Laboratory Certification Standards Review Council Meeting Minutes From 4/26/2022

Remote Attendance (25)

Council Members:	Paul Junio (Chair), Jennifer Buchholz, Tad Schwartzhoff, Brenda Anderson, Craig Obry, Carol Mielke, Matt Schmeichel
DNR Staff:	Steve Geis, Tom Trainor, Zana Sijan, Brandy Baker-Muhich, Janelle Nehs, Autumn Farrell, Patty Doerflinger
Guests:	Erin Mani (WSLH), Sharon Mertens (Milw MSD), Alfredo Sotomayor (Milw MSD), RT Krueger (NLS), Steven Hefter (NLS), Ronesha Strozier (Mad PH),Brooke Klingbeil (Medford), Amanda Kordus (Badger), Steve Heraly (Badger), Christine LesCamela (Sun Prairie), Ron James (private citizen)

Agenda repair and approval of last meeting minutes

- Agenda repair: None.
- Last meeting minutes were approved.

Outstanding issues from last meeting

Tom indicated that

- The Lab Cert recommendation to perform the bromoform breakdown standard will be added to our website when the FAQ section is ready to be posted. In the meantime, it is documented in the Council meeting notes.
- Website updates have been published.
- The clarification on concentrating samples to lower MDLs was included in the email update sent out to labs on 4.15.22.
- The program decided it would no longer evaluate sampler attestment of ice placement on samples at the time of collection.

Program metrics report

Large-scale lab metrics: July 2021 – Mar 2022 (FY 2022 partial)

- Completed: Audited = 103%, Reports issued = 110%, Closed = 107%, Applications = 4.
- Backlog of labs behind = 10 (improvement of 1 lab).
- Reports issued within 60 days = 75%.
- Audits not closed over 1 year from report date = 0.
- Audits not closed over 6 months from report date = 4.
- 114 Active labs.
- No new labs applied to program since last meeting.
- 1 lab dropped from program since last meeting.

Small-scale labs: July 2021 – Mar 2022 (FY 2022 partial)

- Completed: Audited = 100%, Reports issued = 108%, Closed = 105%, Applications = 2.
- Backlog of labs behind = 34 (improvement of 2 labs).
- Reports issued within 30 days = 91%.
- Audits not closed over 1 year from report date = 0.
- 218 Active labs.
- No new labs applied to program since last meeting.
- 1 lab dropped from program since last meeting.

Other business Items

- The 2023 fiscal year budget was approved by the Natural Resources Board on April 13, 2022. The new RVU is 75.00 which is 50-cents less than last year's. This change is primarily due to the removal of the fee cap in NR 149.

- The 2022 Laboratory of the year award went to Alliant Energy – Columbia Energy Plant.

Program Updates

- **Belgioioso Cheese variance:** The program was informed that this variance request is being withdrawn. The facility decided to change their piping system so that chlorite and chlorine dioxide monitoring would no longer be necessary.

- **Lack of DNR certified laboratories for specific tests:** Paul asked if laboratories are supposed to select a method that provides the lowest possible detection limit. Tom said that laboratories do not have to choose a specific method just because it provides the lowest possible detection limit. The detection limit just has to be low enough to demonstrate compliance with a regulatory limit (if required in a permit) or low enough for the department to establish if there is a reasonable potential for the facility to exceed a calculated limit (used in permit applications or for special cases in a permit).

  When it comes to permit applications, it is possible that the program may not have any labs that are certified for some of parameter/method combinations required. With these applications, there are non-routine analytes (priority pollutant list) and methods (600 series) that are required. Since this testing is so infrequent it is hard for laboratories to justify keeping them online.

  Regarding detection limit requirements for permit applications. Each surface water type has specific surface water criteria that must be met. A limit is calculated using the surface water criteria, size of the receiving water, size of the discharge (and other parameters as indicated in NR 105/NR 106). This calculated limit is then divided by five in order to derive a "reasonable potential" concentration that must be met by the facility (and therefore lab). The sample results provided to the department with the application needs to demonstrate that there is no reasonable potential for the discharge to exceed these limits. If the detection limit is higher than the reasonable potential concentration calculated limit, additional sampling will be required so that a lower detection limit can be provided. A potential problem for facilities is that they (and therefore the labs) do not know what this "reasonable potential" concentration is at the time of application. RT said that not knowing the required limits ahead of time makes the laboratories look bad to their clients. Tom indicated that he would share these concerns with the WQ program along with some proposed solutions to see if there is another way to resolve this. Sharon asked if the WQ program was aware that some of the limits they are asking laboratories to meet are not achievable. Tom asked if anyone is aware of the WQ program rejecting their data from these permit application tests. Paul said not that he was aware of.

  Paul indicated that we do not have any laboratories certified to perform PCBs in drinking water. Alfredo indicated that this is where EPA approved laboratories come in and can do this testing for us per NR 809. Tom indicated that we just submitted our annual Region 5 DW survey where EPA is allowing us to utilize the Iowa State Hygienic Lab for PCBs in drinking water if we ever needed the testing.

Council member issues

- **E.coli vs fecal testing:** Craig asked what this was all about. Tom said that his understanding was that the WQ program was asking facilities to collect a years' worth of data (or more) before their permit expires so that a reasonable E.coli limit can be placed in their WPDES permit. Craig asked will this also occur for sludge testing. Tom didn't think so.

- **PT requirements:** Paul indicated that NR 149 does not define which tests require PTs. Tom said that this information is available on the website and is provided to the council annually. Paul asked shouldn't that be in code instead of the website. Alfredo said if you put it in code there is no way to require PTs for new analytes that come up between code revisions. Paul thought that maybe code should just include the tests that do not require PTs then, like WET, non-aqueous, and others. For now, this is just something we should all think about for the future.

- **MN PFAS:** Paul asked if we were getting any inquiries from MN on PFAS testing. Tom said no.

- **Drilling fluids:** Ron James indicated that there are over 200 drilling fluid chemicals approved by the DNR. He also said he understands that the DNR approves of these chemicals via a MSDS review instead of a full chemical content list review. He was wondering how difficult it would be to test these chemicals for PFAS. Tom asked who will request analysis of these chemicals and we don't know how they will perform to currently used methodology. Ron said it would be a good idea to test these things. RT and Sharon said with all the unknowns its practically impossible to come up with a cost estimate to have them tested.

Checkout and next remote meeting date

- Next meeting is scheduled for September 21, 2022, at 10 AM.