



APHL Position/Policy Statement

Accreditation of State Environmental Laboratories

A. Statement of Position

The Association of Public Health Laboratories strongly encourages the Environmental Protection Agency (EPA) to become a National Environmental Laboratory Accreditation Program (NELAP) accrediting authority and provide accreditation to state environmental laboratory programs. APHL will work with EPA as it develops and attains NELAP Accrediting Authority status, or to develop an alternative federal governmental process to accredit State laboratories for other environmental programs similar to the current drinking water program. This process should ensure reciprocity and strengthens the States' positions as providers of environmental health data of known, documented, and consistent quality.

B. Background/Data Supporting Position

APHL intent is to build on the successful certification leadership already demonstrated by the EPA in certifying state drinking water programs to support the Safe Drinking Water Act. Attaining NELAP accrediting authority status for the EPA provides federal leadership and a national infrastructure for accreditation of state laboratories for all environmental programs accredited to National Environmental Laboratory Accreditation Conference (NELAC) standards.

Evaluation and accreditation of environmental laboratories is necessary for assuring the quality of environmental laboratory data. Laboratory competency is an important national concern exacerbated by homeland security issues and chemical terrorism preparedness. There is a critical need for a comprehensive certification/accreditation program. "EPA has the ultimate responsibility to ensure the quality and integrity of compliance monitoring data reported under the Safe Drinking Water Act (SDWA) and other statutes" (1). Applicable EPA statutes include the Clean Air Act (CAA); the Comprehensive Environmental Response Compensation and Liability Act (CERCLA); the Federal Water Pollution Control Act (Clean Water Act; CWA); the Resource Conservation and Recovery Act (RCRA); and the SDWA (2,3). NELAP and the NELAC represent a significant voluntary collaborative effort by public and private partners to establish a model accreditation authority (4). NELAC strives to adopt mutually acceptable performance standards for environmental laboratories. EPA's NELAP office provides support to NELAC and evaluation of accrediting authority programs. Currently, the NELAP Director and Executive Secretary are Environmental Protection Agency (EPA) staff (5). Under NELAP, the states are the principal accrediting authorities (6).

APHL member laboratories' involvement with the environmental laboratory accreditation under NELAP varies. Some State public health laboratories are completely separate from their corresponding State environmental laboratories, although in some States, the facilities are combined and APHL member laboratories serve as NELAP accrediting authorities (7). States with accrediting authority status (currently 11) rely on EPA for steady support and leadership (8).

APHL members have contributed in a significant way to the development of NELAP over the

years and are committed to the success of NELAP to meet the needs of the environmental laboratory community and users of environmental data. There is a need for quality environmental data for both regulatory compliance and response purposes. States and EPA share the desire for highly competent laboratories and quality laboratory data. There have been many recent examples of questionable laboratory data integrity, which undermine government collective efforts to protect the environment and public health (9-11). NELAC's goal is to establish quality systems to continue to improve data integrity in an effort to minimize these laboratory data problems. NELAP has benefited from the support of EPA; APHL members wish to partner with EPA through the advancement of NELAP.

As many private laboratories become accredited under NELAP-recognized state authorities, there is growing pressure for State laboratories to also achieve NELAP accreditation to set the highest standard for laboratory competency. With the States uniquely providing this accreditation authority, they are in an uncomfortable position to accredit themselves, each other, and federal agencies. States that are accrediting authorities have a significant responsibility. This has raised questions of inappropriateness or conflict of interest from private partners. Some State laboratories seek NELAP accreditation through separate accrediting authorities within their own state. In other cases, two states, each with their accrediting agencies separate from their laboratories, may accredit each other. Additionally, federal government laboratories are accredited by state accrediting authorities. Placing a leadership role on EPA to accredit state and federal environmental laboratories creates a solid national infrastructure with a built in reciprocity. EPA Regions have trained staff to provide accreditation. These staff persons often accompany NELAP accreditors on on-site assessments, and/or have the necessary skills to provide this accreditation. As an accrediting authority, EPA will strengthen NELAP to protect the quality of analytical data and eliminate any concern for conflict of interest.

C. References

1. 40 CFR Parts 141 and 143, National Primary and Secondary Drinking Water Regulations: Analytical Methods for Chemical and Microbiological Contaminants and Revisions to Laboratory Certification Requirements, Final Rule Federal Register / Vol. 64, No. 230 / Wednesday, December 1, 1999 / Rules and Regulations, <http://www.epa.gov/safewater/standard/analfr.html>
2. National Environmental Laboratory Accreditation Conference (NELAC) - 2002 NELAC Standards <http://www.epa.gov/nerlesd1/land-sci/nelac/standards07-04.html>
3. National Environmental Laboratory Accreditation Conference (NELAC) - 2002 NELAC Standards <http://www.epa.gov/nerlesd1/land-sci/nelac/2002standards.html>
4. National Environmental Laboratory Accreditation Conference (NELAC) - <http://www.epa.gov/nerlesd1/land-sci/nelac/index.html>
5. NELAC Program Policy and Structure, Revision 14, May 25, 2001, Page 5 of 21, 1.5.1.1 National Environmental Laboratory Accreditation Program, http://www.epa.gov/ttn/nelac/standard/1ps_14-0-jhrev.pdf
6. NELAC, Program Policy and Structure, Revision 14, May 25, 2001, Page 6 of 21, 1.5.2.2 States - http://www.epa.gov/ttn/nelac/standard/1ps_14-0-jhrev.pdf
7. NELAP Recognized Accrediting Authorities - <http://www.epa.gov/nerlesd1/land-sci/nelac/nelapaa.html>

8. NELAP Accredited Laboratories - <http://www.epa.gov/nerlesd1/land-sci/nelac/accreditlabs.html>
9. Environmental Laboratory Fined \$9 Million in Fraud Case - <http://enviro2.blr.com/display.cfm/id/17081>
10. ITS Laboratory Falsified Test Results at Thousands of Superfund Sites - <http://www.mapcruzin.com/news/news092300a.htm>
11. Feds: Environmental labs faking tests - <http://www.ecology.com/ecology-news-links/2003/articles/1-2003/1-21-03/faking-tests.htm>
12. The Environmental Council of States and Regional Certification Officers have each expressed support for strengthening the role of EPA in NELAP.



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