Laboratory Certification & Registration Standards Review Council Meeting Minutes

Tuesday, November 18, 2025

Attendance (29) –

- *9 Council members (7)* – Kris Rigotti (industrial rep), Jon Anderson (Vice-chair and commercial rep), Matt Schmeichel (public water utility rep), Na Zhang (WSLH rep), Jennifer Buchholz (solid & hazardous waste disposal rep), Tony Roche (demonstrated interest rep), Alex Zenner (livestock farmer rep)
    - Absent: Shawn Keesey (small WWTP rep), Christine LesCamela (Chair and large WWTP rep)
- *6 DNR staff (5)*: Zana Sijan (manager), Tom Trainor (chemist), Brenda Anderson (auditor), Rebecca Fahney (lab coordinator), Matthew Stowe (auditor)
    - Absent: Patty Doerflinger (auditor)
- *Guests (17):* Autumn Farrell (WEC), Juli Bowling (WEAL), Mike Tienor (NLS), RT Kruger (NLS), Royce Riessen (WSLH), Lindsey Klicko (WSLH), Rick Mealy (RGM Consulting), Christopher Lepley (WSLH), Colin Clark (Fox West WWTP), Erin Mani (WSLH), Brooke Klingbeil (DNR), Mary Powers (Madison MSD), Steve Hefter (NLS), Jacob Olson (NLS), Reece Banta (NLS), Alfredo Sotomayor (Milw MSD), Jesicca McCammon (Madison MSD)

Agenda Repair (Jon)

- Tom requested to add an agenda item to discuss update to the Lead/Copper Rule. No objections from Council to add this topic to the agenda.

Review and approve minutes from September 23, 2025 (Jon)

- Matt made a motion to approve the minutes as written. Al seconded the motion. No oppositions were received from the Council members. Jon indicated that the minutes were approved as written.

Follow-up to Council operation changes (Zana)

- Zana took the opportunity to follow-up on the Council operation changes that were implemented at the September 23rd, 2025, meeting. After the September 23rd meeting, Zana spoke with several stakeholders to get their feedback on the changes and answer any questions they had. Two reoccurring comments were brought up during conversations with the stakeholders.
    1. Because there was no forewarning of the changes the stakeholders were surprised when the changes were presented at the meeting.
        - Zana explained that to provide a forewarning, an official Council meeting needed to be called which would also require a public notice. As a result, calling for an additional Council meeting would not have been any different than presenting the information at the September Council meeting. It would have been inappropriate for Zana to discuss operation changes with anyone not part of the Council prior to informing the Council members of the changes.
    2. Stakeholders value the ability to participate in the Council meetings.

        - The Program agrees as well and values and encourages both Council member and public participation. Public participants will have an opportunity to provide input on any topic presented during the Public Comment period. We encourage public participants to work with their Council representatives on any topics that they would like to bring to the Council for discussion.
- If anyone has questions on the operation changes, please do not hesitate to contact Zana directly.

Lab Cert program auditing status report (Tom)

- Large Scope Labs: July 2025 – October 2025 (FY26 partial)
    - 100% of labs were audited, 50% of reports were submitted, 70% of audits were closed.
    - 7 revised application audits were performed.
    - Audit backlog has increased from 13 labs to 15 labs.
    - 100% of reports were submitted in 60 days.
- Small Scope Labs: July 2025 – October 2025 (FY26 partial)
    - 84% of labs were audited, 147% of reports were submitted, 121% of audits were closed.
    - 2 revised application audits were performed.
    - Audit backlog has decreased from 19 labs to 16 labs.
    - 96% of reports were submitted within 30 days. 4% of reports were submitted within 60 days.
- There are two labs with audits that are still open that are older than 1 year from report submittal; one is waiting on lab response; one is waiting for Program review.
- 15 large scale labs are overdue for their audit; 10 of these have been scheduled.16 small scale labs are overdue; 12 of these have been scheduled.
- The Program is working on 13 lab applications, 2 of these are large applications. The Program is expecting at least 5 more applications to be received soon. Applications will take signification time to process and complete.

FY 2027 Laboratory Accreditation Program budget (Tom)

- Total FY 2027 (July 1, 2026 – June 30, 2027) budget expenses are $730,461. Salary and fringe are 89% of expenses at $650,734. The remaining 11% covers supplies, travel, and IT programmer services. The Program is anticipating in-state travel expenses to increase once the auditor vacancy position is filled. Training and training travel costs include costs for all Program staff to attend the annual WWOA conference in October of 2026 and for the new auditor to attend the EPA drinking water certification officer course in March 2027.
- Total FY 2027 budget RVUs are projected to be 8396. Base fee, matrix fee and solid technology fee RVUs are all expected to decrease from FY 2026. Aqueous technology fee, drinking water technology fee, and application fee RVUs are all expected to increase from FY 2026. This results in a total increase of 96 RVUs from FY 2026.
- The proposed FY 2027 cost per RVU is $87.00. This is a $2 increase (2.4%) from FY 2026.

Adding Total Phosphorous analysis by ICP in aqueous samples (Tom)

- The Program received a request from one laboratory to add total phosphorus analysis by ICP. Total phosphorus analysis by ICP is approved in 40 CFR Part 136. Historically, the Program has not offered this test due to poor sensitivity for some lines and a high potential for spectral interferences from many other elements present in the sample. Currently the Program requires 29 elements to be assessed for spectral interferences per NR 149.
- Tom proposed the following question to the Council: If a laboratory has data to demonstrate that all 29 elements were analyzed and assessed properly during the annual spectral interference study would that be proof that they can perform the analysis properly?
    - Al asked for clarification on how often interferences are assessed. Tom answered that a spectral interference check standard must be completed with every analysis for all analytes that have been demonstrated as interfering. The results from this standard must show that the interference contribution is below the LOQ.
    - Jon asked if the interference check was on a per batch basis, how would the Program know that the lab was meeting the requirements. Tom indicated that if a lab would like to become certified for this technology the lab would need to prove to the Program, they could meet the requirements before they would be granted certification.
    - Zana asked the Council to allow public input on this topic at this time. Jon approved and asked for public comments.
    - Rick Mealy stated that the Program should not allow this method, as there is a reason why the decision was made originally to not approve it for NR 219. Phosphorous is a tough analysis by ICP, and an EPA approved method does not necessarily mean the analysis is appropriate. A spectral interference check does not always match the analytes that are present in the wastewater. Tom replied that the Program requires all 29 elements to be included in the spectral interference check per NR149. Tom asked if anyone was aware of any other elements that would interfere with phosphorous. Rick replied that there are many interferences, and the check may not always be reflective of the sample. Tom noted that it is required for labs to dilute the sample to the level where the interference was tested. Rick said that the potential workload associated with allowing this may not be a good use of Program time as there is currently only one lab asking to use this technology.
    - Alfredo stated that Milwaukee MSD laboratory is accredited for this method in solids, and that it is frequently performed. He finds that the lab can meet the requirements in solids. Tom asked if it is primarily used for determining water extractable phosphorous or total phosphorus in solids. Alfredo replied that water extractable phosphorus is the principal reason for the accreditation but there are uses for it as well.
    - Zana stated that any Council members or public participants are welcome to contact the Program if they have any further thoughts on this issue. Per Tom, a decision won't be made on this until after January 1, 2026.

Appendix to method 1631 storage requirements (Tom)

- Wet and dry sludge are treated as biota samples per the method and must be shipped to the lab at 0-4ºC. Once samples have been homogenized at the lab, the samples are required to be stored frozen at less than -15 ºC. This also applies to wet sediment samples.
- The Program has not been enforcing this storage requirement, but it has come up on several recent audits. As a result, the Program reached out to the EPA for clarification on how to handle the requirement. EPA replied that wet-based samples must be continuously frozen to reduce microbial degradation of organic matter and/or reducing Hg to volatile states. Even frozen wet-stored samples have a finite shelf life. Freezing is an acceptable preservation method if holding time protocols are followed.
- The Program will begin enforcing the freezing of non-aqueous samples based on the method requirements.
- The Program anticipates that some issues may arise when freezing sludge samples from a WWTP that uses polymeric materials. During freezing the sample's character may change and can make the thawed sample unusable. It is critical that the sample is homogenous after thawing so that a representative aliquot can be obtained. If a lab indicates that the sample character changes after freezing (such as becoming like a glue mixture), the lab will need to homogenize the samples before freezing and take aliquots of the sample and place them in separate digitubes before freezing so that representative samples are obtained.
- Tom will contact the 6 labs that are currently certified for this method and let them know of this requirement.

Council member DNR trainings (Tom)

- All Council members must annually complete both the Public Records training and the Ethics for Public Officials training. Council members should receive an email between March and June with links to access the trainings. Trainings are due in November.
- Several Council members did not receive the notices and have not yet completed the trainings. Zana asked for an extension to 12-31-25 for the training deadline. Zana will touch base with DOA to verify which Council members are remaining that need to complete the trainings.
- The Program will add a training check-in to each September Council meeting as a reminder for members to complete the trainings and verify all have access.

Lead/Copper rule update (Tom)

- Currently two rule updates are being applied to NR 809 per the Drinking Water Program.
    1. To align with EPA's federal language, the drinking water Program is removing the second sentence in existing state code NR 809.541 (4) (b), *Achieve the method detection limit for lead of 0.001 mg/L according to the procedures in appendix B of 40 CFR part 136.* ~~*This need only be accomplished if the laboratory will be processing source water composite samples under s. NR 809.549 (1) (a) 4).*~~ Certified labs performing lead/copper analyses will be required to achieve an MDL for lead of 0.001 mg/L, which is a new, federal requirement under 40 CFR 141.89 (a) (1) (iii).

        - The Program is aware of a lab that is currently meeting this requirement. It is doable but may require changes in lab techniques to meet this MDL.
    2. EPA is removing the option to report lead and copper sample results between the PQL and MDL as one-half the PQL. Under the revisions in the Technical Edits board order, labs will report lead and copper sample results that are below the PQL as a measured value (unless the sample result is below the MDL in which case the lab would report the results as less than the MDL) rather than half the contaminant's PQL. Certified labs performing lead and copper analyses will be required to report all lead and copper sample results as measured; this is a new, state requirement. All lead and copper sample results below the lead and copper MDLs must be reported as less than the MDL.

Council member issues (Jon)

- Al commented that he was glad to see the Program had budgeted for DNR staff to attend the annual WWOA conference, as their presence at the 2025 WWOA annual conference was missed. At the time of the 2025 WWOA annual conference, there were travel limitations in place for DNR staff that did not allow for staff to attend the conference. These limitations have now been lifted.

Public comment period (Jon)

- Alfredo stated that he felt the allowance for reporting to the PQL for the lead and copper rule was anomalous. Meaning that the proposed update would lead to reporting results to the Drinking Water Program the same as other Programs. He suggested that the Program should not allow laboratories to report a result as half a value when it is known that is not accurate. He asked why Tom was against this update, aside from not meeting the federal requirement. Tom answered that he agrees that it is an anomaly to report to half the PQL, but his interpretation of the code is that the goal is to see lower than the PQL. For all other contaminants in 141 and 809, labs are allowed to report to the PQL. Now, labs will need to report lead and copper to the MDL. If a lab has a test report format that reports as < PQL, it is unlikely they can also report to < MDL in the same report, for just two analytes. For logistics and LIMS this may be problematic. Alfredo replies that they are currently reporting everything to MDL. Tom answered that this is a non-issue for Wisconsin labs but may be a problem for national labs that do not report to MDL. Alfredo asked if there is a change to meet a specific MDL. Tom answered yes, before the lab did not have to meet a specific MDL unless it was a composite sample. Now it is required for all lead and copper samples.

Next meeting date is January 27, 2026, at 9:00 AM