

Resolution No. 5

Date: 6/10/2023

City: Washington, DC

NAHB Resolution

Title: Policy on Radon
Sponsor: Construction, Codes and Standards Committee
Submitted by: Jeremy Wright

WHEREAS, radon is a radioactive, colorless, odorless gas that can seep into cracks and gaps in buildings, that and cannot be detected without testing;

WHEREAS, the United States Environmental Protection Agency (EPA) estimates radon exposure in buildings is the second-leading cause of lung cancer after smoking and is responsible for 21,000 lung cancer deaths yearly, about 2,900 of which are non-smokers;

WHEREAS, the Indoor Radon Abatement Act passed by Congress in 1988 set a long-term goal of making the air within buildings in the United States as free of radon as the ambient air outside of buildings;

WHEREAS, studies indicate that levels in excess of the United States Environmental Protection Agency (EPA) action level (4pCi/l) may not result in a higher risk of lung cancer or respiratory disease;

WHEREAS, the EPA developed and published the “Model Standards and Techniques for Control of Radon in New Residential Buildings”, subsequently adopted for inclusion as a voluntary appendix of the International Residential Code;

WHEREAS, Congress directed the EPA to provide the public with periodic updates on the health risks associated with radon exposure and available methods to measure and reduce radon levels in buildings;

WHEREAS, the EPA has responded to these mandates by:

1. Developing proposed maps, utilizing analysis by the U.S. Geological Survey, that identify counties (25 percent to 30 percent of all counties in the United States) as areas with potential annual average residential radon readings above 4pCi/l, the current target action level;

2. Developing active and passive radon-resistant construction practices for use in radon priority areas that would add mechanical methods for creating air pressure differentials;

WHEREAS, the National Association of Home Builders (NAHB) established policy based upon reviews of analyses of health effects, construction techniques, liability and consumer information conducted by two member working groups and a resolution from the Florida Home Builders Association (FLHBA).

WHEREAS, surveys conducted for EPA by the Home Innovation Research Labs show incorporating mitigation techniques in new homes costs about \$460 per home for a passive system and \$800 per home for an active system;

WHEREAS, the EPA developed a National Radon Action Plan (NRAP) with a goal for the nation to find, fix and prevent high indoor radon levels in 8 million buildings by 2025; prevent an average of at least 3,500 lung cancer deaths per year; and save one-quarter of a million lives in those buildings during the next 74 years;

WHEREAS, the NRAP is focused on embedding radon testing and mitigation provisions in codes, standards and regulations; providing funding to cover the costs of radon testing and mitigation in buildings; building capacity to conduct radon testing and install mitigation systems using trained, credentialed radon professionals; and increasing public awareness of radon risk and mitigation strategies;

WHEREAS, the radon testing and mitigation industry has developed standards with little or no input from the residential construction industry, the general design professional community, or building owners and managers, and aggressively pushed for the adoption of such standards in building codes or by Federal and state agencies;

WHEREAS, the radon testing and mitigation industry has aggressively pursued regulations to require the use of privately credentialed radon testing and mitigation professionals in lieu of state-licensed professionals, architects, engineers or builders,

NOW, THEREFORE, BE IT RESOLVED that the National Association of Home Builders (NAHB) support:

1. A response that is narrowly tailored to priority areas designated by the Environmental Protection Agency (EPA) that exceed the current indoor action level of 4pCi/l (as measured in living areas) and that passive building techniques be used for new construction in those priority areas; and
2. Radon-resistant construction techniques that are prescriptive in nature, well researched and justified in terms of health risks in the home

environment; and are technically and economically feasible and generally affordable; and

3. Flexible EPA mapping guidelines that can be adjusted to reflect local conditions and provide local government entities the opportunity to challenge the EPA's assessment and designation of a radon priority area; as well as giving the EPA the latitude to modify its designation; and
4. Research efforts to find cost-effective site testing techniques that can be correlated with future indoor radon levels that will aid in predicting when specific construction techniques should be employed; and
5. Educational and training programs for builders on proper radon testing procedures and proper design and installation of radon-resistant construction techniques; and

BE IT FURTHER RESOLVED that NAHB support legislative or regulatory initiatives that would:

1. Establish priority radon areas where the predicted average indoor level exceeds 4pCi/l and only in those areas employing rules that require builders to use passive building techniques for new construction for federally insured or guaranteed housing;
2. Exempt builders from all liability regarding radon if the construction complies or complied at the time of construction with federally mandated or state adopted or recognized requirements;
3. Provide funding for local governments to survey homes in the area to allow more precise mapping of sub-county areas, and to provide educational programs for the public informing them of the actual risks of radon exposure and actions they might take to mitigate these risks;
4. Eliminate the statutory directive to achieve radon levels equivalent to ambient air radon levels; and
5. Advise Federal agencies not to propose or implement additional restrictive actions relative to radon testing and mitigation; and

BE IT FURTHER RESOLVED that NAHB oppose requirements for the use of privately credentialed radon testing and mitigation professionals to conduct testing and to design and install mitigation systems in one- and two-family dwellings and townhouses, and prohibitions on builders or registered design professionals, such as architects or engineers, from providing such services; and

BE IT FURTHER RESOLVED that NAHB oppose excessive radon testing requirements beyond those necessary to reasonably identify or minimize the potential for radon exposure; and

BE IT FURTHER RESOLVED that NAHB maintain a working relationship with the EPA, both on a research and policy level, to assure that any changes in its radon policy and guidance are technically and economically feasible.

Leadership Council Action:	Approved
Resolutions Committee Action:	Recommends Approval
Construction, Codes and Standards Committee Action:	Recommends Approval
Custom Home Builders Committee Action:	Recommends Approval
Single Family Builders Committee Action:	Recommends Approval
Federal Government Affairs Committee Action:	Recommends Approval
Environmental Issues Committee Action:	Recommends Approval
Building Codes & Standards Subcommittee of Construction, Codes and Standards Committee Action:	Recommends Approval
Construction Technology Research Subcommittee of Construction, Codes and Standards Committee Action:	Recommends Approval
Multifamily Council Board of Trustees Action:	Recommends Approval

If approved, this resolution will supersede current policy 2009.5 No. 3 Policy on Radon.