

GETTING OUR PRIORITIES ALIGNED

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ABSTRACT

The Conference of Radiation Control Program Directors, Inc. (CRCPD) and AARST share some common goals. Both government and the private sector would like to improve public health by decreasing radon exposure. As government shrinks, pressure increases for the private sector to assume more responsibility and prove that they do not need external regulation. The public is also becoming more savvy about environmental issues and cost concerns. In this paper, the Chair of CRCPD describes the concrete ways that the organizations can work together to achieve common goals, and opens the door for further communication on issues of common concern.

COMMON GOALS?

It may surprise you to know that strategic planning is practiced by state government as well as private companies. The goals of a strategic planning process are to allow an organization to recognize problems, identify solutions, and allocate resources equitably to move toward the solutions. But one goal, which is not explicit, but which is extremely important is to consider the external environment when planning. And government is learning to do just that - to try to keep our priorities consistent with those we regulate and those whose public health we protect.

It is rare that a problem could be "solved" by government alone. In most cases we need to work cooperatively on solutions that are multi-faceted. It is especially important in changing times to embrace discontinuities, by which I mean to look between the lines of responsibility, and work within the fragmented responsibilities to discover common goals.

One of the exercises I practice is to try to think for a minute as if I am in someone else's position. Humor me and try to imagine what the ideal governmental radiation protection program should look like. It should be a comprehensive program, covering all radiation sources. The regulations should be up to date, including all new technology. The regulated community should be in perfect compliance. The program should only inspect violators, and penalize them, and publicize the action as a deterrent to every one else. All incentives not to comply should be eliminated. And everyone would have the lowest exposure achievable.

Now I will postulate what it is like to be a member of the radon services industry. I want to be my own boss, and to run my small business my way. I don't want to do a whole lot of extra paperwork. I would prefer never to see a government inspector and I certainly don't want to pay fees for their regulations. But I would not mind if an inspector visited my competitor and made sure she is complying with all these regs. I would like sensible regulations - things that reinforce what I am already doing to reduce dose. I would support a cooperative effort to educate the public about radon hazards, and encourage them to test their homes and mitigate if necessary. I would like a multi-media blitz aimed at potential consumers of radon services. However, I would like to restrict the industry to only qualified people, because one story of a radon rip-off will discourage many people from taking that voluntary step to test their homes. There are just too many excuses that people use to prevent them from doing what is right to protect the health of their family.

It seems to me that we (government and private sector businesses) have some common goals, and that if we can align our priorities, we can support each other.

GOVERNMENTAL CHANGES

What has changed that requires government to change its traditional approaches and work cooperatively with those it regulates? Government is shrinking. The number of radiation sources is growing. Technology is changing rapidly. There are not enough resources to do the traditional inspection on the traditional schedule. Litigation is more common. The regulated community is assuming more responsibility to assure public health and safety. The public is becoming more savvy. And lower doses and exposures are achievable.

The good government of the future will employ many strategies to reduce radiation exposure. The Conference of Radiation Control Program Directors (CRCPD) has traditionally been the leader in the regulation development, with its Suggested State Regulations for the Control of Radiation. The traditional program has been in licensing, registration, inspection, and enforcement. Some states credential responsible individuals. There are requirements for technical and engineering controls; there is some research and assessment. But there are plenty of other strategies that could be more fully considered for each problem. Compliance assistance has been offered, most notably in the electronic data exchange area, but it could be expanded to other areas.

Market incentives/ disincentives, liability mechanisms, disclosure and information requirements are all possible strategies. Education/ outreach help to focus attention on emerging issues. Some private sector and professional organizations have voluntary standards and international standards are being rapidly developed due to the global marketplace.

Many changes have taken place to bring radiation protection to the crossroads. There is a new law, the Federal Government Performance and Results Act which requires federal agencies to rethink their goals and performance measures to achieve real results, not beans. There is pressure on the private sector to prove they don't need regulation. You place greater value on quality assurance programs, self-audits, and individuals taking responsibility. States are viewed as sensible regulators. National debate has focussed on health care costs, with prevention highlighted. There is no question that smoking cessation, radon remediation, and other disease prevention programs aimed at risk avoidance coupled with early diagnosis are valuable.

How can we work together to achieve real results? How can we demonstrate that private initiatives work and that governmental regulations are not always necessary? How will we know when things are not working and governmental intervention is called for?

DATA COLLECTION

All of us need data on which to base our decisions. What kind of data is available given that we tend to measure what is easily measurable rather than what can assist with problem-solving. If we try something new, such as privatization of a radon certification program, what parameters will show that it is working or not working? Can it help us to streamline government, without losing the benefits of a governmental enforcement program? How can we apply lessons learned from other privatization efforts? What kind of lessons can we teach so that they can be applied to other areas of government? Can you disassemble the governmental apparatus and improve public health? Believe me, as a member of government, I would rather participate in the discussion about how to employ other strategies besides governmental regulation than to have the discussion take place in Congress or the legislature without any ability to provide input. I have been on the end of a budget cut that comes rolling at me without notice or recourse, and that has been one of the most frustrating experiences.

The CRCPD is involved in two radon related initiatives: one is related to the privatization of radon services and the other is participation in shaping the radon in water multi-media mitigation program. Both are innovative programs to provide sensible choices in radiation risk reduction and, as such, are natural outgrowths for the CRCPD. I keep referring to the CRCPD as if you are completely familiar with it - but perhaps you are only familiar with our cooperation in putting on these meetings. Actually, that is only a small part of the overall organization, which is comprised of voting members from all 50 states, and associate and affiliate members from government and the private sector respectively. We have over 900 members, including some international members. The CRCPD's is a "partnership for radiation protection", acting as a

convener of interested parties. Each radiation issue is a multi-faceted problem, with many people having a which can lead to a reduction in exposure, and if we can motivate each on to control the radiation in their own purview, we can achieve more than any one individual working alone.

PRIVATIZATION

The CRCPD has been holding stakeholders meetings under a cooperative agreement with the Environmental Protection Agency on the concept of a national certification program to assure the quality and competency of radon testers and mitigators. One of the focus questions is to try to determine what trends to measure. Some of you have participated in developing the "strawman" or "discussion document", while others may have attended the stakeholder's meetings themselves. These are designed to shape a private sector certification program which, the EPA may find is sufficient, that they may withdraw their certification program. You may support this private sector initiative as one where you may have reduced fees, greater "value added" in the marketing of radon services, and more direct influence on the identification of the skills needed to be a radon professional. However the initiative will be judged on other parameters. Will it increase the number of homes tested and mitigated, thus improving public health? Will states accept the private certification? Will the number of certified radon professionals increase? Will there be fewer uncertified testers and mitigators still practicing? The input from stakeholders is being compiled by the CRCPD's Radon Suggested State Regulation Committee, chaired by Karen Tuccillo, from New Jersey.

RADON IN WATER – RISK TRADING

The radon in water program is equally interesting. The CRCPD Board of Directors had declared that issue as one of high priority- not because of its risk, but because of its potential for risk reduction in a cost effective manner. We have a radon technical committee, chaired by Dr. Dave Chase from New Hampshire which is actively involved with other professional associations such as the American Water Works Association, the Association of Safe Drinking Water Officials, the Health Physics Society, yourselves, and EPA. Since the Safe Drinking Water Act Amendments of 1996 require an alternate maximum contaminant level for radon in water if the maximum contaminant level that EPA establishes is "more stringent than necessary to reduce the contribution to radon in indoor air from drinking water to a concentration that is equivalent to the national average concentration of radon in outdoor air". States may develop a multimedia mitigation program to mitigate radon levels in indoor air as a trade off for equivalent or greater health risk reduction benefits than compliance with the maximum contaminant level for radon in water. This has the potential for breathing new life into the state radon control programs. However, there are many questions that still have to be addressed during the implementation. If done properly, I believe that this is the beginning of a good discussion about risk-trading, which can ultimately lead to more effective regulatory programs in many areas. There are lots of environmental programs which spend an inordinate amount of money on small risks while big risks go unaddressed due to public apathy. A successful risk trading program in radon on a multi-media basis can be a pilot for all sorts of innovative risk trading programs. I hope that the CRCPD can contribute to making this successful, along with our other partners.

In order for a partnership of private sector and government to work, a number of things must be present. First and foremost, all of the stakeholders must be ethical. There has to be a basic desire to do things right and not cut corners. All need a working knowledge of basic radiation principles. Research is needed to find root causes and areas for improvement. There must be a spirit of cooperation. And we all have to trust each other. Every individual must invest themselves in the process with passion and commitment.

There are some process changes and changes in thinking that need to be made, as well. We will need to show that cooperative approaches can be as effective as the traditional inspection. And even though I am proposing that we try other strategies, I believe that we need to remain vigilant to the possibility that other strategies will break down, and we will need to go back to more traditional inspection and enforcement programs. It remains to be seen whether reduced governmental oversight will adequately protect public health. But if indicators are chosen which will document a diminished margin of safety, we can take action quickly.

As a regulator, I am sure I only have an inkling of the considerations of a small business owner. However, I think we have some common goals. If we can get our priorities aligned, I think we can support each other to improve radon services available to the public and increase their desire to reduce their radon exposure. Whether it is in data collection, trend analysis, or education/ outreach, by working together, we can have a greater impact than working alone.