



ACIL

American Council of Independent Laboratories

2014

POLICIES & PRACTICES

P²

CONFERENCE

**Program
Guide**

Hyatt Regency • Crystal City • Arlington, VA

March 18-19, 2014

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ACIL's Policies & Practices (P2) Conference presented by:

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QUALITY TRAINING FOR THE
LABORATORY COMMUNITY

A non-profit, 501(c)(3) scientific educational organization established in 1992, the multi-disciplined, member-driven Independent Laboratories Institute (ILI) provides quality training for the laboratory community.

POLICIES & PRACTICES (P²) CONFERENCE SCHEDULE

Monday - March 17, 2014

1:00 pm - 5:00 pm	Board Meeting	Boardroom
1:00 pm - 5:00 pm	Registration Open	President's Foyer

Tuesday - March 18, 2014

7:30 am - 8:30 am	ILI Board Meeting	Jefferson
8:00 am - 11:00 am	Registration Open	President's Foyer
10:00 am - Noon, 1:00 pm - 5:00 pm	Policy Meetings by Section Conformity Assessment Construction Materials Testing & Engineering Environmental Sciences Food Sciences	Kennedy Jefferson Lincoln Roosevelt
Noon - 1:00 pm	Lunch – Taking Advantage of R&D Tax Credits	Tidewater 2
3:00 pm - 3:15 pm	Break	President's Foyer
6:00 pm - 7:30 pm	Networking Reception Evening on Your Own	Chesapeake View

Wednesday - March 19, 2014

7:00 am	Registration Opens	President's Foyer
7:00 am - 8:00 am	Networking Breakfast	Lincoln/Roosevelt
8:00 am - Noon	Visits to Agencies/Regulators/Legislators	TBD
8:00 am - Noon	Business Practices Roundtables	Lincoln/Roosevelt
10:00 am - 10:15 am	Break	President's Foyer

ANTI-TRUST STATEMENT

One of the essential principles used in the ACIL Sections provides that meetings must comply with the antitrust rules applying to trade associations. This means that, during any ACIL meeting, there shall be no discussion of the following: current or future prices of services; price lists or procedures for coordinating price changes, sales quotas, allocation or division of territories or clients; boycotting any party or denying any party access to markets, products, or information; commercial practices of competitors or clients; anything dealing with trade abuses or excluding or controlling competition. There is a degree of constitutional protection from antitrust liability when dealing in good faith with taking positions on legislation. Nonetheless, following the foregoing will help avoid potential problems.

POLICY MEETINGS – March 18th

8:00 am - 11:00 am

Registration Open

10:00 am - Noon,

Policy Meetings by Section (see below)

1:00 pm - 5:00 pm

Noon - 1:00 pm

Lunch and Speaker

6:00 pm - 7:30 pm

Networking Reception

CONFORMITY ASSESSMENT

EPA Energy Star and Watersense

Eamon Monahan and Stephanie Tanner from EPA discuss the latest developments in the Energy Star Program and Watersense Program respectively.

NIST MRA Update

Ramona Saar, NIST Program Manager, provides an overview of NIST's work on Mutual Recognition Agreements (MRAs), the heart of the conformity assessment process, underpinning free exchange of goods based on conformity regimen acceptance across international boundaries.

Standards and Conformity Assessment – NIST Update

Gordon Gillerman, Chief of Standards Services at NIST, provides an overview of the conformity assessment activities in the Standards Services Office.

FCC EMC Requirements

George Tannahill, an engineer from the FCC's Office of Engineering and Technology, discusses recent actions impacting the FCC's rules and processes.

OSHA NRTL Program Update

Dave Johnson, OSHA Director of Technical Support and Emergency Management, reviews recent changes to the NRTL program, including the alignment of OSHA standards to international standards.

ENVIRONMENTAL SCIENCES

Service Contract Act (SCA)

Leslie Stout-Tabackman from Jackson Lewis provides general background on SCA guidelines for government contracts.

Non-governmental Accreditation

ACIL CEO Milton Bush and Cabot Earle (Microbac) discuss progress on ACIL initiatives in New Jersey, Florida and California as well as other efforts at the federal level.

Independent Laboratories Institute (ILI) Workshop & Technology Incubator Program

Joe Konschnik (Restek) provides an update on ILI projects since the ACIL annual meeting. David Friedman (ACIL) presents an update on the Solid Phase Extraction (SPE) Study. David Kennedy (David Kennedy & Associates) discusses the ILI New Technology Incubator Project.

ENVIRONMENTAL SCIENCES (Cont.)

EPA Activities Updates

David Friedman (ACIL) updates the following EPA programs:

- RCRA/SW-846
- Clean Water Act
- Safe Drinking Water
- Clean Air Act

China Brownfields Program

Robert Agee from the International City/County Management Association discusses this EPA effort to help the Chinese government develop a contaminated site program while providing an opportunity for US laboratories and instrument vendors to conduct business in China.

Roundtable: Challenges and Trends Facing Testing Laboratories

Joe Konschnik (Restek); **Dave Speis** (QC Laboratories); **Judy Morgan** (ESC); and **Charlie Carter** (TestAmerica) discuss:

- ELAB Helium Update and Helium Substitutes (**Dave Speis**)
- Training and Certifying Environmental Chemists (**Charlie Carter & Judy Morgan**)

FOOD SCIENCES

FSMA Update

A member of the House or Senate Appropriations Committee delivers an update.

Independent Laboratories Institute (ILI) Workshop & Technology Incubator Program

Joe Konschnik (Restek) provides an update on ILI projects since the ACIL annual meeting. **David Friedman** (ACIL) presents an update on the Solid Phase Extraction (SPE) Study. **David Kennedy** (David Kennedy & Associates) discusses the ILI New Technology Incubator Project.

Canadian and US Food Safety Systems

Attorneys **Edgar Aseby-Birkholm**, partner at Roetzel and Andress, and **Sara Borovski** contrast and compare the US and Canadian food safety systems with an eye toward expanding the use of private laboratories.

Pesticide Residue Inter-laboratory Study Update

John Wong (invited) from the FDA presents the latest results on the subject study as well as discusses future efforts with the private laboratory industry.

Surveillance Sampling Discussion (Executive Session – Members Only)

POLICY MEETINGS – March 18th

CONSTRUCTION MATERIALS ENGINEERING AND TESTING

NETTCP/ACIL Personnel Certification

Chris Bowker from the North East Transportation Technician Certification Program (NETTCP) and Steve Bowser (Bowser-Morner) lead a discussion on the latest developments in the ACIL Personnel Certification Program.

FHWA – Benefits of NACLA Recognition

Mike Rafalowski from Federal Highways Administration (FHWA) presents an update of the agency's activities, and the benefits of obtaining NACLA recognition and utilizing ACIL/ NACLA Guide 1825.

FAA Regulatory Update

Greg Cline from the Federal Aviation Administration (FAA) discusses upcoming changes to the FAA pavement specifications.

Army Corp of Engineers Update

Dr. Joseph Koester from the US Army Corp of Engineers discusses recent activities of interest to construction materials engineering and testing laboratories.

Sector-Specific Recognition Initiatives for US Laboratory ABs

Robert Uttenweiler from the National Cooperation for Laboratory Accreditation (NACLA) presents the latest sector-specific recognition initiatives for laboratory accreditation bodies (ABs) in the US.

BUSINESS PRACTICES MEETINGS – March 19th

7:00 am

Registration Opens

7:00 am - 8:00 am

Networking Breakfast

7:45 am - 8:00 am

General Session: Opening Remarks & Introductions

8:00 am - Noon

Business Practices Roundtables

Members help members with common issues facing laboratories, covering areas including marketing/sales, human resources, customer service, acquisition planning, succession and information technology. Bring your most intractable issues, and learn how other laboratories have successfully addressed them. ACIL COO Richard Bright facilitates these lively, interactive discussions, accessing the ACIL brain trust to better your laboratory.

8:00 am - Noon

Visits to Agencies/Regulators/Legislators

SPEAKER BIOGRAPHIES



Edgar Aseby-Birkholm, Roetzel & Andress

Partner and food and drug law practice group manager at Roetzel & Andress, Edgar Asebey provides counsel to clients on compliance, registration, importation and enforcement matters related to FDA-regulated products, including foods, medical devices, OTC drugs and cosmetics. He assists clients in registration, clearance and pre-market approval submissions to the FDA and advises clients on compliance issues associated with the development, manufacture, marketing and sale of FDA-regulated products.

A recognized expert on the Food Safety Modernization Act (FSMA), he has lectured in over 20 forums in Latin America, Japan and the US on FSMA's impact on US importers, non-US food exporters and food companies, and represented numerous foreign food companies before the FDA, including rice, seafood, olive, fish oil and nut exporters as well as fresh and processed food manufacturers. He assists clients with the preparation of FDA submissions, including 510(k) premarket notifications, food additive petitions, GRAS self-affirmations and notifications, and product listings/establishment registrations.

Earning a BA in Molecular Biology from the University of Chicago, and his JD from Catholic University, his experience includes pursuing client interests before the FDA, FTC, USDA, EPA and state regulatory agencies.



Richard Bright, ACIL

Founder of Bright Concepts Inc., a full-service association management company providing sales and marketing consulting, CEO coaching and sales training, Richard Bright has sold over \$25 million in revenues for various organizations, achieving significant growth for his clients since founding the company in 1997. Part of the management team that manages ACIL, Richard serves as ACIL COO. Born and educated in Manchester, England, Richard also sits on the advisory board of The Entrepreneurship Institute (TEI).



Milton Bush, ACIL

Principal and owner of The M Companies, a government affairs and association management company heavily focused in conformity assessment (inspection, testing, certification, accreditation and quality systems registration), Milton Bush has held increasingly responsible positions in major international trade associations and professional societies over the last nearly 40 years, culminating with his current position as ACIL CEO in 2008.

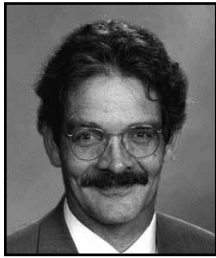
Milt has represented clients before Congress, Federal agencies and international bodies in the following issue areas: defense, R&D, appropriations, international trade, telecommunications, taxation, admiralty, product liability, information technology, energy, homeland security, food and drugs, labor, transportation, environment, technology and science. He has chaired and served on a number of Boards of Directors as well as Federal Advisory Committees and has been a technical advisor to the Federal government.

Milt earned a law degree from George Mason University, is a magna cum laude undergraduate, registered lobbyist and Certified Association Executive (CAE).

SPEAKER BIOGRAPHIES

Christopher Bowker, NETTCP

With over 45 years experience in construction materials testing and inspection, specializing in hot mix asphalt, soils, concrete and related materials, Christopher Bowker currently serves as executive director of the NorthEast Transportation Training and Certification Program (NETTCP) and as an expert witness in hot mix asphalt construction. A former vice president at Professional Service Industries, Briggs Engineering and Testing Company and American Engineering and Testing Company, Chris earned his Associates Degree in Architectural Engineering from Wentworth Institute in Boston.



Charlie Carter, TestAmerica

Dr. Charles Carter is Vice President of Quality, Technical, and Support Services for TestAmerica where he has ultimate responsibility for quality assurance and technical performance of all TestAmerica laboratories. He also oversees health and safety, pricing controls, customer service interactions, performance problem resolutions, process improvement initiatives and information systems implementations. During his 30 plus years of environmental laboratory experience, he has been active in various industry associations, and is a recognized technical expert in various areas of environmental chemistry. As an undergraduate at Earlham College, he studied religion, philosophy and ethics; he holds a Masters in Environmental Science and a PhD in Environmental Chemistry from Drexel University.



Gregory D. Cline, P.E., Federal Aviation Administration (FAA HQ)

The Airport Pavements Civil Engineer at the Federal Aviation Administration (FAA), Airports Safety and Standards, Airport Engineering Division (also known as AAS 100) at FAA headquarters since 2010, Greg Cline develops technical and policy documents, including pavement related advisory circulars and engineering briefs; provides technical assistance and guidance to FAA management, regional and field offices; oversees research projects and tech-transfer for the IPRF and APTP programs; and maintains liaison with industry and organizations including the Tri-Service Pavement Working Group and Canadian Airfield Pavement Technical Group (CAPTG), and serves as FAA US representative to the ICAO Aerodome.

Greg brings over 30 years of wide ranging experience to the Airport Engineering Division as a result of his previous positions with the NAVFAC Engineering Service Center as airfield pavements subject matter expert; and as principal of ACCESS Consulting, chief engineer of BTC Laboratories, Inc., project engineer for the Naval Civil Engineering Laboratory and pavements O&M engineer for the US Forest Service.

An engineering graduate from the University of Wisconsin-Platteville, Greg received his MS in Systems Management from the University of Southern California. He is a licensed Professional Civil Engineer in both Wisconsin and California; and a member of ASCE's T&DI Airfield Pavement Committee.

SPEAKER BIOGRAPHIES



Cabot Earle, Microbac Laboratories, Inc.

Appointed Microbac's executive vice president in 2014 after serving as chief administrative officer and general counsel since 2009, Cabot Earle leads the company's Executive Committee and oversees the sales, human resources, legal, financial, technology and talent functions. He joined Microbac in 2001. Active within ACIL for many years, Cabot chairs ACIL's Government Relations Committee, and has worked on issues including accreditation and unfair competition.

Cabot earned his MBA from the Weatherhead School of Management at Case Western Reserve University in Cleveland, OH, his JD from the Roger Williams Law School in Bristol, RI and his BA from Davidson College in Davidson, NC. He is admitted to practice law in the Commonwealth of Pennsylvania.



David Friedman, ACIL

After a 42-year federal government career involving environmental protection, David Friedman advises ACIL's Environmental Sciences Section, presenting seminars on environmental technology validation and on EPA analytical methodology, advising commercial environmental laboratories on business development, assisting analytical instrument manufacturers with designing and conducting validations of new instruments and obtaining EPA approval, and helping facilitate ACIL's partnership with EPA. He also directs the Independent Laboratory Institute's (ILI) workshop series and its SPE method

development and validation program.

At EPA, David served as Senior Advisor on Monitoring to the EPA Science Advisor and Assistant Administrator of the Office of Research and Development (ORD), coordinating the ORD monitoring research programs and EPA efforts to help establish a national environmental laboratory accreditation program; providing authoritative advice and assistance on issues dealing with EPA monitoring regulations, policies and statutes; directing the EPA program to convert a former Soviet biological weapon operation into a commercial environmental analytical laboratory, and helping EPA prepare to respond to emergencies requiring the mobilization of large amounts of analytical laboratory capability. To improve EPA monitoring policies and procedures, he helped establish the EPA's Forum on Environmental Measurements (FEM) and the Environmental Laboratory Advisory Board (ELAB).

He began his federal career at the FDA looking for industrial chemicals entering the food chain and then moved to the EPA to help develop the hazardous waste regulatory program, directing the development of the hazardous waste characteristic testing methods and creating the annual National Environmental Monitoring Conference (NEMC), serving as its chair for 20 years.

SPEAKER BIOGRAPHIES



Gordon Gillerman, NIST

As the Chief of the Standards Services Division in Technology Services at the National Institute of Standards and Technology (NIST), Gordon Gillerman coordinates and advises federal agencies, US industry and other stakeholders on standards and conformity assessment policy. The Standards Services Division operates the US inquiry point for the World Trade Organization's Technical Barriers to Trade Agreement, a key information source for US industry on standards-related market access issues.

With extensive experience coordinating standards policy and development across a wide range of issues critical to the US, including homeland security, cloud computing, safety, health and protection of the environment, Gordon has led NIST in designing and implementing conformity assessment programs as well as assisting in the development of performance standards to meet other federal agency and industry needs and fulfill NIST's role in coordinating standards and conformity assessment in the US. Gordon is the Public Sector Co-Chair of the American National Standards Institute's (ANSI) Homeland Security Standards Panel, a member of the Toy Industry Association, Toy Safety Certification Program's Oversight Council and lectures on standards, conformity assessment and regulation.

David Johnson, OSHA

Director, Office of Technical Programs & Coordination Activities of USDOL-OHSA, Directorate of Technical Support & Emergency Management since 2012, Dave Johnson provides management oversight of OSHA's Variance Program and the Nationally Recognized Testing Laboratories Program.

After transitioning to civilian life in 2005, Dave worked in several diverse and challenging safety positions for the federal government, ranging from safety director for several national parks in the western US to operational safety director positions for the US Army in California, Korea, Italy and Germany. He entered active duty military service with the US Army in 1984, serving as a UH-60 helicopter pilot and an aviation safety officer in various theaters of operations, including Fort Campbell, KY; Patrick AFB, FL; Fort Rucker, AL; Honduras; Somalia; and Korea.

A native of Warren, MI, Dave holds a BS in Occupational Safety and Health from Columbia Southern University and a MPA from American Military University.



Ben Kaplan, McGladrey LLP

With over 30 years of financial experience, Ben Kaplan currently serves as director, federal credits and incentive for McGladrey, an investment consulting and accounting firm. His career includes positions at major firms such as Consolidated Edison, Becton Dickinson, Merrill Lynch and ADP, as well as founding a boutique consulting firm. He focuses on assisting companies in claiming the research credit. Clients included State Farm, Deutsche Bank, Lazard Frere, ITT Industries, Berwind Industries, Schick Technologies, Paccar and Church & Dwight. Ben has testified before Treasury and the

IRS concerning the research credit regulations.

Ben earned his law degree from Rutgers Newark School of Law, an MBA in Finance and International Business from NYU and his BA from Florida International University, and is a member of the New York, New Jersey and District of Columbia Bar Associations.

SPEAKER BIOGRAPHIES



David Kennedy, David Kennedy & Associates

With 45 years experience in environmental monitoring and food safety, including industrial research and development, environmental engineering, environmental testing laboratory management and analytical instrument manufacturing, David Kennedy provides professional services for business development, business process improvement and technology acquisition. He earned a BS in Chemistry and a PhD in Analytical Chemistry from Iowa State.



Joe Konschnik, Restek Corporation

After 19 years in the environmental laboratory industry, Joe Konschnik joined RESTEK in 2001. In his current role, Joe represents the voice of the customer for the sample preparation, air monitoring and chemical reference materials product lines for global markets with RESTEK. During his laboratory career, Joe worked as a chemist and later held middle and senior management positions, serving in various operational, technical and sales roles with some of the nation's largest companies. Joe earned his BS Degree in Public/Environmental Health from West Chester University.



Eamon Monahan, EPA

Eamon Monahan has worked at EPA for 7 years, the last 6 in the Office of Air and Radiation. As co-lead for program integrity for the ENERGY STAR products program, he developed and implemented the third-party certification procedures for ENERGY STAR products that became effective in January 2011. He oversees the product certification process and serves as the primary contact for EPA-recognized accreditation bodies, laboratories and certification bodies.



Judy Morgan, ESC Lab Sciences

Vice President and Chief Regulatory Officer for ESC Lab Sciences, Judy's 23-year ESC tenure includes the design and implementation of company programs for quality assurance, green initiatives, safety, ethics and confidentiality, and waste disposal/minimization. She directs programs ensuring the accuracy and completeness of analytical laboratory results, and the satisfaction of contractual and equipment specification requirements. She initiates and oversees audits, including corrective measures (when necessary), and oversees the regulatory technical staff.

Serving the environmental industry since 1986, Judy is a respected expert witness on quality and regulatory matters with previous experience as an analyst in both organic and inorganic methods. A two-time recipient of the prestigious Preston Millar Award and graduate of Austin Peay State University with a BS in Chemistry, Judy received her MS in Analytical Chemistry from Western Kentucky University with research completed at Vanderbilt University. She also serves on the Board of Directors for ACIL, TNI and A2LA, is the former Chairman of the EPA Federal Advisory Committee – Environmental Lab Advisory Board, and serves as the current chair of ACIL's Environmental Sciences Section.

SPEAKER BIOGRAPHIES



Michael Rafalowski, Federal Highway Administration

A materials engineer at the Federal Highway Administration's (FHWA) Office of Technology, Michael Rafalowski oversees materials quality assurance, including 23 CFR 637 quality assurance procedures for construction; technician qualifications; laboratory qualifications, including accreditation and materials, and quality assurance related training.

His major projects include quality assurance stewardship reviews, development of specification development software, materials-related training and representing FHWA at the National Cooperation for Laboratory Accreditation (NACLA), including serving on the Operations Council and chairing the Recognition Committee.

Mike earned his MS in Civil Engineering from George Washington University in 1987 and his BS in Civil Engineering from Penn State in 1976, and is a registered Professional Engineer in Illinois. Chair of the Joint Sealant Project Panel of the National Transportation Product Evaluation Program, Mike belongs to ASTM and the Asphalt and Asphalt Mixtures Section of the American Association of Highway and Transportation Officials Subcommittee.



Ramona Saar, NIST

As the Program Manager for the NIST Telecommunications Mutual Recognition Agreements (MRA), Ramona Saar oversees the US Designating Authority responsibilities for multiple EMC and Telecom MRAs, including those with APEC, the EU, Japan, Mexico and Israel. She has worked in the field of conformity assessment for over 20 years.

David N. Speis, QC Laboratories

President and Chief Executive Officer for QC Laboratories in Southampton, PA, since 2012, Dave Speis' extensive senior staff and management experience in commercial environmental laboratories encompasses technical operations, quality assurance, business development and facility management. Beginning his career in environmental chemistry in 1969, he spent 11 years with US EPA Region II as a bench chemist conducting the analysis of organic pollutants using sophisticated instrumentation.

He serves as past chair and member of the US EPA's Environmental Laboratory Advisory Board (ELAB) Federal Advisory Committee, Board member and Treasurer of The NELAC Institute (TNI) and a member of ACIL's Environmental Sciences Section Executive Committee. While on the International Association of Environmental Testing Laboratories (IAETL) Board, he assisted in developing the initial framework for national environmental laboratory accreditation. He served as the secretary of the New Jersey Department of Environmental Protection's Environmental Laboratory Advisory Committee and as the Chairman of the Board of the Institute for National Environmental Laboratory Accreditation.

Dave has published numerous articles on various topics in environmental chemistry and business management of commercial laboratories and frequently speaks at national conferences and forums.

SPEAKER BIOGRAPHIES



Leslie Stout-Tabackman, Jackson Lewis

A shareholder in the Washington, DC Region office of Jackson Lewis PC, Leslie Stout-Tabackman has a broad-based legal practice counseling and representing employers on compliance with federal and state workplace laws and regulations, and designing and implementing sound practices and policies. Her prevailing wage practice includes counseling federal contractors and providing comprehensive training on the Service Contract Act (SCA) and DBA prevailing wages and benefits requirements, coverage, exemption and worker classification issues, and related contracting procedures from the solicitation and bid stage through completion of the contract.

In addition, Leslie counsels clients on matters involving employment discrimination, non-compete and other employment agreements, employee performance and discipline and employment termination. She has extensive experience conducting effective internal investigations of workplace claims and grievances, including harassment and other claims.

A frequent speaker at seminars and conferences on wage and hour and prevailing wage law matters, she has developed and co-taught a course on prevailing wage laws and co-taught a course on covenants not to compete for the District of Columbia Bar's Continuing Legal Education program.

She received her BA from Colgate University, and her JD from The American University, Washington College of Law, summa cum laude, where she served as Editor-In-Chief of the American University Law Review, received the Outstanding Graduate Award, and was elected to the Washington College of Law's Honor Society.



George Tannahill, FCC

An engineer at the FCC Office of Engineering and Technology Laboratory, George Tannahill's responsibilities include serving as technical expert on the Equipment Authorization Electronic Filing System (EAS) and Mutual Recognition Agreements for conformity assessment.

Stephanie Tanner, EPA

The Lead Engineer for the US Environmental Protection Agency's (EPA) WaterSense® Program, Stephanie Tanner oversees all technical aspects of labeled product development, including setting efficiency and performance criteria as well as managing the certification process. Prior to EPA she managed a water efficiency program for Federal facilities and wrote a number of guides for water efficiency. She holds BS in Marine Engineering from the Merchant Marine Academy and a Master of Engineering Management from the George Washington University.



Robert F. Uttenweiler, NACLA

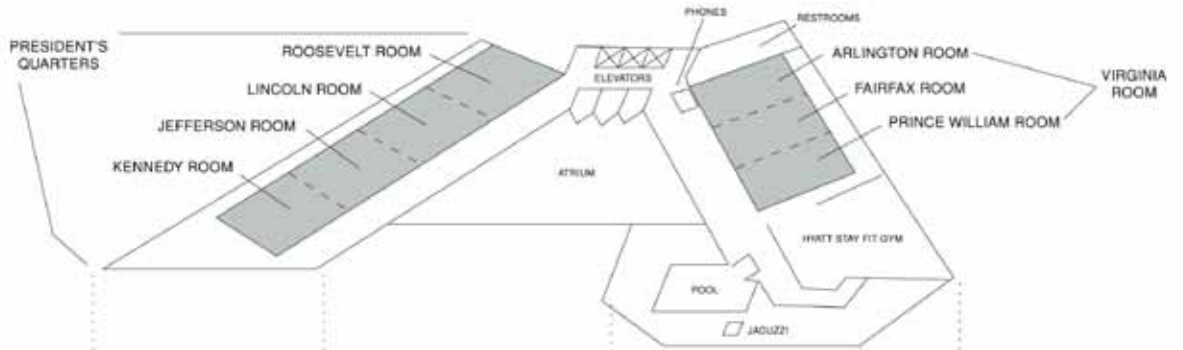
Bob Uttenweiler currently serves as the Executive Officer of the National Cooperation for Laboratory Accreditation (NACLA), using his 25 years experience in association management and over 30 years in both not-for-profit and for-profit management. During his time in association work, he worked extensively in the areas of government affairs, professional education and finance. The former Executive Director of the Greater Washington Society of CPAs, he also worked as station manager for three university FM radio stations and taught at Temple University in Radio-Television-Film.

Bob holds a Master's in Speech from Indiana State University and a Bachelors in Earth Science from Northern Illinois University.

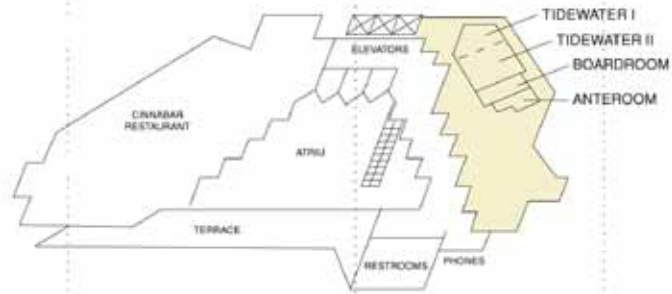


HOTEL MAP

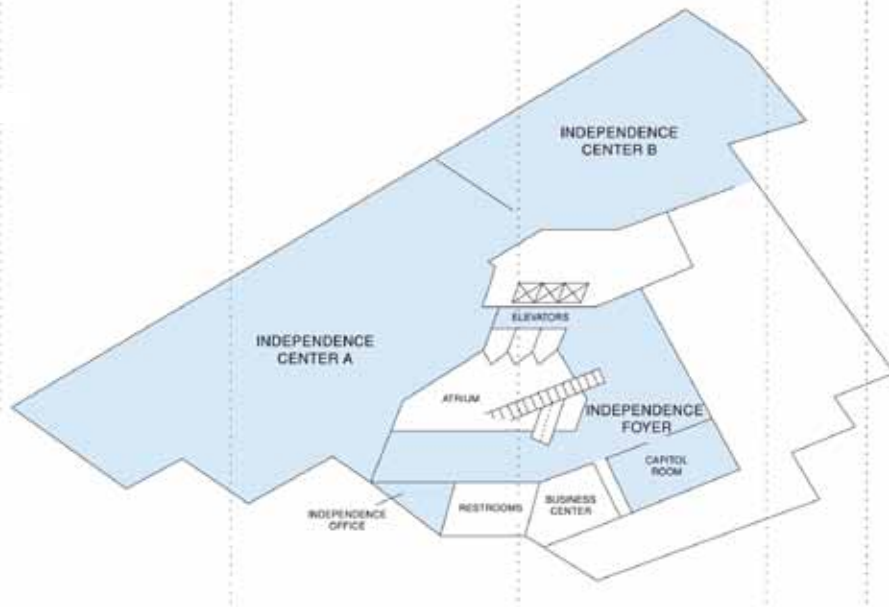
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INDEPENDENCE LEVEL



ACIL

AMERICAN COUNCIL OF INDEPENDENT LABORATORIES

77th Annual Meeting

in

Chicago



Chicago, IL
October 5-8, 2014
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