

**National Radon Dialogue
Conference Call on Process for
Radon Standards Development**

**May 25, 2011
2:00 – 4:30 pm EDT**

Meeting Summary

Agreements Reached:

- 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

Action Items:

- Stacie will develop an on-line survey to:
 - Clarify people's priorities for immediate EPA assistance from among the top 5 topics identified above
 - Better understand people's level of comfort with the ANSI/Consortium standard setting process, and explore potential actions for increasing comfort levels such that the ANSI Consortium can be used to develop the new standards

Participants:

AARST: Peter Hendrick, Phil Jenkins, Caroline Allen, Shawn Price, Dave Kapturoski

AARST Standards Consortium: Gary Hodgden

CRCPD: Clark Eldridge (Florida), Chrys Kelley (Colorado), Bob Stillwell (Maine), Josh Kerber and Jim Kelly (for Dale Dorschner) (Minnesota), Jim McNeese (Alabama), Sara Morgan (Nebraska)

EPA: Larainne Koehler, Bill Long, Jani Palmer

NEHA/NRPP: Rick Miklish, Angel Price, Bruce Snead (PAB)

CRCPD: Ruth McBurney

Other: Stacie Smith (CBI – *Facilitator*)

Introductions and Welcome

Participants introduced themselves. CBI reviewed the purpose of the call and outlined the agenda for the meeting. She reviewed the purpose of the National Radon Dialogue and welcomed those representatives who were new to the process.

Where we Are: History of efforts thus far and Clarifying communication about process

Bill Long, EPA, gave an overview of the history of the efforts to provide EPA investment and support to the development of needed radon standards. Bill stated that EPA asked to convene this call based on a suggestion from AARST as well as from concern that the existing process was not working. He reminded the group that the effort was first announced at last year's Radon Symposium, and that he was informed by many individual conversations with different stakeholders. However, he conceded that his process thus far was clearly not sufficient to solidifying a shared approach, so EPA was really looking to this group to guide EPA's investment in radon standards.

Bill reiterated that EPA's purpose was to offer needed staff support – via contractors – to ensure that the grunt work of the collaborative standard setting processes are accomplished. Resulting standards would not be EPA's standards – EPA would participate equally with all other stakeholders. EPA does not intend to dictate which standards are taken up first, nor the process used.

A participant appreciated EPA's clarification, and stated that he had been confused about the purpose of the working groups, which seemed to be setting up a new, third standards-setting process separate from the two existing accredited organizations. Another participant suggested that the community should move forward, and not spend too much time “looking in the rear view mirror.”

Selecting and scoping of standard topics

The group then moved to a discussion of which new standards were highest priority, and should therefore be taken up through this effort.

Bill shared his view that the Multi-Family mitigation standard was the most needed, particularly as EPA is now in intense negotiations with other federal agencies, such as HUD, to push for radon action. New mitigation standards for multi-family housing would help make the case for the implementation of radon testing and mitigation in HUD and other multi-family dwellings within the federal stock. Several other participants shared this priority, including several states and several AARST members.

One participant raised the concern that there needs to be a clear path to complete whichever standards are started, and that developing the multi-family and school mitigation standards will require a hefty commitment from committee members.

Several states then shared their support for developing new testing and mitigation standards for schools. They stated that several states have requirements for school radon testing, but that

guidance is very outdated. A participant also stated that there was a good starting point, so updating the schools testing standard shouldn't been too difficult.

Another participant suggested that outdated guidance is better than no guidance at all, which is the situation of some other standards. Nonetheless, he suggested that schools could be combined with large buildings due to their similarities, and asked the group to consider combining the two together when developing the new standards. Others agreed that there was a precedent for this, and schools and commercial buildings could be covered in one document. The group then took some time to differentiate between large commercial buildings and large residential buildings, and most participants agreed that large residential buildings were different from both large commercial buildings and schools, while the later two were sufficiently similar to combine into one standard. The group also agreed that this was for existing buildings, not new construction, which might be quite different for schools and large buildings.

One outstanding concern about combining schools and large buildings was to ensure that schools were able to pull out the information that most applied to them in a simple way. One participant also noted that, in rural areas, some schools were actually quite small buildings.

One participant stated that he did not feel that schools standards were top priority.

The group ultimately agreed to combine schools and large commercial buildings, and keep multi-family mitigation separate, and that sub-sections on differences and specifics could come later. The group also agreed that the volunteers for those committees could ultimately hone the scope.

The group then turned to discussing labs and QA. One participant expressed the need for more consistent guidance for oversight and certification of labs. Another added that QA issues in general were critical, especially in light of the OIG Report.

A third clarified that issues about testing devices was very different than lab quality. He stated that the radon community had decided 25 years ago that affordable, generally-accurate tests were better than expensive, exact tests, and had set accuracy requirements at + or - 25%. There had also never been a foundation or standard for devices, device calibration, chamber calibration, etc. Meanwhile, for NELAP accredited labs, there are rigorous standards, and states with regulated programs check them regularly. He concluded that device standards were where we need to start.

EPA explained that they are already responding to the OIG report with research on historical performance testing data, and collaborating with PA and others to make a strong case that devices are accurate. In suggesting Lab QA, EPA intended it to be a broad topic from which several different standards could be developed. The overall umbrella was the technical systems related to the reference system. This could include: Intercomparison protocols for primary, secondary, and tertiary labs; Device evaluation; Proficiency testing; Calibration; Spiking; etc.

Phil Jenkins updated the group on the device standards process he has been chairing since 1989, which he would really like to complete this year, and for which he needs a co-chair or other support. He stated that EPA support for this standard process would be most welcome and helpful.

One participant raised a concern that any technical standard developed with EPA support should require a minimum technical basis, with a supportable analysis underlying it. The group working on such standards would need to have the evidence to work from. Another participant

questioned whether the radon community as a whole contained enough volunteers to work on all these standards, and suggested that one at a time might be more realistic.

A participant raised the need for another standard that was not initially on EPA's list – an update to the Homes Measurement Protocols from 1993. The AARST Consortium had worked on that prior to their ANSI certification, so there was something to work with, but it needs to go through the whole process. Several others agreed. Shawn clarified that the Consortium was currently trying to seat workgroup members for such a standard, with a chair already in place, and that EPA support resources would be very helpful.

Due to time constraints, the facilitator suggested that the group move on to other topics, and come back to trying to finalize priorities via a web survey or other mechanisms.

Developing workgroup process and link to formal standard organization(s)

Bill opened this discussion by stating that EPA initially hoped that ad hoc working groups could create starting documents, which would then feed into existing standard-setting processes; however, he has since recognized that it would be better to start directly within one or more existing standard setting groups.

A participant returned to his concern about ensuring the scientific and technical data behind any standard that EPA is involved in. EPA clarified that EPA's role is not to run the standard setting process, as this is counter to law and good practice. Nonetheless, the participant responded, there is no point in creating a standard that does not have sufficient good science behind it. Another stated that scientific data is limited, and resources to create it don't exist. Another stated that the standard processes can't ensure that a set scientific benchmark is met, and there will always be subjectivity, but that the ANSI process rules were developed to address these issues as well as possible.

A participant laid out the case for the ANSI Consortium process, since it brings a wealth of technical expertise to the table at the core committee level. ASTM uses a subcommittee, many of whom may have little to no radon expertise, to make huge decisions, whereas the ANSI committee consists solely of radon experts. NEHA was asked if they supported the ANSI process, and they replied that they did.

One participant raised concerns about the perceptions of the ANSI Consortium as biased toward industry because it was affiliated with AARST. Gary clarified that though AARST supplies resources for the Consortium, it does not have any decision-making role, the work products have no direct relationship, and that it is a separate entity. Another participant clarified that all committees include government representatives, and Gary added that the by-laws require balance of stakeholder groups, including one regulated and one non-regulated state member and another of each as alternates. He also clarified that the chair of the committee had no vote.

It was asked to the concerned participant whether it would help to have more state members on Consortium committees. He stated that it would, but that there were a limited number of state folks with strong technical knowledge, and getting those to volunteer was difficult. It was asked whether e-25 or CRCPD could provide a representative to the Consortium. Ruth, of CRCPD, stated that they could reach out to states through the Board informally, through E-25 or SRR committee) to get comments on draft documents. This has been done before for federal standards.

Several participants who have worked on Consortium/ANSI processes spoke about their experiences, and their feelings that the structure was balanced, allowing extensive input and engagement from states. The Executive Stakeholder Committee, which oversees the work of the Consortium, also has seats for 4 states.

Due to lack of time and in consideration of those who needed to leave for other appointments, the facilitator suggested that this topic would need to be continued at a later time, and that she would follow up with an on-line survey to clarify where everyone stands on these issues.

The group signed off.

Results of Zoomerang Poll

Participants: 16 total, including 7 states, 2 EPA, and 7 industry

Standard Priorities:

2. Please rank the following needed standards for Radon in priority order. (with 1 as highest priority and 5 as lowest priority)					
<i>Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.</i>	1	2	3	4	5
Multi-family Mitigation	12 80%	1 7%	1 7%	0 0%	1 7%
Schools and Large Commercial Buildings Measurement/Testing	0 0%	5 33%	3 20%	6 40%	1 7%
Schools and Large Commercial Buildings Mitigation	0 0%	1 7%	8 53%	2 13%	4 27%
Minimum Performance Standards for Devices for Measuring Radon Gas in Air (in progress but needs support) - might also work on additional QA topics	1 7%	6 40%	2 13%	4 27%	2 13%
Homes Measurement	2 12%	2 12%	1 6%	3 19%	8 50%

Analysis:

- Multi-family Mitigation was clearly seen by the majority as high priority. The one dissenter commented that they could support it since it seemed so important to others.
- Schools and Large Commercial Buildings Measurement/Testing, while no one's first priority, fit into the top 4 for all but one participant.
- Device performance standards had only 2 lowest priority rankings, both by States.
- Schools and Large Commercial Buildings Mitigation had 4 (27%) lowest priority rankings, all by industry, all of whom felt either very strongly or moderate about their priorities.
- The Homes Measurement received the lowest priority ranking from the largest number of participants. Participants ranking this standard lowest included representatives of EPA, States, and Industry, though not in equal numbers. However, one participant suggested that "the scope of work for devices and homes measurement be allowed for EPA funding as one project." Another comment: "Putting the AARST Measurement in Homes Standard through the entire ANSI process is a waste of resources (both \$ and volunteers) at this point."

Additional comments (verbatim):

- There are not sufficient volunteers available to do several of these at a time
- I think combining the schools and commercial buildings makes it seem like we have nothing in those areas already and that's misleading

Comfort with the AARST/ANSI Consortium:

5. How comfortable do you feel with developing these new standards through the ANSI Consortium?		
Very Uncomfortable	0	0%
A Little Uncomfortable	2	12%
Mostly Comfortable	3	19%
Very Comfortable	11	69%
Total	16	100%

Analysis:

- 88% of participants felt very or mostly comfortable with the AARST/ANSI Consortium. Reasons included:
 - Most practical, most timely, demonstrated effectiveness, multiple stakeholder participation, experience with it
 - It was designed with our radon community in mind and is the only radon-specific process in existence.
 - I have experienced both the ASTM & AARST/ANSI process for developing standards. The AARST/ANSI process is much better suited to the small radon industry. The AARST/ANSI process has a much more concentrated technical focus and has a demonstrated ability to produce.
 - There's an entire accreditation process with many checks and balances. It's also as transparent as it can get.
 - It is a nationally recognized process to vet consensus standards.
 - It is a consensus process, anyone can participate. The AARST Consortium is very open and transparent.
 - The nice thing about the ANSI/AARST Consortium is that it guarantees a diverse committee from the start, including states and feds
 - I am intimately familiar with the process and feel that it is the best approach to ensure a balanced representation from all stakeholders. It is a fair and open process at every step, and ensures that the standard remains a "living document." It must be reviewed, and revised as appropriate, at least every 5 years.
- No participants felt very uncomfortable.
- 2 participants felt a little uncomfortable, both States. Their reasons included concerns based on past experiences, and a belief that “some of the industry participants have and will continue to place their own profits above the best interest of the citizens.”

Comments on how to increase the comfort level with the Consortium (verbatim):

- I would be more comfortable if more voting positions were added for government regulators. If not, then I expect the states will just ignore the ANSI/AARST documents. If not satisfied the regulatory states will adopt as their state regulation what they believe

the standard should be. If the non-regulatory states are not satisfied, then they will continue to advocate the ASTM standards, the old EPA standards, and/or Appendix F.

- I believe that the Consortium has been transparent, and has made a significant effort to reach out for volunteers to participate. My experience with RRNC 2.0 shows that they released all submitted comments they received, along with the committees response, which is good. I'll be interested in seeing how the process continues to play out.
- Lots of EPA and state people looking over their shoulders.