

STATES OF JERSEY



RADON (S.R.11/2014): RESPONSE OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES

**Presented to the States on 23rd October 2014
by the Minister for Health and Social Services**

STATES GREFFE

RADON (S.R.11/2014): RESPONSE OF THE MINISTER FOR HEALTH AND SOCIAL SERVICES

Ministerial Response to: S.R.11/2014

Review title: Radon

Scrutiny Panel: Environment

INTRODUCTION

I welcome the report of the Environment Scrutiny Panel. The Environmental Health team continues to give advice on matters concerning radon, as it has consistently for several years.

While I accept and agree that improvements can and should be made to address radon, I do not agree with the suggestion that there has been complacency on the part of the Health and Social Services Department (HSSD) with respect to the issues around radon.

Results of measurements of radon across the Island are the property of those commissioning them and so are unavailable to the States. The concept of an annual radon concentration is misleading, as the only sure way of determining the radon concentration within a property is to test. This is a point the Panel asserts several times within its own report. Detailed information is made available to all households with test results above Target Levels on request, and advice is given where appropriate. It is not, however, for HSSD to judge the competency of building companies, or to run accreditation schemes as suggested in the recommendations.

I have asked the Environmental Health Team to make its advice on testing to be more robust, in line with Recommendation 2. This will be reflected in both written and web advice.

Recommendations 3, 4, 5, 6, 7 and 8 make consummate sense. They are not, however, within the remit of the HSSD.

Any radon in Private Water Supplies is easily removed through aeration of the supply. This should be a function of contracts for the maintenance and testing of such supplies between the borehole user and the contractor. Abstraction of water from boreholes falls under the remit of the Environment and Planning Department. I do not believe a States-run programme of sampling is necessary. Private water supplies are not routinely sampled for contaminants.

I do not see the need for further testing of homes for radon by the States. The cost of testing is small compared with property costs. The tests require the cooperation of the inhabitants and, quite rightly, we have no powers to demand entry for such purposes. Remediation is also relatively inexpensive and should be borne by the property owner.

FINDINGS

	Findings	Comments
1	Responsibility for radon in Jersey is shared between several departments, with none taking a lead on radon matters. Perhaps, partly as a result, very little effort has been put into investigating radon levels, following up survey findings or making information on radon more widely available.	<p>Much effort has been put into investigating radon in housing.</p> <p>Comprehensive information is available both in written form and on the States' website.</p> <p>All major landlords, letting agencies and the Constables were invited to a seminar on radon in Housing. Only States Housing (now Andium) and one Connétable accepted the invitation.</p>
2	Despite consistent results showing that many homes in Jersey are likely to exceed guideline Target and Action levels for radon, this information has not been fully explained to the general public.	<p>There have been published reports on radon in Housing. Available details of the testing carried out is published on the website.</p> <p>Information is available, both on the Sates' website and in written form.</p>
3	There appears to be no consistent message to encourage all householders to have their properties tested for radon, despite this being amongst the recommendations of the 2012 report.	The States of Jersey website states "we recommend that all buildings in Jersey are tested for radon levels". Environmental Health consistently gives this advice.
4	Surveys carried out since 1987 have been limited in scope and number. Too few homes have been tested to enable conclusive results, and the types of property tested have been limited.	The surveys carried out to date have served to prove that all the Island of Jersey should be considered a radon affected area, and the diversity of properties tested demonstrates that any property may be affected. The results lead to the recommendation that owners of any property with a basement or ground floor should be tested for radon.
5	Measures for protecting new homes against radon since 1997 have not been followed up with testing to ensure that they are effective.	This would require the co-operation of the occupiers. It is not an issue for the HSSD. The efficacy of the radon protection would be for Planning and Environment.
6	New workplaces are not required to be protected against radon, which is inconsistent with by-laws for dwellings, and would appear to be a worthwhile precaution.	Workplaces are required to be free from harmful levels of radon. It is the responsibility of the employer. This would be an issue for Planning and Environment and for Social Security. HSSD are reviewing their own policy for their workplaces.

	Findings	Comments
7	No action appears to have been taken to advise homeowners about the possible presence of radon in private water supplies, or to carry out any testing to ascertain whether or not this may be a problem in specific areas.	Agreed. This will be addressed through a revision of the website and available written advice. Advice will be sent to all properties with a registered borehole. As with other aspects of potentially contaminated private water, this is the responsibility of the supply user and his or her maintenance contractor. Aeration of the supply removes radon.
8	Potentially increased risks of developing lung cancer associated with prolonged exposure to high levels of radon have not been communicated adequately to homeowners, particularly those who smoke, and ex-smokers.	“We would estimate that there is likely to be one case of lung cancer every three to four years caused solely by radon in Jersey’s population and around two deaths per year due to the combination of smoking and exposure to radon gas. The greatest risk from radon gas is to those who are also smokers, who by virtue of smoking already have a high risk of lung cancer. In this situation radon can exert a small incremental effect. The lifetime risk of lung cancer of those who smoke and are exposed to radon is over 30 times higher than for a non-smoker with the same exposure. Thus smoking poses a far higher risk than exposure to radon gas.” From “Cancer in Jersey 2013”. The website will be updated to include ex-smokers.

RECOMMENDATIONS

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
1	Information about radon measurements in Jersey should be brought together in a consistent format (ideally representing the annual average radon concentration) to enable analyses and comparisons to be made.	P&E H&SS SocSec	Reject	The results of tests belong to the property owners and are not shared with HSSD. The concept of an annual average radon concentration is not helpful, as has been demonstrated by previous surveys. Comparison between properties is meaningless as neighbouring, seemingly identical properties may be differently affected. Available results are published on the website.	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
2	Formal advice should be published recommending that all ground floor (or lower) dwellings on Jersey should be tested for radon, and that premises with annual average indoor radon concentrations above the appropriate action level should be remediated.	P&E H&SS	Accept	This advice is already given both on the website and in written material. The website and written information will be updated.	31/10/2014
3	Discussions should be held with the Jersey Law Society regarding the possibility of including questions about radon in the conveyancing process associated with the sale and purchase of all buildings in Jersey.	P&E H&SS SocSec	Accept	This is a good idea but it would be for the purchaser (or their representative) to ask the question of the vendor. It is for the legal profession to determine its own search questions. We would, however, be pleased to discuss radon with the Jersey Law Society.	
4	Consideration should be given to the benefits of applying, in Jersey, relevant aspects of the radon-related requirements contained in the 2014 EU Basic Safety Standards.	P&E H&SS SocSec	Accept	These aspects are all covered by other recommendations within the report. They are largely concerned with the workplace and publicising the potential risk associated with radon.	31/12/2014
5	The States should consider if workplaces with high public occupancy (2,000 or more hours per year) and schools should use the protection standards developed for homes.	P&E H&SS SocSec	Accept	This is for consideration by the Health and Safety Inspectorate. HSSD will review its policy for its own estate.	31/12/2014
6	Consideration should be given to including radon protection to all new buildings and extensions, refurbishments and conversions.	P&E		This is a logical step, but a matter for Planning and Environment.	
7	Consideration should be given to amending the Building Bye-Laws (Technical Document Part 4) to clarify the level of protection required.	P&E		This is a logical step, but a matter for Planning and Environment.	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
8	Consideration should be given (depending on the outcome of Recommendation 6) to updating the reference in Technical Document Part 4 to the latest version of the Building Research Establishment's Report BR211 2007 Edition.	P&E		This is a logical step, but a matter for Planning and Environment.	
9	The States should consider a pilot programme to determine if radon in water is a significant source of exposure in homes and workplaces.	P&E H&SS SocSec	Reject	Such a programme would be expensive and difficult to carry out. No powers exist to ensure co-operation with Planning and Environment licence abstraction. It is a matter for supply user and his/her maintenance contractor. Private water supplies are not routinely sampled by the States for any contaminants.	
10	The States should publish a summary policy document on radon that would bring together all aspects of radon and the control of exposures to the population of Jersey in one document. The document should be made easily available for distribution to all stakeholders.	P&E H&SS SocSec	Accept	A revised webpage is being prepared to bring together the different aspects of radon. Written material is being revised.	31/12/2014
11	Detailed radon remedy information should be made available to all households with test results above target levels, or on request. A list of qualified builders and/or some form of accreditation scheme may also be advisable to guide those needing remedial work.	P&E H&SS	Reject.	Detailed advice is given by reference to Health Protection England. Environmental Health personnel also assist with advice and in interpreting results. It is not for HSSD to run an accreditation scheme for builders.	
12	The Minister for Health and Social Services should assume overall responsibility for radon protection measures in the Island, assisting householders	P&E H&SS SocSec	Reject	HSSD and Social Security will continue to take the lead on health advice, and will continue to give advice on testing for radon. The	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
	with advice and support through the Environmental Health Department, and co-ordinating any requirements for new or amended building bye-laws with the Department of the Environment.			majority of these recommendations, however, fall within the remit of Planning and Environment or Social Security. It is illogical to suggest that the Minister for Health and Social Services should assume overall responsibility. The Air Quality Strategy would seem a better place for the indoor air quality aspects. This is a joint Strategy between the Health and Environment Departments. I have asked that the radon aspects of indoor air quality be re-examined in light of the Scrutiny Report.	
13	The Minister for Health and Social Services should produce a plan to carry out a major new programme for the detection and remediation of radon in homes. Such plan to produce a significant increase in the number of homes tested, particularly dwellings which may be likely to have increased radon levels, support for householders where radon action or target levels are exceeded, and assistance to householders to undertake remediation measures. The plan to include an appropriate level of public funding to be determined in consultation with the Minister for Treasury and Resources, and a scheme of financial support for grants and loans to householders in appropriate circumstances.	H&SS	Reject.	<p>There are no powers to carry out such tests. Previous surveys demonstrated how difficult it is to find people willing to co-operate. Those surveys demonstrated the whole Island is a 'Radon Affected Area' and also tested different types of housing, showing it is not possible to identify "dwelling which may be likely to have increased radon levels".</p> <p>As with other defects within housing, it is for the property owner to carry out and pay for remedial works. UK guidelines issued by HPE suggest remediation works are inexpensive in relation to property values. Typical costs quoted are £500 – £800 depending on the type of property.</p> <p>HSSD will continue to raise awareness of radon and its potential for harm.</p>	

CONCLUSION

I do not accept all of the Scrutiny Panel's conclusions. Most radon protection measures are concerned with Planning, Building Regulations and water extraction. These are all regulated or licensed by the Environment Department. It is illogical that the Health and Social Services Department should take the lead role in these aspects. Similarly, where workplaces are concerned, it is for the Social Services Department to lead through the Health and Safety Inspectorate. Health and Social Services will be pleased to continue to advise on the health risks associated with radon, in raising awareness of the issues and in advising on testing. It would seem more logical to include radon as part of the Indoor Air Section of the Air Quality Strategy, a joint strategy between Health and Environment Departments. This would ensure inclusion in a revised Action Plan and the correct apportionment of tasks between departments.