

**Radon Stakeholders Consensus Building Dialogue
June 4-5, 2007 Meeting Summary
USEPA Radon and Indoor Environments Lab, Las Vegas, Nevada**

Participants:

USEPA:

Tom Kelly, Director, Indoor Environments, USEPA
Bill Long, Director, CRAT, USEPA
Susie Shimek, Radon Team Leader, USEPA

State Radon Programs:

Adrian Howe, State Radon Contact, NV; Chair, E-25
Chrystine Kelley, State Radon Contact, CO
Josh Kerber, State Radon Staff, OH
Jim McNeas, State Radon Contact, AL; member, E-25 and CRCPD Board of Directors
Sara Morgan, State Radon Staff, NE
Francesca Provenzano, State Radon Contact, CT
Mike Pyles, State Radon Contact, PA; member, E-25

National Environmental Health Association – National Radon Proficiency Program (NEHA-NRPP)

Heidi Shaw, Credentialing Coordinator, NEHA
Dick Manning, Chair of Policy Advisory Board, NEHA-NRPP
Angel Price, Executive Director, NEHA-NRPP

Conference of Radiation Control Program Directors (CRCPD)

Curt Hopkins, Radon Program Manager, CRCPD

AARST Consortium on National Radon Standards

Gary Hodgden, Executive Stakeholder Committee Chairman, AARST Standards Consortium

American Association of Radon Scientists and Technologists (AARST):

Bill Angell, Professor & Director, University of Minnesota—Midwest Universities Radon Consortium; President, AARST
Peter Hendrick, Executive Director, AARST
David Wilson, AARST

EPA Welcome

Tom Kelly, USEPA, thanked the stakeholders for participating and discussed his expectations for the meeting. His hope is that the group will collaborate to achieve shared goals of protecting public health. Each participant has the opportunity to contribute their unique skills and expertise to invest for the common good. Collaborative efforts will result in managing the best radon program with limited resources.

Overview of Agenda

Stacie Smith, Consensus Building Institute, facilitated the meeting. Participants introduced themselves. Stacie gave an overview of the agenda and explained the purpose of the meeting. The goals for the first day were to learn common terms and techniques in collaboration and negotiation to “set the stage” for the consensus building dialogue and to come to a consensus on Dialogue Protocols and substantive areas of discussion. The goals for the second day were to begin substantive discussion on the key issues of proficiency, standards, and communication, and to scope out the ways that this group can work together to make more efficient progress toward meeting national, state, and organizational goals.

This consensus building dialogue process is unique because the stakeholders are not negotiating specific rules and regulations with a set of guidelines. For this process, the group will need to decide on the outcomes and products. This is challenging but it also makes the process more flexible. Participants have the opportunity to create value for the entire group.

Introductory Exercise: Win as Much as You Can

Participants worked in groups of four or five to complete an introductory exercise. The task was to win as many points individually as possible by playing a card with either an “X” or a “Y”. Point payoffs, negative or positive, were determined based on which card participants chose for themselves and how their teammates played. The activity offered the following lessons, meant to help set the stage for negotiations over the next few days:

- **Be nice: seek cooperation.**

If you start by playing X, it’s hard to get others to play Y. If you start by playing Y, you demonstrate trustworthiness and lay the foundation for cooperation. In real-life negotiations, it’s best to start out with an open mind and a willingness to explore possibilities for mutual gain. If you have a difficult history and little trust in your negotiating partner(s), you can acknowledge it. But if there is some reason to believe that cooperation may be in your interest, you should be willing to discuss options and find ways to commit both yourself and your negotiating partner(s) to live up to any agreement you reach. It is important to do this early in a negotiation, because once you have used a competitive strategy aimed at securing benefits for yourself at the expense of others, it can be difficult to cultivate trust later on when you decide that a cooperative strategy may be best in the long run.

- **Be provokable: only cooperate as long as others do.**

If others are playing X, you probably shouldn't keep playing Y. We often do things that are good for others (family, friends, co-workers, neighbors, etc.) without expecting anything concrete in return. But when the outcomes of the negotiation really matter for us or our group, this is not sustainable. In these situations, others have no incentive to cooperate with us and consider our interests as long as we continue to give without condition. If we feel that we're being taken advantage of, we need to make it clear that others will have to reciprocate in a way that meets our interests before we do anything else to help them.

- **Be forgiving: if others commit to cooperate, you should too.**
Even if others have been playing X, you should be willing start playing Y again if they can convince you that they are also committed to playing Y. The key to rebuilding trust after an incident or period of non-cooperation is to find ways for us and our negotiating partners to commit ourselves to a cooperative course of action. In many of our interpersonal negotiations, we are willing to accept other people's word as the first step toward rebuilding cooperation. In other negotiations, we need to wait until we see others' behave in a cooperative way (judging by deeds, not words) before we change our own behavior. But even if such trust in each other is not present, there are still ways to work together and ensure compliance with commitments. In many settings, we require some written or legal document that commits all parties to a course of action, and we may also allow an outside authority to enforce commitments once we've made them (e.g. the courts for contracts). Negotiating partners need to demonstrate their commitment to cooperate with both words and deeds.
- **Be clear: don't risk your trustworthiness**
Consider the costs of agreeing to play Y, then playing X. One of the most valuable assets you have in any negotiation is your reputation for saying what you mean and meaning what you say. We are often tempted to say things in a way that leaves us "wiggle room," and there are some situations in which "constructive ambiguity" may be appropriate. Nevertheless, in negotiations where there is not a strong foundation of mutual trust, it is unwise to say something that you know can easily be misunderstood by your negotiating partner, act in a way that you know they will not appreciate, or claim that what you did was in perfect accord with what you said. By the same token, it is important to seek clarity from your negotiating partners about what they mean. If the words of your negotiating partner seem ambiguous and difficult to interpret, you should ask for further explanation, and perhaps a more concrete expression of any commitments that are being offered. If you need to keep your options open, it's usually better to explain that you cannot commit than to resort to vague language. And if you are thinking about getting the other side to commit while keeping your options open, think how you felt when you thought you had an agreement to play Y and they played X.

Expectations and Concerns

Participants were asked to share their hopes and concerns about the process and the potential outcomes of this dialogue, coming from themselves and their colleagues and constituents. They wrote these down and then shared the following expectations and concerns with the group:

Expectations/Hopes

- Enhancement of quality standards to help states and improve the quality of work being done.
- Improved communications and relationships among groups and individuals working on radon.
- Concrete agreements that get people's interests met around tangible issues, including communication, standards setting, accreditation, and proficiency.
- Identification of a shared vision for working together.

- Increased, clear structure of roles and responsibilities for making progress on goals for the radon community.
- Continued steps to minimize the appearance of conflicts of interest.
- Increased participant and constituent understandings of the AARST, NEHA, and NRPP relationships.
- Increased recognition of the differences between the two proficiency programs.
- Clarified baseline safety net for consumers.
- Recognition and honoring of one another's strengths and work together to sustain radon risk reduction efforts.
- Expanded risk reduction goals.
- Clarified consensus on collaboration and communication processes within this group and with other participants who are not in the room.
- Improved, more focused use of limited resources.
- New drive and ambition to get things done and make radon programs more cohesive.
- Improved partnerships and cohesion, decreased tension and division.
- Improved collaboration on single sets of standard for the entire radon industry.

Concerns/Fears

- Unbalanced roles of stakeholders.
 - AARST plays too strong a role and undermines the reliance of states on national programs, and/or
 - CRCPD / E-25 plays too strong a role and undermines the expertise and contribution of industry to public policy
 - EPA is well-intentioned but it is too biased towards one group or the other.
- People who are representing stakeholder groups need to work hard to solicit feedback from other people who aren't here and bring their feedback back to the group.
- Participants will withhold their real concerns instead of sharing them.
- Continued or worsened fragmentation in the field, with a lack of standard operating procedure or structure.
- If things continue the way they are, states will adopt standards and credentials without any input from the industry.
- Participants will not have open enough minds to hear each other and make changes.
- Industry IQ: Individuals with cumulative knowledge are getting old and there are no up and comers to transfer knowledge base.
- Lack of resources and mistrust will result in destruction/weakening of radon programs.
- We will squander the opportunity that we have.
- Decline in research and application of research.
- Risk reduction goals not aggressive enough.
- Maintaining professional quality – measurement work is going to the home inspectors because of push for the lowest price instead of quality standards.
- Inroads needed to address environmental justice.
- Positions could harden instead of coalesce.
- Whatever might happen could be limited to this group. Other people may not accept any agreements made here.
- Process will die once we leave this meeting.
- No plans for doing something at the end of this meeting.

- Keeping high quality professionals setting the bar high for exemplary work and getting more high quality professionals in the field. More investment to become a professional.
- Lack of mechanism for communication.
- Participant organizations lack transparency
- Everyone has getting their feelings hurt in the back of their mind. There is concern with what other people think.
- People are saying they don't trust one another and that is an insult. Can lead to defensiveness. We will lose if we insult one another.

Presentations on Clear and Effective Communication and Creating Value, Not Compromise

Stacie gave a presentation on clear and effective communication and on creating value in a collaborative setting, and led participants in some exercises on techniques for these. PDF's of the presentations are available through the facilitator or the meeting participants.

Discussion: Creating Value in the Radon Community

Participants were asked to share examples of successful radon initiatives or events for which collaboration was an asset. They offered the following stories:

- **Illinois:** The real estate industry, AARST, a citizen advocate, and the state worked together to enact a pending radon provision in real estate law. They together with real estate professionals and inspectors and communicated early and effectively with legislative leaders. Each partner contributed their own strengths to achieve results.
- **AARST and NEHA:** AARST and NEHA went through challenging negotiations to develop a partnership recognized the strengths, commonalities and differences of both groups. It took time and energy and it was very uncomfortable in the beginning. Although they started off on two different ends of the spectrum, they were able to come together, and now offer a stronger and more effective proficiency program together.
- **Minnesota:** Minnesota implemented a media blitz that couldn't have been accomplished by just the state. The state educated the media and collaborated with local groups, labs, AARST, ALA, and EPA to make it happen.
- **Ohio:** The Ohio Association of Radon Professionals coordinates a full day CEU twice per year. It couldn't take place without cooperation from many groups.
- **National Radon Action Month:** Last year's National Radon Action Month was a huge success. There was a lot of successful communication between EPA, states, AARST, and other stakeholders, and very successful event in Washington DC involving participants from all groups.
- **EPA Region 7:** The EPA Region 7 radon stakeholder's meeting was very well attended by a diverse group of stakeholders. Nebraska helped to get the word out to stakeholders.
- **Incorporation of Appendix F:** Appendix F, the existing international building code reference on radon resistance new construction, was recently incorporated into the building

code in a law passed by the Minnesota state legislature. The radon community, including state officials, AARST members, and college professors, activated and testified in support. The Builders Association also supported it.

Presentation on Mediation and the mediator's role

Stacie briefly discussed her role as a mediator. Her job is to help move the process along in a nonbiased, neutral way. If anyone does not feel comfortable raising issues in with the group, they can go to Stacie to raise issues as needed. She will remain unbiased on content, and offer her perspective on process issues to help the group build consensus. Group members should let her know about any concerns regarding neutrality.

Discussion on Dialogue Protocols

Stacie prepared a set of draft Dialogue Protocols, which were distributed to participants in advance of the meeting. The Dialogue Protocols are designed to clarify the process the group will follow in working together. The group reviewed and discussed this document, raising the following questions, concerns, and suggestions for changing the draft Protocols:

- I. strike the word ambitious from EPA's national goals.
- II. A. Participants should be listed in alphabetical order.
- IV. A. What is the nature of the outcomes this group seeks?
 - Often, it is clear what you do with an agreement at the end. In this case, it's more ambiguous because it is not clear what the outcome will be. The outcome could be a resolution or a memorandum of understanding among the stakeholders, and is likely to have a range of provisions, some of which apply to all participants, others to a few or even to actions that one group commits to take.
- IV. B. All parties will be held accountable for their commitments from this process. As opinion leaders, they will commit to advocate for any decisions made by the group.
- IV. B. The draft Protocols attempt to specifically spell out EPA's commitment, as the "conveners" of this process. EPA will support any agreements that are made and if they will acknowledge any agreements and let the public know about it. For example, EPA might publish something in the Federal Registry.
- III. C. If there is overall dissent from one individual, the decision cannot be named as a consensus, but the group can still move forward with recommendations and even commitments that do not include the dissenting party.
- VII. A. Clarification of time commitments. There could possibly be two or three meetings per year to make progress, with an expectation of a process of a year or two. There will be an effort to make the meetings as convenient as possible for as many people as possible in order to minimize costs and time. Participants need plenty of notice to plan ahead for meetings. It may be possible to meet during the National Radon Meeting and/or during the AARST board meeting and EPA Awards Ceremony in January.
- III. and IV. Decisions made by the group as a whole will require consensus. Other decisions requiring organizational changes will require approval from constituencies. For example, For CRCPD, many decisions would require a vote from the voting members of CRCPD. State representatives can not make agreements that bind other states. Representatives should be clear about their authority with their constituents. Authorization for decisions can be determined on a case by case basis. May need to come back with authority after getting a vote.

- VI. A. Each group should figure out what is most comfortable in terms of finding ways to communicate and represent the people they represent. State representatives will work out a structure for ensuring that other states are kept apprised of the dialogue proceedings and have an opportunity to provide their input and feedback.
- V. D. What is meant by “constituencies”, in terms of sharing information? It is important to find a balance between the confidentiality of the group and information sharing. All participants should provide comments on the meeting summary before it is circulated. The meeting summary will not be a published document or a press release. The final consensus summary should go out to all of the constituents but the circulation should still be limited to members of the radon community or those with a particular interest in the matters at hand.
- VI. B. There was a request for guidance for all representatives in communicating with constituents in terms of summarizing and soliciting information for the meetings. States need help soliciting information from other states in an objective way.
 - Stacie agreed to help provide appropriate sample questions participants might use.
 - AARST offered a set of sample questions that they used in an ad hoc survey to their membership to prepare for this meeting, with some questions that could be used by the group. The group could also work together to develop an evidence-based survey instrument to help collect information from different constituent groups.
- VII. D. The group requested a need for a brief and immediate description of the meeting to be disseminated this week. Stacie agreed to get out a brief overview out to all participants by the end of the week.
- VI. A. People need to be able to speak freely during these meetings. The meeting summary will not attribute names to specific comments. Very sensitive topics may be omitted from the meeting summary upon request.
- VI. B. The group may choose to share the PowerPoint presentations or the AARST survey disseminated at the meeting to their constituents to help with communications. These and other documents distributed during meetings may become part of official meeting record, as addendums to the final meeting summary.
- There is a need for protocols concerning alternates or substitutes and how they will be integrated. There is also a need to consider how to bring in new participants and stakeholders when needed / possible.

Discussion of Communications

The group discussed the types of communication protocols and documents that can improve information sharing and address communication needs. Participants made the following suggestions for communicating more effectively:

- AARST and CRCPD can put out the meeting summary and meeting documents (next steps, flow charts, protocols, etc.) jointly to constituents.
- There is a need to clear up misconceptions. What can we do to better communicate one another’s roles? Some suggestions:
 - Presentations about the structure and role of CRCPD to AARST members in Jacksonville.
 - A written document explaining the history of the AARST, NEHA, NRPP history and current relationship, to help clear up misconceptions among states and communicate clearly with the larger group of constituents. To make it effective, bring in all parties to provide input.

- FAQs, EPA Webinar on the roles and responsibilities of all parties.
- Provide more opportunities for two-way communications—not just presentations but more dialogue.
- There is a need for written clarification on NEHA/NRPP protocols for compliance actions against bad apple professionals. (States can make requests and NEHA can revoke their listing.)
- Communications to stakeholders should acknowledge that people are busy. Make it simple, upfront, and convenient for people to find information.
- The group discussed developing a needs assessment survey to collect data to inform policies. The AARST survey could be used as a starting point. Could be administered anonymously (without names), still collecting demographic characteristics.
- There is an opportunity for more local AARST members to take up policy initiatives and learn how to work together with other stakeholders.
- There is a need for better methods of communication for public review of standards. A state representative could be delegated to disseminate the information.
 - A higher level of state commitment is needed to provide input on drafts. Regional coordinators could coordinate responses and encourage technical staff's input. Adequate time and notification is needed for input.
 - CRCPD SRR committee is assigned the task of review of standards. Curt Hopkins could send it out as well as EPA Regions. Curt can also follow up by phone.
 - The AARST Consortium should make sure that drafts are adequately disseminated. The Consortium could develop a list of groups, publications. Stakeholders could review the list to ensure that it is complete.
 - States could review responses together and join together as one voice. The Radon SIRG Listserv is one way to do that. The listserv does not have a thread but it is possible to follow e-mail chains.
- There is a need for stakeholders to understand the differences and similarities between ASTM E-2121 and AARST's RMS. Several such comparisons have been done, should be compiled and disseminated.
- It is important to get the message out to the right people and also respect organizational protocols for all parties and clarify protocols.
 - All communications intended to reach all the states should be disseminated through CRCPD. State representatives can also send e-mails regarding their involvement in the effort.
- It's hard for the stakeholders to keep in touch when they only get together once per year. January is difficult because of local outreach efforts but it's still the most cost effective time to meet. If it is early enough, AARST and CRCPD can plan ahead.

Suggestions for actions groups can take together to improve communication protocols:

- Create an ongoing working group with states, AARST, NEHA, and NRPP to support ongoing communications.
- AARST can designate someone to sit on SRR committee as an advisor, and make sure someone is at E25 meetings.
- Similarly, AARST could invite the E25 chair to attend AARST board meetings as an advisor, as E25 Chair is the official CRCPD liaison to AARST.
- AARST will keep dialogue going with this group to respond to other suggestions/concerns.

Substantive Issues: Proficiency

Relationships and Communication:

In beginning a conversation about the substantive work the group could do around proficiency, participants agreed that it is important to clear up misperceptions and discuss communication barriers that have occurred in the past. The group began by discussing the history of the launching of the two existing proficiency programs, and the relationship between AARST and NEHA/NRPP. In sharing the history and actions taken on all sides, the group moved toward greater shared understanding of the program. The following points of concern and clarification were made:

- At the outset, there were some concerns from industry and some states about the way the NEHA/NRPP program was being administered. When PCI stated administering the program, it helped alleviate some of those concerns. Partnering with NEHA creates a system with checks and balances. AARST saw the potential to take the proficiency program further.
- NEHA owns the program and it is administered collaboratively with AARST. It has always been the NEHA/NRPP program. AARST acquired PCI to administer the program but there have been misleading communications indicating that AARST acquired the proficiency program.
- NEHA has always had a contractual agreement with the administrator of the program, who has sat outside of NEHA. The substance and the nature of that relationship has not changed—only who is running it.
- AARST representatives acknowledged missteps in handling the communications around the AARST/NRPP purchase, which resulted in a “surprise” for states and a perception of secrecy. For legal purposes, AARST board members had signed a confidentiality agreement. When the deal was announced, it was in a forum of one-way communication.
- AARST clarified the separation of NEHA/NRPP from the AARST board.
- NEHA/NRPP clarified that it is non-profit, and that fees for certification are used to sustain the program, pay staff, and provide honoraria for technical review team members. General AARST salaries and expenses are not paid by the NEHA/NRPP budget.
- There is a perceived lack of separation between NEHA/NRPP and AARST. After San Diego, CRCPD asked for clarification to be presented in Kansas City. The presentation was good – the states “liked what we were hearing” – but there is still a sense that the words have not been backed up by actions.
 - For example, there is a lack of separation on the Web site. AARST’s site comes up with equal billing for AARST and for NEHA/NRPP. If this is fixed, a lot of suspicion will go away.
 - States have had the experience of AARST members in the field presenting the program as AARST/NRPP. There is a lack of separation being communicated in the field.
- AARST made the commitment that during their opening at the next Symposium, they will not mention the proficiency program.
- There is a perception among the states that AARST is using its position as a professional association to forward NEHA/NRPP and cut out NRSB. This is seen by some as inappropriate for a professional association claiming to represent all professionals in the field, and undermines their credibility in that role.

- AARST stated their perception that the two proficiency programs are not equivalent in substance.

AARST clarified their interests as a professional association in the alliance with NEHA/NRPP. They stated that the sustainability of the radon field depends upon high quality, well trained professionals who can justify wages that draw and keep good people in the industry. AARST's interests include:

- Supporting high quality, strong credentials and standards for professionals
- Increasing the number of qualified professionals in the field and the association
- Allowing for economic sustainability for radon professionals – sustainable wages can only be justified by high quality work, and low quality/low skill practitioners drive down wages for everyone
- Supporting strong state radon programs, legislation on licensure, required testing, etc.

EPA identified their interests:

- Sustaining the integrity of the Agency and the projects it supports
- Sustaining visible dedication to the mission of public health
- Support a strong, healthy industry with well-qualified testers, devices, and mitigators
- Support strong, healthy state programs
- Avoiding resource and policy commitments that put the Agency's ability to meet the above interests at risk

State representatives also shared their interests in:

- Fulfilling their mission to create awareness and educate the public
- A strong and well-qualified industry to provide reliable testing and mitigation that meets and exceeds a clear set of minimum standards
- A level playing field for the industry

Opportunities for Substantive Progress:

The group discussed opportunities to work together to make mutually agreeable changes to current processes and structures or new initiatives on proficiency (of devices and professionals) and making progress toward radon goals. Needs, suggestions and ideas included:

Work jointly to strengthen State Programs:

- Identify ways to bring inspection, penalty fees, etc. back to state programs
- Work to get notification laws passed in more states
- Increase industry outreach and activity – more professionals often helps justify staffing for state programs
- SIRG funding sustains many state radon programs and it is coming to the breaking point. AARST can help advocate for more funds

Increase the number and percent of professionals who are highly qualified and certified:

- Independent QA/QC for mitigations and RRNC, beyond just listing numbers of jobs completed
- There may be a need for some new standards around what is a good proficiency program – what is the minimum amount of training required? What type of training? What type

of examination (understanding vs. skills)? States could help define this, if it is put in the scope of work for CRCPD

- EPA's old homebuyers and sellers guide defined what a training program was, the basis of the initial program run by EPA.
- There is an International Standards Organization (ISO) that clarifies what certifying bodies should look like. NEHA/NRPP has tried to adhere to this ISO.
- Protect against low-cost and poorly-qualified competitors doing the work and/or setting up certification programs with much lower qualifications (NACHI). States and EPA may have a role to play to prevent this.
- Clarify protocols for delisting and sanctioning.
- Content of courses should focus training more on skill sets, not just knowledge.
- Practitioners should have to demonstrate competency along the way

Improve the accuracy of radon measurement devices and ensure adequate laboratory support for stakeholders:

- Currently, there is no standard for calibration. There is concern about consumer protection.
- Many devices on the list are from when EPA ran the program, have not been updated
- There is no Independent QA/QC
- Need new device protocols
- Participants asked EPA to take responsibility for setting performance standards for devices. This would require setting up a formal arrangement with the chambers to set calibration and triple blind testing of devices by proficiency programs through secondary labs. Las Vegas should be the national facility for device calibration. There is a need for everyone to be in sync to ensure quality and separate the good manufacturers from the bad ones.
- NEXT STEPS: Set up a work group on the issue of laboratory capacity and support to radon stakeholders. Specifically, the workgroup is charged with exploring the investment and planning it would take to establish the EPA Las Vegas lab as the national reference laboratory. The workgroup will also explore the process structure that would need to be in place were this to happen. Participants volunteered several stakeholders to articulate this issue in writing: Phil Jenkins, Emilio Braganza, Greg Budd, Phil Jalbert, Gene Fisher, and Dave Wilson. EPA will take the lead. Bill Long will lead the workgroup. *It was later determined that Andy George from NRSB would also participate.*

Substantive Issues: Standards

Relationships and Communication:

Gary Hodgden gave a brief PowerPoint presentation on understanding standards and the group engaged in a discussion on standards. The group began by clarifying the history of and concerns about AARST's Consortium on Standards, concerns about the existence of ASTM E-2121 and AARST's RMS, and prevention of overlap going forward.

Participants shared some concerns about these issues, including:

- confusion for the public, states, and for some professionals, about E-2121 vs. AARST RMS, to know the differences and which to use

- concerns about the implications for proficiency program education and testing
- Uncertainty and concern about the motivations of AARST in developing a separate standard from ASTM 2121, especially if they are 90-95% the same
- Many states perceived that industry and AARST were represented in the 2121 process via Gary Hodgden, who supported that the standard be accepted initially.
- The relationship between AARST and the Standards consortium creates a perception of a conflict of interest. Working with ANSI is a huge step towards fixing that. It will alleviate a lot of concern.

Members of the group made the following points:

- AARST and members of the industry had concerns about the process used for ASTM E-2121
- Some perceived that the ASTM process was not only flawed but dishonest. There were some beliefs that the standards that went forward were not credible.
- Industry perceived E-2121 as a companion document to EPA's RMS. It became a problem for practitioners when EPA "retired" its RMS and E-2121 became a stand-alone document.
- ASTM 2121 has content written specifically for engineers. Mitigators didn't have liability protection under ASTM 2121.
- 1999 was the last public review of 2121 – it is supposed to be reviewed every 5 years. There should have been a review of the complaints with ASTM but complaints were not heard. There was a perception among some in industry that delay tactics were being employed and there was inaction in recognizing complaints and addressing the needs of all parties.
- Other stakeholders expressed skepticism about the above statement, and offered a different perception that the E-2121 process was open and legitimate.
- The AARST Consortium pre-dates E-2121 and wasn't created specifically for that purpose. When the first stakeholders group met, there was a range of things to do including measurement protocols, devise standards, multi-family dwellings, etc.
- The process designed for the AARST Consortium is different from the ASTM process. ASTM has a large committee - 100 people, mostly building construction folks. A small sub-committee does the work and other 100 people join in and standards go out for public review. You must have 16 real votes, and it was not unanimous. For AARST's Consortium, the bylaws intentionally are more a roundtable of representatives. Process structure: In ASTM process, individual members come to the group from general categories of stakeholders. For AARST, the participants are representatives of groups and organizations, and the goal is to seek to include and balance all interests.
- The Consortium has set three priority standards: measurement protocols, multi-family, and device evaluation.
- The exam that's being used by NEHA-NRPP covers the best professional practice, not specifically E-2121 or AARST RMS. Exams can cover general theory and they don't have to conform to any specific standard. The concepts are all the same.
- Most of the Regional Training Centers have EPA's "retired" RMS based content, with references to the other standards.

Comments about the AARST/Consortium Relationship

- There is a lack of funds to support the program. People resources are needed to get important work done. There are ten standards that need to be worked on and so far the Consortium can only focus on three. How do we mentor people in the public and private sector to come to the table?

- There are perceptions among old-timers that professional associations wrote standards that would benefit themselves. What else is needed to address this?
- The Consortium is not just the industry. It is an inclusive consensus group that follows the ANSI process.
- It is not a high priority for AARST to maintain ownership. The main AARST interest is having a multi-stakeholder body that will set needed standards with an inclusive and acceptable process. In the future, the consortium could spin off and become a separate entity. This could help change the perception of conflict of interest.

Comments about the current situation with E-2121 and AARST's RMS:

- Now that AARST has ANSI approval, there is a process in place for when two standards cover the same thing. A good faith effort to reconcile the two documents is a requirement.
- AARST Standards Consortium is committed to working towards a single standard for residential mitigation.

Other points and clarifications made include:

- CRCPD does not set any standards. Part R is a suggested state regulation. It can be used as a framework and modified.
- In movements towards retiring the EPA RMS, there was no straight appeal to EPA and that could have been handled better.
- EPA acknowledged that it could have communicated better about rescinding the standard. Using the word, "retiring" was not the right language.

Concerns and comments were raised about the availability and costs of the standards, including:

- The 2121 standard is available free one at a time or you can request multiple copies from EPA.
- Distributing standards is costly. CRCPD could distribute documents to states.
- EPA has to be careful not to cut into ASTM's ways to make money.

Next Steps

Next Radon Stakeholders Dialogue.

There may be an opportunity to come together at the National Radon Meeting in Jacksonville. AARST and CRCPD will sit down soon to determine whether there is time available. *It was later determined that the group would meet on September 13 in Jacksonville.*

NRSB Participation

All parties expressed an interest in bringing NRSB into the dialogue, and agreed to continue extending invitations. It was noted that their participation may depend on what goes on during the National Radon Meeting, and that parties can take actions to help them feel more welcome.

ACTION ITEMS:

Agreements/Commitments Made:

- The group requested a need for a brief and immediate description of the meeting to be disseminated this week. Stacie agreed to get out a brief overview out to all participants by the end of the week. *This task was accomplished.*
- Stacie agreed to help participants solicit feedback and input effectively from constituents by providing model questions on key issues.
- Members of AARST and E-25 will compile a mutually-acceptable comparison of the differences and similarities between ASTM E-2121 and AARST's RMS, to be disseminated to members of both groups.
- Bill Long will set up a work group on the issue of lab referencing (see detail above). *This task has begun.*
- AARST will take steps to reduce the perception of a conflict of interest between AARST and NEHA/NRPP by making changes to the AARST home page. *This task has begun, and an invitation for further suggestions has been offered.*

Other Suggested Agreements/Commitments Requiring Next Steps:

- Proficiency programs should develop written clarification on protocols for compliance actions against professionals for whom concerns and complaints are raised.
- Create an ongoing working group with states, AARST, NEHA, and NRPP to support continuing communications and address misperceptions and group concerns before they escalate.
- AARST can designate someone to sit on SRR committee as an advisor, and make sure someone is at E25 meetings.
- Similarly, AARST could invite the E25 chair to attend AARST board meetings as an advisor, as E25 Chair is the official CRCPD liaison to AARST.
- More work remains to be done to ensure the accuracy of devices, perhaps involving increased QA/QC requirements for the members of proficiency programs
- A subcommittee should come together, with input from multiple groups, to draft a written document explaining the history of the AARST, NEHA/NRPP history and current relationship, to help clear up misconceptions among states and communicate clearly with the larger group of constituents.