

Laboratory Certification Standards Review Council Meeting Minutes From 8/13/2019

Attendance

Council Members: Sharon Mertens (Chair, remote), Craig Obry, Angela Albrecht, Jennifer Buchholz, Paul Junio, Tad Schwartzhoff, Kevin Freber
DNR Staff: Steve Geis, Tom Trainor, Janelle Nehs (remote), Autumn Farrell (remote), Zana Sijan
Others in Attendance: Erin Mani, RT Krueger (remote), Karl Olm (remote), Rick Mealy, Krista Edmunds, Carol Mielke, Jessica McCammon

The meeting was called to order at 9 AM.

Check-In, Agenda Repair, Review/Approval of last meeting minutes

- Sharon asked if there were any agenda repair items and we added the status of the LabCert Website and discussion on the TNI annual conference in Florida to the agenda.
- Sharon asked if there were any changes to the minutes provided from the April 16, 2019 meeting.
- Kevin moved to pass the minutes as is and Paul seconded.

Program Audit Status Report (FY 2019 complete)

AUDITS COMPLETED

- Large-scale labs audits are at 100% of goal even though Tom hasn't audited since October 2018.
 - Autumn, Brandy, and Janelle took on Tom's audits that he didn't get to due to transferring to the program chemist position.
- Small-scale labs audits are at 94% of goal.
 - Did not meet 100% of goal for the small-scale labs due to new applications and laboratories requesting to delay their audits for various reasons.

REPORTS COMPLETED

- Large-scale labs reports are at 97% of goal.
- Small-scale labs reports are at 95% of goal.

CLOSURES COMPLETED

- Large-scale labs closures are at 103% of goal (greater than 100% due to previous FY labs getting closed).
- Small-scale labs closures are at 87% of goal.

Overall Audits Not Completed by Due Date Backlog

- Four large-scale labs have not been audited by their due date. This is an excellent status considering Tom has not audited since October 2018 and Janelle did not start until February 2019. In addition, LabCert received a lot of applications that had to be completed.
- Five small-scale labs have not been audited by their due date. Two of those were lab requests to delay due to staffing issues. The other three labs were behind due to not having a contract auditor under contract in July.

Overall Reports Not Completed by Due Date (60 days LS, 30 days SS) Backlog

- No large-scale reports overdue.
- One small-scale report that is overdue past 30 days due to contract auditor not able to get to it. This report has no deficiencies and is just a closure letter.

Overall Audits Not Closed by Due Date (6 months from report date) Backlog

- Seven large-scale labs overdue.
 - Four of those labs are due to Tom not having time to get to them. Two labs asked for extensions.
- Seven small-scale labs overdue.
 - Two of those labs are due to Tom not having time to get to them. Three waiting on contract auditor who expects to have them closed by end of August.
- Only four audits remain that are greater than 1 year from the report date that are not closed.
- Other auditors have begun helping Tom close his old audits.

Audit Reports TAT

- Large-scale lab audit reports TAT is at 94% of 60-day goal and 64% of 30-day goal - which is much higher than historical performance.
 - The two reports (6%) that did not meet the 60-day TAT were turned around in 61 and 63 days.
 - Using one-note software has helped with TAT.
- Small-scale labs audit reports TAT is at 67% of 30-day goal. 5% were at a TAT of 30-60 days, 28% (21 reports) were at a TAT of greater than 60 days.
 - This TAT delay was due to the contract auditor having another full-time job.
 - Contract auditor has assured us that he has a new plan in place for FY20 to stay on time. So far after the first month he has held his promise.

Other business

- Steve Heraly has been hired as our contract auditor for fiscal year 2020.
- Tom summarized new labs to the program since April 2019 – July 2019 = 4
 - Washburn WWTP (Washburn) - *granted*
 - TA Pensacola (Florida) – *yet to be audited*
 - Bayfield County Health Department (Washburn) – *yet to be audited*
 - Solomon Corporation (Prairie du Chien) – *yet to be audited*
- Labs indicating interest in joining the program - Big Ox Energy (Denmark), PFAS labs (SGS-FL, ETA-WS, GEL, ELL, SGS-Axys, BV, ATL, Merit)
- Tom summarized labs that have left the program since April 2019 = 5
 - RTI Laboratories (MI) 8.19
 - Campbellsport WWTP 8.19
 - Grande Custom Ingredients 8.19
 - WPSC Pulliam Power Plant 7.19
 - Vesper Sewer & Water Utility 7.19
- Drinking Water Data Viewer Website. Currently two different websites exist for the public to access drinking water results in Wisconsin. The “new” DWS Viewer website was rewritten a year ago. The new website is a one stop shop for PWS, contaminants, and plan review data. The “old” DWS Viewer website still also works. DG says the new website is just a different look.
 - Paul Junio said he heard about the new website at a Rural Water training meeting.
 - Paul feels that there should have been better communication from the Department regarding posting the new website. A simple note on the old website link would have at least alerted people. Zana will reach out to DG (Adam DeWeese) to explain the frustration and ask for better communication in the future.
 - Paul also indicated that the new website is not as user friendly as the old one. For example, the current website will display 10 rows, but often the user needs more. The website also only displays 10 analytes, but often the user needs more. Also, the order that the analytes appear on the website should mirror the order on the DG sampling forms. Automatic display of the 90th percentile is also not on the new website. Paul provided feedback to DG already.
- A request was made for the council members to receive a copy of today's PowerPoint presentation.

- Renewal 2019-2020 update. 278 certificates were sent on August 1st, 2019. 50 certificates left to mail once the laboratories have provided the outstanding items missing. Rick Mealy was re-hired as an LTE to help Tom.
- Eight labs still owe fees. Two of those labs didn't receive their invoices until late July, and one didn't get theirs until August 12. The other five labs are in the process of sending the money.
 - Sending invoices for renewal is very challenging for the Department and we will look at ways to improve it for next FY.
 - The major issue is the ability to reach the correct contact via email so that the invoice is received.
 - Email contacts may be from another program's system – not just LabCert – so we don't even control where they go.
 - If a facility does not contact us with a new person's email address or an updated email address the email never gets received. And even for those where the email is received it can go directly into junk/spam folders and be missed or be seen and regarded as scam emails by the user.
 - We query all unpaid labs on July 1 of each year. This year 26 labs said they never received their invoice. In this case finance sends out hard copies to those labs.
 - Now that we sent out a hard copy and an email copy, we could get duplicate payment and then we need to issue refunds which we are trying to avoid this extra unnecessary effort.
 - Paul Junio suggested we track the bad actors each year and give them a phone call.
- 25 labs still owe PT results. Fennimore is missing all PTs and lost analyst their analyst, so they are likely to drop.
 - PT assessment each renewal year is also very challenging.
 - We receive many PT results with errors prior to upload.
 - Some labs do not report their EPA Lab ID to the PT provider so the result can't find a home in the database.
 - Method codes are also an issue as TNI changes them sometimes and labs sometimes report the wrong ones – especially from the WSLH program as they just automatically report the previous year's method. Tom will try to work with Judy Nichols on this for the future.
- Steve provided updates on the database rewrites. LDES is 90% done but the contractor retired at the end of June so our LabCert contractor is having to work on LDES instead. Deadline is Dec 31st. LabCert is 80% done. Contractor is on vacation for 2 more weeks. LDES will need to be finished first then back to LabCert.
- Council Elections. Statute 15.09 (2) indicates that at its first meeting each year, every council shall elect a chairperson, vice-chairperson and secretary from its members.
 - Since the LabCert council meets every January that is the meeting when we will hold elections.
 - We missed having elections in January 2019, so we held interim elections to hold us over until January 2020.
 - Sharon agreed to continue as chair. Paul/Kevin. Carried.
 - Kevin agreed to continue as vice chair. Paul/Jennifer. Carried.
 - Craig Obry agree to be secretary. Kevin/Paul. Carried.
 - Next elections will occur at the January 2020 meeting.
- Council Terms. Statue 15.09 (1) indicates that fixed terms shall expire on July 1, and if the term is for an even number of years, expire in an odd-numbered year. Any officer may be reelected for successive terms.
 - Statute 15.107 (12) indicates that members of the council shall serve for 3-year terms. A person may not serve for more than 2 consecutive terms on the council.
 - We will have to review our current expiration dates and update them accordingly at the next meeting in November.
 - We are currently missing two members of the council - the agricultural interest and the solid and hazardous waste disposal interest. If possible, we should try and find interested parties to fill these positions.
- On June 14, 2019 the Governor approved the proposed NR 149. After that it was sent to legislative review. Senator Cowles asked for a briefing.

- The governor is requiring that all Department websites be redesigned. Only content that is required and supports our business services will remain. This is a major Department-wide effort. February 2020 is the current goal date.
- We had asked what the hot topics at the Florida TNI conference were. Lots of PFAS discussions were had and how to make all analysis better. There were not a lot of regulatory updates. Next big TNI meeting is in August 2020 in Minneapolis.
- Tom went over in detail the LabCert offerings for PFAS certification.
 - The only single analyte offerings will be for PFOS and PFOA.
 - We have three group offerings: 18 compounds for DW and 36 compounds in the aqueous matrix and 36 compounds in the solid matrix.
 - Tom indicated in order to get certified for DW, EPA 537.1 must be followed verbatim.
 - For aqueous and solid matrices laboratories will need to meet the expectations listed in the Department's guidance document.
 - For PT requirements a minimum of 6 analytes must be reported and 80% must pass.
 - A question was posed as to whether we would provide links to sampling guidelines on our website? The answer provided was "Yes".
 - Rick Mealy, Paul Junio, and RT Krueger voiced strong opposition to the approaches being taken by the LabCert Program and the Department regarding PFAS. The significant issues were the compounds the LabCert program is offering PFAS certification for, the guidance document used to certify laboratories, and the option to filter solids from a liquid sample.

Next meeting is November 12th, 2019, 9:00 AM, WSLH

Meeting adjourned at 12:30 PM