National Radon Dialogue
Updates and Check in Call

September 26, 2011
10:30 – 1:00 pm EDT

Revised Meeting Summary

Agreements Reached:

- **The representatives of the NRD support the following:**
  - **Because the ANSI-approved bylaws of the AARST Consortium state that members of the consensus bodies tasked to promulgate, complete and maintain each individual standard document shall typically be nominated by stakeholder groups, the Consortium will send CRCPD a request for nominations for the state seats, containing information about the standards to be developed, the type of knowledge /experience most desired, and the name of the chair of the committee.**
  - **The CRCPD Board of Directors would be asked to commit to making its best effort to nominate representatives to fill the seats designated for regulated and unregulated States for that standard committee.**
  - **In order to help those representatives effectively speak for the concerns and interests of the states they represent, CRCPD will be asked to convene conference calls between those state representatives and other interested states at appropriate intervals during the process, especially during comments periods. This will allow CRCPD committees and individual states to talk with their representatives about their concerns and comments, and hear input from the representatives explaining the purpose of provisions in the draft standards, thereby ensuring a more effective voice in the process for states even when they are not themselves serving as the state representatives to the standard committee.**
- **Next Steps/Action Items:**
  - **Consortium to begin new standard committee on Multi-family Mitigation, with administrative/logistical support from EPA contractors**
  - **EPA to reach out to states and labs to increase voluntary involvement in the Radon State Data Exchange**
  - **Interested stakeholders/groups should respond to outreach from NCHH and others to begin working on including radon in IBC and IRC codes, and spread the word to others.**
  - **EPA to reach out to vapor intrusion/soil gasses stakeholders to engage them in the efforts to include radon in ICC codes**

Participants:
AARST: Carolyn Allen, Peter Hendrick, Dave Kapturoski,
AARST Standards Consortium: Gary Hodgden, Shawn Price
CRCPD: Clark Eldridge (Florida), Josh Kerber, Jim Kelly, and Dale Dorschner (Minnesota), Jim McNees (Alabama), Sara Morgan (Nebraska), Bob Stillwell (Maine)
EPA: Peggy Bagnoli, Larainne Koehler, Bill Long, Jani Palmer, Susie Shimek
NEHA/NRPP: Angel Price
Other: Stacie Smith (CBI – *Facilitator*)

Welcome and Overview of the Agenda
CBI welcomed participants, reviewed the purpose of the call and outlined the agenda for the meeting.

Check-in on communication, coordination, and conflict resolution

A participant noted that, in the absence of a national regulatory program, it was not going to happen for all states to follow the same codes and standards. He noted that several states still reference old EPA radon standards in their codes, even though these have been updated through collaborative processes. Further, he observed that there are major differences across states even for radioactive material codes, which are required to be compatible across states but are not. Each state, with its unique standards, argues that their codes are in the best interest of their citizens, and this is consistent with their responsibilities to protect public health. Another participant agreed, stating that without a full-blown regulatory program at the federal level, each state takes its own course.

Updates on On-going Activities

The group then moved to a series of updates about on-going activities, including: standards work from the AARST Consortium on National Radon Standards; potential agreements on new standards development; EPA Device Study (Jani Palmer); and next steps on the Radon State Data Exchange.

AARST Consortium on National Radon Standards

Shawn Price updated the group on behalf of the AARST Consortium. He reported that work has continued on the RRNC 2.0 Standard. The sub-committee has completed a second public review, in which they have received over eighty comments.

He reported that the Consortium had issued a first call for participants to work on updates on the Radon Measurements in Homes standard. The Radon Measurement in Homes standard was initially completed in 2004-5, but it did not go through the official ANSI process. Because of this, many states had little interest in using it. One discrepancy was that they provided a 30-day review rather than the 45- day minimum review required by ANSI. Shawn reported that there is now a new committee with some of the same and some different participants, including 4 state representatives, 2 representatives from EPA (one lead, one back-up), plus participants from a range of industry parts, including 1 from the National Association of Realtors.

He further reported on a recent call of the Executive Stakeholder Committee, the committee in charge of management for the Consortium. Topics included some tweaks to the by-laws to respond to changes in ANSI procedures, and a motion to form a committee to develop a new standard on Multi-family Mitigation. (The need for this standard was supported highly by participants in the National Radon Dialogue (NRD) during our last call and subsequent web poll). This would likely address buildings up to four stories, as a companion to the Multi-family Measurement standard. The scope of work for the committee still needs to be finalized by the committee, once it is formed.

A participant responded that she had understood Radon Measurements in Homes to be low on the priority list for the radon community, as seen in the web poll results. An AARST representative clarified that this issue has been on the Consortium's radar for years and this work constituted a normal maintenance. The facilitator clarified the difference between NRD priorities and Consortium priorities, reminding the group that the NRD priorities were those that EPA would invest resources in supporting with contractor assistance.

Potential agreements on new standards development

The facilitator reminded the group that the last call focused on EPA's offer to invest contractor resources in expediting the development of needed standards. This discussion led to several broad agreements, including:

- Standards will be developed from beginning to end through existing accredited standard-setting organizations, rather than begun in informal working groups.
- Standards for testing or mitigation of schools would be combined with large commercial buildings. The final scope would be further clarified by those committees.
- The five top priority standards for potential EPA support are:
    - Multi-family Mitigation
    - Schools and Large Commercial Buildings Measurement/Testing
    - Schools and Large Commercial Buildings Mitigation
    - Minimum Performance Standards for Devices for Measuring Radon Gas in Air (in progress but needs support) - might also work on additional QA topics
    - Homes Measurement

The follow-up web survey further clarified that 1) most participants prioritized the first four of these over the last, and 2) most participants could live with using the AARST Consortium as the mechanism for developing these standards. However, some concerns were raised that the views of states were still not sufficiently represented in the Consortium process. Discussions with participants about this issue led to an idea to request greater involvement of CRCPD in selecting the state representatives on the committee, and in assisting on-going communication between representatives and other states during the committee process. Ruth McBurney of CRCPD (who was unable to attend this call) spoke to the CRCPD Board, who supported the idea. The NRD participants were asked for their thoughts.

One participant stated that, as a public health official, he could not support consensus standards as a basis for fundamental public health concerns. He argued that there had to be a risk/benefit analysis for testing. The participant asked, "Is there math and science here? Does the consortium group do that – they may not?" These are the analyses that public health managers must use. The participant suggested that consensus standards in building codes seemed appropriate.

Another participant responded by stating his respect for the view point of concern for public health. He explained that, in a voluntary national program, the role of the standards is voluntary, and states can choose to embrace them or not, on a state-by-state basis. The standard is intended as a base document. The participant added his view that this is a problem with the way IRAA is implemented, especially for unregulated states. He also stated that the same was true for CRCPD model regulations – each state can choose to ignore, over-ride, reference, or require the standards, depending on their own needs and authority.

Another participant responded that no consensus organizations can take documents to that level of analysis. Rather, that states that are looking to adopt the standards have to do this work. He continued that the consensus process has a lot of advantages. The participant concerned about public health asked where else are consensus standards being used on public health issues. One participant suggested NCRP. Someone noted that they just do the technical documentation and research, and someone else noted that the NCRP has had little money since 1994 to do this kind of work. He pointed to OCHA, which references hundreds of consensus standards. He stated that there is still the need for base-line standards and protocols, despite the limitations, and that much can be done if the group works together.

A participant noted that States many be required is to fill in the holes in standards where sufficient analysis is not done. For example, the question of how many tests should be done at a school and why. He asked, is there room for a state to change that?

A participant answered "of course", and reiterated that each state will need to decide to adopt, in whole or in part, and turn pieces into law or not. But he reiterated potential benefits of the consensus process, stating that the sum can be more than the parts, and allow answers that couldn't otherwise be found. It also provides a mechanism for standards to be updated, reevaluated and public.

The facilitator observed that the goal of the standard process was to insure that the standard is as useful to as many people as possible.

The group next focused on the proposed involvement of CRCPD. One participant welcomed the idea as a way of filling the state seats, which would be a huge benefit and something that CRCPD has already done informally. Another participant concurred, adding that the more the state viewpoint and experience can be reflected in the documents the better. There was general agreement that such state involvement and feedback would be positive for the process. A participant expressed concern about CRCPD's ability to involve someone from the organization officially. Another participant responded that CRCPD does have officially appointed liaisons. He noted that this does not mean that CRCPD endorses them. The participant concluded by noting that he believes the EPA has the authority to set radiations standards but that the EPA does not have the will or resources to do it in radon. Thus, the current process is the best they have and then states can use or modify as they see fit.

EPA Device Study

Jani presented on the EPA device study update. A year and a half ago, EPA got a workgroup together to talk about how to evaluate device measurement system reliability. Jani referred to the IG report, which said that EPA does not know if devices are reliable, and told EPA to clarify that it cannot recommend the devices for public use nor guarantee that they are reliable. The workgroup came up with several options for evaluating the current state of reliability. The

proposals included compiling past performance test result data from the proficiency programs. Last year at the Symposium, EPA presented preliminary results showing that accuracy of devices has improved since EPA managed the program. Jani noted that more work has been done since then, adding more details. She informed the group of a webinar taking place on the 27th of September to present more detailed information on the topic. EPA is currently finishing the draft of a final memo to the IG on this, and hopes to discuss next during open space time at the Symposium in October.

A participant asked about how information on the webinar would be distributed. Jani replied that the event would be recorded and posted on the web with audio transcript. She also noted that the EPA would be open to hosting another webinar if there was interest.

Another participant asked if it was safe to assume that the group would be able to see and discuss the IG letter in Orlando? Bill Long (EPA) replied that he expected so. He continued that the EPA is trying to strongly and succinctly make their case that device accuracy has improved. When the IG report came out, he knew that EPA would prefer not to make statements in its public materials that it could not assure the public test devices were not accurate enough to use for mitigation decisions because of the potentially disastrous effect it would likely have in the marketplace. Rather than make those statements, EPA informed the IG that the radon community would do (and is doing) a number of things to ensure device accuracy and one of those was Jani's study.

Jani explained the data used and reporting developed. They developed two charts: one showing proficiency testing failures by device types, and testing failures by chamber value. For each device type, they compared data from three times: before the EPA program (1989); during the EPA program (average between 1991-1995); and post-EPA program, using data from Bowser Morner and UCCS. Averages of all types showed good improvement. For chamber values, combined all devises, and used under 8 pCi/L, 8-16 pCi/L and over 16 pCi/L. Jani thanked the group and said that this could not have happened without them.

Next steps on the Radon State Data Exchange

Peggy provided an explanation to the group of the Radon State Data Exchange (RSDX). She added that the first open space on this topic took place at the National Radon Training Conference in Columbus. The project came about based on inquiries and concerns for the need for better national radon data, and requests that EPA invest in creating a new Radon map, which EPA did not have the resources to do.

EPA brought together a working group of 21 states, and developed a spreadsheet showing what data they were collecting. (This spreadsheet, and all of the other work from the workgroup, is available for download on Radonleaders.org). EPA is facilitating but not driving this effort, and it is entirely voluntary. The group sought to determine what the core data elements should be, especially those items collected by all/most states.

EPA then formed a connection to the CDC's environmental public health tracking network. Twenty three states and New York City have CDC grants for that program, so we asked whether radon could be added to that program. The 23 states agreed in May to add radon, which can

potentially cut CDC's timeline from a year to 9-10 months. The platform will be hosted by CDC and the initiative can leverage their resources.

The current focus is to expand the states who want to participate, and to get Radon Labs involved. Labs can participate by harmonizing their data collection to include the core elements, and by agreeing to push data to CDC website for states that do not collect their own data. For States that currently don't collect data, CDC is developing a guide for them, starting with core elements. Peggy concluded by clarifying that this project would not necessarily replace the radon map, though it could potentially contribute to that in the future. Meanwhile, there will be more standardized national radon data that can be accessed, used, and analyzed.

One participant asked if CDC understands what radon data is. He noted that they keep on looking at rates/year or rates/period, which does not make sense in the case of radon. This is not like disease incidents. Peggy said that EPA was talking with them to make sure that they do understand, and has stressed the importance of radon coordinators meeting with the CDC counterparts in their states. She said that lines of communication need to be opened. A participant also brought up the question of when radon data is too old.

A participant wondered about whether there were limitations on the type of data included. Peggy replied that they were using residential and pre-mitigation data only. The core data elements are currently broken out in the following categories: personal information (limited to zip code and county), building information, test/kit information, test results, and post-mitigation information (optional); and referred participants to the full list available at RadonLeaders.org.

Next steps for the RSDX were to meet with labs to explore their participation by harmonizing core element data and potentially participating in the pilot to push data to CDC. EPA looked forward to more input at the Open space session in Orlando.

CRCPD Device Study. An update on the CRCPD device study only noted that it was moving forward.

New Activities

Changes at Las Vegas Lab

Bill Long briefly mentioned a temporary QA/QC issue with the lab in Las Vegas that has interrupted analysis services for what is hoped to be a short time. He referred any questions stakeholders may have to the lab director, Ron Fraas.

Inclusion of Radon in International Code Council (ICC) Codes

Peggy opened a conversation on the NRD's interest in seeking the inclusion of radon in ICC codes. She explained that this was a priority in the Federal Radon Action Plan, which laid out the priorities of a range of federal agencies in dealing with radon. In this process, other federal agencies have expressed the need for codes to guide federal actions. With all the guidance out there, federal agencies and others have been exploring opportunities for including radon language into the ICC codes (International Residential Code (IRC) or International Building Code (IBC) depending on the type of stock).

EPA met with Jane Malone (from National Coalition for Healthy Housing) and David Conover (a contractor to Department of Energy). Both Jane and David have extensive experience working on codes, and both are interested in helping to push this issue forward.

IBC would deal with larger buildings, and is more relevant for federal agencies, but proposals are due Jan 2012. IRC proposals are due January 2013, and can draw on RRNC 2.0 & Appendix F.

The effort would be a multi-year approach, starting with IBC, with the first step of putting together a working group to look at existing documents, such as EPA documents, the NJ code. To do so, they need to identify stakeholders to help move this forward – state and industry co-proponents.

It was suggested that starting with the IBC now could provide leverage for working on the IRC. Federal partners want to move forward. Jane, David & Susan Gitlin at EPA, who is known by the ICC, can bring credibility. There is a need to bring together interested members of the radon community to explore this further.

Bill Long told the group that he frequently hears from states and industry that EPA is abnegating responsibility by not regulating radon. He reiterated his view that IRAA does not provide a strong basis for regulation and that his senior leadership has no interest in pursuing such an approach, (though he is interested in some of the ideas Jim McNees raised), he sees codes and standards as a more realistic way to get a lot more action on radon.

A participant asked if EPA can invest resources to get people working on proposals for the ICC. Another participant supported the validity of this idea by pointing out the history of Appendix F, which was developed in a consensus setting, thru ASTM in the early years. Over the years, EPA staff (Gene Fisher & Phil Jalbert) were tasked with getting better implementation of these codes.

He noted that these early documents had shortfalls, and that one of the purposes of RRNC 2.0 is to replace Appendix F. Participants felt that it was better to start with a consensus document, and to put it into code language that can be added to the codes. However, he noted that there may be parts of the resulting documents that will garner resistance (for example required testing). Getting these adopted by the ICC will be very difficult. Another participant noted that any language dealing with large buildings would need to engage ASHRAE and need other supporters beyond the radon community.

Another participant commented that this all seemed like a good idea; however, it might be too ambitious for completion by January 2012. She noted that if they are using old guidance documents it makes sense to move through the consensus process first. She supports having radon in the ICC but also want to have documents that the community can support. Using RRNC 2.0 in 2013 sounded more doable to her.

Another participant shared concerns about pushing for a document that hadn't been approved by the radon community, which would have to be the focus to meet the January 2012 deadline. He drew on the experience from the last code cycle, where a group sought to include Appendix F in the body of the code, but it became clear that some members of the council took issue with parts of it. He still felt it was a useful exercise, a good icebreaker. Nonetheless, he recommended that

anything develop for IBC be limited in scope, as just the start of the conversation before getting the documents peer reviewed in time for the 2015 cycle.

A participant agreed that meeting the 2012 deadline would be ambitious. She also suggested that the issue of vapor intrusion and soil gasses, etc. might become more interesting than we thought, since there was an overlap with radon. In New Jersey, RRNC is used because of vapor problem. Another participant suggested bringing stakeholders focused on this together with radon stakeholders, and asked if EPA might be able to bring them together? The participant requested that the EPA reach out them to work toward mutual interests. Bill Long responded that this seemed possible and that the Solid Waste and Emergency Response at EPA already uses radon levels as a trigger for action at superfund sites.

Peggy asked people to spread the word and inform anyone else who might want to participate. An invitation will be sent to states, industry and non-profit organizations to participate in the ICC workgroup and develop appropriate language and support for this effort.

The facilitator thanked everyone for their participation and closed the meeting.