

INDIVIDUAL INITIATIVES IMPROVE HEALTHY HOUSING THROUGH PUBLIC POLICY

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Abstract

EPA estimates a death rate of 21,000 yearly due to radioactive radon gas; the need for state and federal legislation is paramount. Because of individuals advocating for radon awareness and legislation, homeowners in Illinois testing their home at the point of sale have increased from 8% to 45% according to Illinois Emergency Management Agency. Stemming from the radon awareness of the legislators, numerous bills have been enacted including radon reducing features for all new residential construction in Illinois. Kansas and Minnesota have modeled their own Radon Awareness Act on the Illinois law; other states are attempting the same legislation. Advocates give a personal and heartfelt account of the tragic effect of radioactive radon gas exposure and have effectively spoken in front of and submitted written testimony to the U.S. House Interior and Environment Appropriations Subcommittee for the continued support of the State Indoor Radon Grants by EPA. Radon Leaders share a booth at the NCSL to educate legislators throughout the nation about the danger of radon, the existing laws, and model legislation. Since 2006, numerous radon bills and resolutions have been passed in the U.S. Conclusion: individual and personal connections are what change our world for healthier environments.

Introduction

Radon is invisible, odorless, and tasteless; the most effective way to protect homeowners, renters, students, school and other employees is through public policy. Because the presence of radon cannot be detected with human senses, most people are completely unaware if they are living, working, or attending school in environments with elevated levels of radioactive gas or not. This paper shows how changes needed for public policy can be effected through individual initiative.

Objective

This paper has four objectives: first, to prove the effectiveness of individual commitment in changing public policy; second, to show verifiable evidence of public policy changes thus effected; third, to show some proven methods behind, such changes; and fourth, to advocate for more individuals to engage in public policy changes concerning radon awareness and public health and safety.

Method

Approaches to effect changes in public policy on the local, state, and national levels are similar, but not always identical: speaking before local school and community groups; using the press in local, state and national advocacy; knowing your political representatives and communicating via

mail, email, and personal visits; recruiting like-minded adherents; assisting and using organizations.

Motivation and Strategy

No one should purchase a house with elevated levels of radioactive radon gas. In December 2005, an oncologist informed the author's husband, Joe, and the author that radon is a known cause of lung cancer as he gave the diagnosis of Stage IV lung cancer to the author's husband. Six weeks after his diagnosis, Joe died. We had been living with over four times the EPA action level of radon for 18 years.

Determination overtook grief, devastation, and anger as the author gathered statistics, data, and scientific studies to present to the Illinois (IL) representative, Dan Reitz, with a proposal for mandated radon testing at the point of sale and-- if the level was 4.0 or higher-- required mitigation before occupancy¹ (Linnertz, 2006). The author also sent this document to thousands of newspapers across the country. Immediately, Representative Reitz filed HR 1288² (Reitz, 2006), a resolution to urge everyone to test for radon, test schools, and financial institutions to offer low interest loans for mitigation-which was adopted two days after the filing. Throughout the summer, fall, winter of 2006, and spring of 2007, the author continued to communicate with all of the Illinois legislators by personal visits, emails, faxes, and correspondence through the U.S. Postal Service, informing them of the danger of living with high levels of radioactive radon gas and sent them a proposal and fact sheet along with the 2006 Illinois Radon Status Report issued by the Illinois Emergency Management Agency Radon Program in the Nuclear Safety Division which stated that 42 percent of Illinois homes tested with elevated levels of radon³ (IEMA, 2006). The strong state radon program in Illinois was a great asset in providing radon data and facts.

Networking and communication were essential to the success of my crusade. Sharing the facts of the danger of radioactive radon exposure through presentations to local, community, and state groups and organizations was vital and rewarding in increasing awareness and radon testing in homes. The author secured letters from Joe's oncologists and other physicians to send to the legislators requesting support for a passage of radon legislation to protect our citizens. With the assistance of Dallas Jones, Chairman of the American Radon Policy Coalition of American Association of Radon Scientists and Technologists (AARST), who drafted the bill which would become known as the Radon Awareness Act or Public Act 095-0210; the physical presence, testimony, and support of John Dunn, President of the Illinois Home Inspectors Association along with the moral support of Cal Murphy, AARST member, and Peter Hendrick AARST Executive Director, a momentum was building.

¹ http://archives.lincolndailynews.com/2006/Oct/27/Features/health102706_a.shtml

² <ftp://www.ilga.gov/legislation/94/BillStatus/HTML/09400HR1288.html>

³ http://www.state.il.us/iema/radon/pdf/Radon_Status_Report_2006.pdf

Results

SB3200⁴ (Claybourne, 2006) was introduced on November 16, 2006, by Senator James F. Clayborne, Jr. The bill amended the Residential Real Property Disclosure Act and stated that prior to the sale of a residential property, the seller must have the property tested for radon and radon progeny by a licensed radon contractor and furnish a prospective buyer with the test results and provided that if the test revealed that radon is present at a level in excess of 4.0 picocuries per liter of air (pCi/L) in the indoor atmosphere of the residential real property, the seller must mitigate, repair, or alter the premises to reduce the radon level to below 4.0 (pCi/L) or give the prospective buyer notice of the right to terminate the sale agreement without loss of any earnest money or down payment effective July 1, 2007.

However, Representative Reitz felt SB3200 would encounter too much opposition to pass, and he desperately wanted to have a bill pass, as a bill can only stay in the legislature for two years. Dallas Jones, an AARST board member, formulated the language of HB1425⁵ (Reitz, 2006) that became known as the Radon Awareness Act modeled after the lead base paint disclosure act. This bill provided that the seller of the home supply the buyer with a pamphlet entitled “Radon Testing Guidelines for Real Estate Transactions⁶” and the Illinois Disclosure of Information on Radon Hazards⁷ stating that the property may present the potential for exposure to radon before the buyer is obligated under any contract to purchase the residential real property.

A meeting was held with Representative Reitz, John Dunn, and Greg St. Albans, the legislative liaison for the Illinois Realtors Association, to work through an agreement of the wording of the bill. The bill was introduced on February 21, 2007; the House Rules Committee assigned the bill to the Environmental Health Committee. On March 6, 2007, the author testified at the public hearing at which time the bill passed the Environmental Health Committee with a slight amendment. The bill passed the second and third reading on March 13 and March 22, and on March 27 it arrived in the Senate with Senator Donnie Trotter as chief sponsor. The author had met previously with Senator Trotter in his office in the capitol building and on March 30 testified in front of the Senate Housing and Community Affairs Committee where the bill had been assigned. On May 22, 2007, the Radon Awareness Act passed the third reading in the Senate. Coincidentally on August 16, 2007, the Illinois governor signed the bill into law—The author’s thirty-first wedding anniversary.

Although this law is not a mandate for testing, according to Patrick Daniels of Illinois Emergency Management Agency the percent of homeowners testing their home at the point of

⁴<http://www.ilga.gov/legislation/BillStatus.asp?DocTypeID=SB&DocNum=3200&GAID=8&SessionID=50&LegID=26453>

⁵<http://www.ilga.gov/legislation/BillStatus.asp?DocTypeID=HB&DocNum=1425&GAID=9&SessionID=51&LegID=30215>

⁶ <http://www.radon.illinois.gov/pdf/radontestguidelineforrealestate.pdf>

⁷ <https://www.state.il.us/iema/radon/pdf/DisclosureRadonHazards.pdf>

sale has increased from eight percent to almost 50 percent. Stemming from the radon awareness of the Illinois legislators, numerous bills have been enacted since 2006 in Illinois including mandated radon reducing features for all new residential construction, mandated testing for licensed day care centers, recommended radon testing for schools, required disclosure of unsafe environmental conditions including unsafe levels of radon by sellers of a multifamily unit (4 or more units), and a declaration of a misdemeanor to misrepresent the capabilities of a radon or radon progeny testing and measuring device.⁸(ELI, 2014) The education of the legislators concerning the danger of radon was the backbone for the ease of the passage of these bills. Other states are modeling Illinois' radon legislation. Minnesota⁹ (Marty, 2013) and Kansas¹⁰ legislatures have adopted the Radon Awareness Act to their states.

Advocates give a personal and heartfelt account of the tragic effect of radioactive radon gas exposure and have effectively spoken in front of and submitted written testimony to the U.S. House Interior and Environment Appropriations Subcommittee for the continued support of the State Indoor Radon Grants by EPA. Since 2007, the author has participated in the Radon Leaders Saving Lives booth at the annual Summit of the National Conference of State Legislatures to educate legislators throughout the nation about the danger of radon, the existing laws, and model legislation.

⁸ <http://www.eli.org/research-report/state-indoor-air-quality-laws-database-excerpt-radon-laws>

⁹ <https://www.revisor.mn.gov/statutes/?id=144.496>

¹⁰ <http://www.kdheks.gov/radiation/radon.htm#laws>

Conclusion

Individual and personal connection is what changes public policy in our world for improved healthy housing which has been evident in this abstract. However, in order to achieve the desired outcome of increased awareness of the danger of radioactive radon gas exposure, increased radon testing, and increased radon mitigation protection, more involvement on a personal level is needed by our citizens. By educating ourselves on radon and its potential harmful effects--lung cancer-- and then sharing that knowledge with citizens and political leaders in cities, states, and congress, we can really begin to take action to protect our citizens against this silent killer, the second leading cause of lung cancer.¹¹

¹¹ <http://www.cancer.gov/cancertopics/factsheet/Risk/radon>