

Environmental Laboratory Accreditation Program's Responses to Comments

October 2, 2015 Draft of ELTAC By-Laws

January 15, 2016

Acronym List for The October 2, 2015 Draft ELTAC By-Laws

<u>Acronym</u>	<u>Stands for</u>
BW1	By-Laws Workshop 1 (Northern California)
BW2	By-Laws Workshop 2 (Southern California)
COD	City of Davis

Article	Title	Commenter	Representative	Number	Summary	Response
I	Name	N/A	N/A	N/A	N/A	N/A
II	Bagley-Keene Open Meeting Act	N/A	N/A	N/A	N/A	N/A
III	Objectives and Functions	N/A	N/A	N/A	N/A	N/A
IV	Membership	COD	Josie Tellers	1	Title should include "and Term"	Comment noted. Since Article IV covers more than just membership and term, ELAP has not adopted this recommendation.
IV	Types of Members	BW1	N/A	1	Why should Representative Members be called such, if there is no requirement for them to be solicited by a group or organization?	All Representatives and GEs should speak on behalf of some subset of ELAP's laboratory community as specified in Article IV Section D: Expectations. By definition, this makes them a representative.
		BW1	N/A	2	Make it a requirement the Chairperson be in attendance physically for meetings.	The By-Laws have been revised to address this comment. While the Chairperson is not required to attend the meeting physically, it is highly encouraged.
		BW2	N/A	1	Change the name "Government Employee" since many laboratories are run by the city, county or other government body.	The By-Laws have been revised to address this comment.
		COD	Josie Tellers	1	Provide the maximum number of GEs that may serve on the committee. Suggested: 2 GEs maximum.	The By-Laws have not been revised to address this comment. In order to preserve the flexibility of ELTAC, there shall not be set a maximum number of GEs.
IV	Composition	COD	Josie Tellers	1	Change: 3rd sentence to: "The Committee shall consist of a broad range of individuals who come from interested parties and environmental laboratories that have wide range of expertise that includes, but is not limited to, ELAP's fields of testing.	ELAP supports this language. The By-Laws have been revised to address the comment.
		COD	Josie Tellers	2	Revise 5th sentence: "Those serving on ELTAC shall... methods development, overall analytical laboratory operations; and familiarity of regulatory framework and requirements for compliance needs."	ELAP supports this language. The By-Laws have been revised to address the comment.
IV	Expectations	BW1, BW2	N/A	1	Who chooses an alternate in the event of an absence: ELAP or the Representative?	In the event an alternate needs to attend in place of a Representative or GE, the committee member shall choose the alternate. The By-Laws have been revised to address this concern.
		BW2	N/A	1	Make it clear that those who would like to attend the committee meetings may do so in person or remotely.	The By-Laws have been revised to address this comment.
		BW2	N/A	2	How are committee members supposed to report on communication held with their constituents, when those members may not even know who their constituents are?	ELAP shall provide the community with laboratory lists/types to aid the community in communication. Those nominated/applying to be on the committee should be able to specify who they are in contact with, and who they envision themselves representing.

IV	Expectations (con't)	BW2	N/A	3	Add language so the reports given annually may be done orally and at the October meeting.	The By-Laws have been revised to address this comment.
IV	Absences and Dismissal	BW1	N/A	1	When it comes to removing a Representative, GE or the Chairperson, there should be due process. The committee should also have the power to vote a member off of the Committee.	The By-Laws have been revised to address this comment.
		COD	Josie Tellers	1	1st sentence: Add language so a Representative/GE must give prior notice before sending an alternate. The notice must also include the alternate's area(s) of expertise.	The By-Laws have not been revised to address this comment. In the event a Representative/GE is sick, he/she may not be able to provide prior notice. Also, an alternate is just there to speak on behalf of the committee member; he/she has no vote.
		COD	Josie Tellers	2	Last sentence: Alter to say, "In the event that a Representative or GE obtains work in a new field or fails to represent his/her constituents, a new Representative or GE shall take his/her place in accordance to Article V Section A." Perhaps make an "Eligible List" that candidates may be selected from. This list would be based on applicants who were not picked in the original selection for Representatives/GEs.	ELAP supports this language. However, ELAP shall not have an "Eligible List" and will instead once again ask the laboratory community for applications for open seat.
V	Representative and GE Appointments/ Nominations	BW1	N/A	1	Have the applicant or nominee submit a brief summary of qualifications (1-2 sentences) in their package. This summary should include what their technical expertise is in, and who they see themselves representing.	The By-Laws have been revised to address this comment.
		BW2	N/A	1	Alter language to ensure individuals know they can submit application packages without having to be nominated. E.g. Change "Nominee" to "Applicant."	ELAP supports this language. The By-Laws have been revised to address this comment.
		COD	Josie Tellers	1	Add: One of the requested documents to be a letter of recommendation, or a written endorsement from the constituents or laboratory community the candidate represents.	ELAP supports this suggestion. The By-Laws have been revised to address this comment.
V	Nominating the Chairperson	COD	Josie Tellers	1	Suggestion: Make the nomination process one meeting before the October meeting so that only voting takes place during the October meeting.	Comment noted. ELAP will not adopt this suggestion, as one of the new members coming onto the committee may wish to serve as Chairperson.
VI	Regulations	COD	Josie Tellers	1	Question: How will this impact Stakeholder participation with ELAP regulations and restructuring of ELAP fees that have been the subject of discussion during the ERP process and future engagements with the Stakeholders outside of ELTAC?	It is ELAP's hope ELTAC will help foster a collaborative discussion regarding matters impacting the environmental laboratory community, which may include regulatory topics. However, ELTAC is not the only method by which the community may weigh in on various topics. Other non-members are encouraged to submit suggestions to ELAP as well.

VI	Minutes	BW2	N/A	1	How are meeting minutes supposed to be approved, and how is a record of old business kept if minutes taken are in the form of a video/audio file?	The position of Scribe has been reimplemented in order for detailed minutes to be recorded. The By-Laws have been revised to address this concern.
		COD	Josie Tellers	1	Recommendation: Add the location of where the minutes will be located so they may be accessed.	Comment noted. ELTAC meeting minutes shall be posted on ELAP's website: www.waterboards.ca.gov/elap . The By-Laws have been revised to address this comment.