Jason Minnich commented that BSDW is concerned that clients aren't following the CoC and not sampling at the proper locations.

Danielle Cappellini commented that DEP needs to do more training with the PWSs.

Jason Minnich said that the collectors need to describe the sampling location (e.g., kitchen sink).

A member of the public said that he uses prepopulated CoCs but that they review CoCs in Sample Receiving to be sure they are correct.

Jason Minnich suggested that labs review their sample acceptance policies to be sure they are thorough. He also asked about subcontract CoCs. Do labs use their own or their clients CoC?

A member of the public stated that they use their own.

A member of the public stated that also use their own.

Jason Minnich asked if they request information for CoCs.

A member of the public said that they request additional information if it is not on the CoC.

Jason Minnich stated that they seed CoCs that have incorrect information and differences in information between original CoC and subcontract lab CoC.

Jason Minnich asked what type of information labs require on their CoCs.

A member of the public stated that the regulations specify the minimum information on a CoC.

A member of the public commented that CoCs must be legible.

Jason Minnich asked the LAAC how DEP could reach out to the lab community.

A member of the public suggested doing a PowerPoint presentation.

A member of the public asked Jason Minnich what BSDW was seeing in terms of what information is being placed on the CoCs.

Cristin Geletei asked if the problems are seen with regulated or non-regulated facilities.

Jason indicated that PWSs are regulated so they should be doing things correctly.

A member of the public asked if BSDW is planning on developing a training program for sample collection.

Jason Minnich stated that it would need to be done by LAP because BSDW only deals with drinking water.

A member of the public stated that maybe the training should be part of the certified operator program. She also suggested that DEP should provide general sample collection guidance.

Dave Kohl suggested that Pa Rural Water provides sample collection classes.

Jason Minnich asked if labs attend Pa Rural Water meetings.

A member of the public stated that he does.

Dave Kohl also said that he attends.

Jason Minnich reminded the committee that a valid lab ID is required to report all samples including chlorine but BSDW doesn't necessarily check that information. He also stated that labs still need to report a valid lab ID. He stated that in 2023 BSDW will be cracking down on the ABR parameters and make sure this information is reported.

Jason Minnich then stated that DEP is trying to get a better handle on registered vs. accredited. He stated that if a lab employs a certified operator, they wouldn't need to be accredited for the drinking water ABR parameters. He stated that if a lab reports results for a water system or circuit rider, they lab should report the water system or circuit rider ID.

Jason Minnich stated that BSDW is moving away from reporting instructions to SDW reporting instruction forms for each program or rule. Will have information specific to each program or rule. Forms are easier to get approved than instructions. He stated there will be a newsletter discussing this.

Jason Minnich state that the PFAS regulations will hopefully be approved by the end of this year and published early next year. He stated that some of the PFAS analytes are part of UCMR 5. He stated that

hopefully water systems will be able to reschedule their sampling to use their UCMR sampling for their PFAS sampling.

A member of the public mentioned that the water supplies would need to give labs two different sets of code because the results will need to be reported to EPA and DEP.

Jason Minnich agreed that this will be problematic. He stated there will be some “growing pains” and suggested labs tell the PWSs to make sure their sample collection information is accurate.

A committee member asked if *Legionella* will be part of the Ch. 109 reg updates.

Jason Minnich stated no.

Jason Minnich stated that there will be an updated Lead and Copper Rule. EPA will be requiring that all PWSs submit an inventory of their service lines to DEP. BSDW has created a spreadsheet for the PWSs to submit their inventor so that it can be submitted to DWELR. DEP has started to do training on the new Lead and Copper Rule. The inventories are due in 2024. He is hopeful that BSDW will have a new DWELR in the near future.

Jason Minnich stated that DEP will be requiring a fifth “K” sample for the new Lead and Copper Rule. The new proposed Lead and Copper Rule should be out early 2023.

Jason Minnich reminded the committee to make sure that if labs are reporting on behalf of someone else, be sure that that information is in the written agreement between the lab and water system.

A committee member asked why the BSDW isn’t enforcing the monitoring plan requirement and why monitoring plans were not available in PADWIS.

Jason Minnich stated that BSDW is enforcing it but is not always notified when monitoring plans change and that BSDW only has contact with the water systems every 5 years or so. He was not sure why monitoring plans weren’t placed in PADWIS but thought that would be possible.

Danielle Cappellini asked if a general phone number could be made for reporting MCL exceedances.

Jason Minnich stated that the emergency number can be used but only for emergencies.

25 Pa. CODE, CHAPTER 252 REGULATION UPDATE

Annmarie Beach stated that the LAP is currently updating the Ch. 252 regulations to reflect new regulatory requirements and air monitoring.

A member of the public asked where the regulation update stands.

Annmarie Beach stated that the LAP has just started the process. She said that the word “on-site” was being removed and the word “assessment” will refer to on-site and remote assessments. She stated that LAP has a list of issues with Ch. 252. These include things that labs have notified LAP that need changed in addition to things that need to be changed in order to be in compliance with new environmental regulations.

Linda O’Donnell asked what the LAP wants as far as prerequisites for laboratory supervisors. She said it is unclear what the direction LAP is going as far as laboratory supervisor requirements.

Annmarie asked if Linda felt the regulations are not specific enough.

Linda O’Donnell stated that Ch. 252 needs to be clearer for what is required in terms of technologies. She stated that they have analysts that meet the education requirements but have been denied. She asked what technologies are needed to be approved.

Annmarie Beach stated that the LAP will be clarifying the supervisor requirements in Ch. 252 to include trade-offs for experience and education. The LAP will be getting away from the requirement for credits and switch to specific courses. She stated there will be a sliding scale where experience and education can be used to offset each other. The LAP will also clarify the term “technology”. She gave the example of GC/MS vs. LC/MS. She then stated that LAP will need to be more consistent when approving laboratory supervisors. She commented that the TNI Technical Specialist provision is being considered and that the LAP will try to be consistent with the TNI requirements.

Linda O’Donnell stated that at her lab must hire a supervisor internally and asked that the supervisor approval “travel” with the individual.

Annmarie stated that the LAP must be aware of the changing TNI requirements so that the requirements in Ch. 252 can be consistent with those.

A member of the public asked if the LAP is trying to align Ch. 252 with the TNI Standard.

Annmarie stated yes.

A member of the public asked if LAP can revisit the requirement to check the pH of unpreserved samples. He feels it is excessive.

Annmarie Beach stated that LAP works together with other programs (e.g., Drinking Water, etc.) and must be aware of their needs. She stated that LAP would take that under advisory.

A member of the public asked if there is a forum that LAP and BSDW can get together and hear stakeholder concerns about this issue.

Annmarie Beach stated that the Ch. 252 regulations will be open for public comment and advertise the fact that stakeholders will be able to state their concerns at that time.

A member of the public asked if there is really the need for separate State and NELAP accreditations.

Annmarie Beach stated that there is a need. The TNI Standard is “set at a different level” of accreditation than State accreditation. The TNI Standard is more rigorous in some instances (e.g. two PTs per year versus one per year). She stated that PTs are expensive and could be too expensive for treatment plants and smaller laboratories.

Pam Higgins state that “one size does not fit all”.

A member of the public agreed but stated that all labs are dealing with finite resources and that the LAP needs to keep this in mind.

A member of the public stated that 60% of his lab’s MCL notifications are for secondary contaminants. He said that these notifications take lots of time.

Annmarie agreed and stated that this is an issue that should be considered with the new regulation revisions. She reiterated that these types of issues need to be brought to the LAP and BSDW’s attention.

A member of the public commented that the list of Ch. 252 requirements that NELAP labs need to follow keeps growing.

A member of the public asked why labs that are NELAP-accredited need to follow Ch. 252 as well as the TNI Standard and commented that some of the requirements are contradictory.

Annmarie stated that Ch. 252 has requirements that cover things missing in the TNI Standard or things in the TNI Standard that LAP does not agree with.

A member of the public stated that NELAP labs shouldn’t be required to follow the Ch. 252 regulations and that ABs should accept the TNI Standard as-is because it is a consensus standard that is thoroughly reviewed.

Annmarie Beach asked if the member of the public meant that the LAP should lower their standards.

The member of the public stated that Pennsylvania should not be a TNI AB if they can’t accept the TNI Standard since it is a consensus standard.

Annmarie Beach stated that there are requirements outside the TNI Standard that need to be upheld.

A member of the public said that the dual-program approach is putting PA labs out of business.

Cristin Geletei noted that not all states will have the same requirements.

A member of the public asked if labs with secondary NELAP accreditation are held to the Ch. 252 requirements. She stated that out of state labs are not assessed to Ch. 252 if they are NELAP labs.

Danielle Cappellini asked what percentage of accredited labs are NELAP-accredited.

Annmarie Beach stated that there are 90 NELAP-accredited labs and over 300 State-accredited labs.

Cristen Geletei asked if out of state labs can analyze PA samples.

Annmarie Beach and Pam Higgins stated that all labs must be accredited by PA to analyze PA samples.

Pam Higgins asked Annmarie Beach if the LAP monitors PTs for secondary labs.

Annmarie stated that LAP does not but if a secondary lab loses accreditation, they are required to notify the LAP and that the LAP has caught this during the review of the renewal application.

A member of the public asked what the percentage of drinking water samples are analyzed by NELAP-accredited labs.

Annmarie stated that she doesn't know but could determine that.

Dave Kohl asked if DEP has chosen a *Legionella* method that will be approved for analysis.

Annmarie said that there currently isn't an approved method and that it has been put on hold, but general language would be put in Ch. 252.

OTHER BUSINESS

None

CLOSE OF MEETING

Dave Kohl asked for a motion to close the meeting. A member of the public made the motion and Cristen Geletei seconded the motion. The Committee unanimously voted to adjourn. The meeting was adjourned at 10:57 am.