

STATES OF JERSEY



RADON (S.R.11/2014): RESPONSE OF THE MINISTER FOR PLANNING AND ENVIRONMENT

**Presented to the States on 3rd October 2014
by the Minister for Planning and Environment**

STATES GREFFE

RADON (S.R.11/2014): RESPONSE OF THE MINISTER FOR PLANNING AND ENVIRONMENT

Initial Ministerial Response to: S.R.11/2014

Review title: Radon

Scrutiny Panel: Environment

INTRODUCTION

I welcome the Environment Scrutiny Panel report on Radon and thank the panel for the opportunity to comment and respond to the report findings and recommendations.

My responses are given in the context that the Scrutiny review focused on the human health risks associated to radon gas and I believe that the Minister for Health and Social Services (H&SS) must take the lead on setting out the measures and controls that should be adopted. My department and I can support H&SS in the development and regulation of control measures to reduce the risk of Radon gas and in the promotion of radon measures agreed.

For clarity, it is worth noting that while my department regulates private water supplies with respect to pollution (Water Pollution (Jersey) Law 2000) and quantity of water abstracted (Water Resources (Jersey) Law 2007), it does not regulate naturally occurring gases in water supplies, such as radon.

I look forward to continuing to work with the Minister for Health and Social Services and H&SS department in reviewing and adopting the necessary measures to reduce the health risks associated to radon gas.

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.	Radon gas can pose a human health risk and therefore the Minister for Health and Social Services should take the lead on radon matters, supported by other departments. The Health and Social Services Department (H&SS) has carried out some testing. Information on radon is available on the States website. http://www.gov.je/Environment/ProtectingEnvironment/Land/Contamination/Pages/Radon.aspx
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.	While there is always an opportunity for more communication and education, information on radon is available on the States website. http://www.gov.je/Environment/ProtectingEnvironment/Land/Contamination/Pages/Radon.aspx The H&SS department has also produced an information leaflet.

	Findings	Comments
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.	Information on radon published on the States of Jersey website states “we recommend that all buildings in Jersey are tested for radon levels.”
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.	I believe that the surveys carried out have served to prove that all of the Island of Jersey should be considered a radon affected area and it is recommended that all buildings are tested for radon levels. The Jersey Building Bye-laws (administered by the Department of the Environment) require all new homes on the island to apply radon protection measures.
5	Measures for protecting new homes against radon since 1997 have not been followed up with testing to ensure that they are effective.	The radon measures required by Jersey’s Building Bye-laws for new homes have been developed over many years by an independent and impartial research establishment. Tests undertaken by that body have shown the measures adopted under the bye-laws will be effective if competently installed.
6	New workplaces are not required to be protected against radon, which is inconsistent with bye-laws for dwellings and would appear to be a worthwhile precaution.	The Health and Safety at Work (Jersey) Law 1989 (HSW Law) deals with health and safety matters in the work place. This includes measures to mitigate any risk from radon.
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.	H&SS should take the lead on radon gas in private water supplies as it is a naturally occurring gas and a potential health risk. The additional testing of radon gas as part of the analysis suit for private water supplies analysis needs to be considered by the H&SS department. The Department can assist H&SS with advice to householders as it holds an address list for all licensed and registered private water abstractions.
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.	The H&SS department need to consider if additional communication needs to be undertaken.

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	Radon test results belong to the property owners and the surveys carried out by the States to date show that comparisons between properties can be unreliable. Analysis as recommended is unlikely to provide any real benefit. Surveys carried out to date have served to prove that all of the Island of Jersey should be considered a radon affected area.	
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	Advice to this effect is already published on the States website. My department will work with the H&SS department to review the current advice given.	
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	My department will raise the matter with the Jersey Law Society and seek its views concerning the benefits of including questions about radon in the conveyancing process.	Q4 2015
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	My department will work with the H&SS department and review the building bye-law requirements if deemed necessary.	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
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	My department will work with the H&SS department and review the building bye-law requirements if deemed necessary.	
6	Consideration should be given to including radon protection to all new buildings and extensions, refurbishments and conversions.	P&E	Accept	A review of the building bye-law standards will be undertaken with a view to extending the requirements.	Planned for 2015
7	Consideration should be given to amending the Building Bye-laws (Technical Document Part 4) to clarify the level of protection required.	P&E	Accept	The technical guidance document will be revised as part of the ongoing programme in issuing periodic amendments to the statutory guidance published in support of the building bye-law requirements.	Planned for 2015
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	Accept	This will included as part of the revisions referred to in recommendation 7.	Planned for 2015
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	Neither Reject or Accept	The Department of the Environment regulates private water supplies with respect to pollution (Water Pollution (Jersey) Law 2000) and quantity of water abstracted (Water Resources (Jersey) Law 2007). These laws do not regulate naturally occurring gases in water supplies, such as radon gas. Furthermore, as this matter relates to the health risks associated to radon gas, I believe that the Minister for	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
				Health and Social Services should determine if testing of radon in water is necessary and lead such an initiative. My department and I will support the H&SS department in the development and regulation of control measures to reduce the risk of radon gas in water.	
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 Soc.Sec	Accept	Improvements to the information leaflet and details currently available on the States website can be made. My department will work with the H&SS department to review the advice published.	
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	Accept in part	Detailed advice is available on the States website (includes link to www.gov.uk/radon) and is provided by the H&SS department. My department and I are not aware of any industry approved scheme for the accreditation of radon remedial work.	
12	The Minister for Health and Social Services should assume overall responsibility for radon protection measures in the Island, assisting householders with advice and support through the Environmental Health Department and coordinating any requirements for new or amended building bye-laws with the Department of the Environment.	P&E H&SS Soc.Sec	Accept	The Minister for Planning and Environment and the Minister for Health and Social Services launched the Jersey Air Quality Strategy in February 2013, a joint initiative aimed at safeguarding air quality in Jersey. Indoor air quality was outside of the scope of the Jersey Air Quality Strategy 2012 which focuses on ambient air quality (section 2.3). However, Policy 3 refers to	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
				<p>indoor air quality in the context of continuing existing practices. It contains the following actions to raise awareness by –</p> <ul style="list-style-type: none"> (a) Working with the Development Control and Building Control team to ensure planning permits and revised Building Bye-laws take into account indoor air quality. (b) Ensuring that awareness of air quality issues is raised with the Eco-Active Business community and Eco-Active States departments. (c) Supporting the Minister for Health and Social Services in bringing forward the Public Health (Dwellings) Legislation in 2013/14. (d) Maintaining a watching brief to monitor the developments of the EU indoor air quality products labelling initiative and indoor air quality directive and to consider the implications when they becomes available. (e) Continuing to highlight the need for householders and businesses to control radon levels in buildings. <p>The Air Quality Action Plan supports the Air Quality Strategy and is led by H&SS. At the current time it does not include any specific actions on radon but this is due for annual review in</p>	

	Recommendations	To	Accept/ Reject	Comments	Target date of action/ completion
				<p>November 2014.</p> <p>I believe it is correct that the Minister for Health and Social Services assumes overall responsibility for identifying new measures for radon protection measures, given that this matter relates to human health.</p> <p>My department and I will support the H&SS department in the development and regulation of control measures to reduce the risk of radon gas and in the promotion of radon measures agreed.</p>	
13	<p>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.</p>	H&SS	Neither Reject or Accept	<p>I believe it is correct that the Minister for Health and Social Services assumes overall responsibility for radon protection measures, given that this matter relates to human health.</p> <p>My department and I will support the H&SS department in the development and regulation of control measures to reduce the risk of radon gas and in the promotion of radon measures agreed.</p> <p>Surveys carried out to date have served to prove that all of the Island of Jersey should be considered a radon affected area. Further testing is unlikely to provide any real benefit.</p>	

CONCLUSION

Given that this Scrutiny review focused on the human health risks associated to radon gas I believe that the Minister for Health and Social Services (H&SS) must take the lead on setting out the measures and controls that should be adopted. My department and I can support H&SS in the development and regulation of control measures to reduce the risk of radon gas and in the promotion of radon measures agreed.

The States joint Jersey Air Quality Strategy identifies a number of initiatives to raise awareness of indoor air quality issues and can be used as the mechanism for further activities.