

Department of Legislative Services
 Maryland General Assembly
 2002 Session

FISCAL NOTE

House Bill 1027 (Delegate Baldwin, *et al.*)
 Environmental Matters

Environment - State Radon Contact - Public Information

This bill requires the Maryland Department of the Environment (MDE) to appoint a member of the department to serve as the State radon contact and liaison to the U.S. Environmental Protection Agency (EPA). MDE must make available to the public upon request specified information relating to radon.

Fiscal Summary

State Effect: General fund expenditure increase of \$70,400 in FY 2003 to provide a State radon contact and liaison, to field technical inquiries, and to provide information relating to radon. No effect on revenues. Future year estimates are annualized and adjusted for inflation and reflect ongoing operating costs.

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	70,400	88,300	92,300	96,500	101,000
Net Effect	(\$70,400)	(\$88,300)	(\$92,300)	(\$96,500)	(\$101,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: The bill would not materially affect local operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: MDE must make available to the public upon request: (1) information regarding radon gas and its potential health threats and certain protective measures that can be taken to test for and mitigate the presence of radon gas; and (2) the names of those

radon testing and mitigation service providers who are listed as having proficiency, accreditation, or certification by the National Environmental Health Association or the National Radon Safety Board.

Current Law: MDE is authorized to adopt regulations to require radon testing facilities to send test results to MDE. In response to a request for the public for the name of a radon testing facility, MDE may not disclose the name of a radon tester that is not a listed facility. There is no official State radon contact or liaison to EPA designated in statute.

A person who engages in the business of testing for the presence of indoor radon must: (1) after completion of round six of the EPA's National Radon Measurement Proficiency Program, have all tests analyzed by a listed facility; (2) indicate the name of the facility conducting the analysis on the radon testing device; and (3) disclose in writing to the ultimate consumer the results of the radon test and the name and address of the facility that analyzed the test.

Background: Radon is a radioactive gas. It occurs naturally in all soils. In outdoor air, radon gas is diluted to low levels. Radon can enter into a home through cracks in the foundation, dirt floors, pores in block walls, floor drains, and sumps. When radon gas seeps into homes, it can build up to potentially dangerous levels. According to MDE, scientists estimate that 7,000 to 14,000 lung cancer deaths a year in the U.S. may be caused by radon gas. In Maryland, homeowners in every county and Baltimore city have reported elevated levels of radon.

The 1988 federal Indoor Radon Abatement Act (IRAA) required EPA to develop a voluntary program to evaluate and provide information on contractors who offer radon control services to homeowners. The Radon Contractor Proficiency Program was established to meet the requirements of the IRAA. Individuals meeting the National Radon Proficiency Program requirements are known as mitigation service providers.

MDE operated a radon program from 1986 through 1995. According to MDE, approximately two-thirds of the program involved dissemination of information to the public. The program received approximately 2,800 to 3,000 inquiries each year. MDE advises that because the program is no longer operational, when people call requesting information about radon, MDE now refers them to EPA.

State Expenditures: Assuming the bill allows MDE to hire an employee to serve as the liaison, general fund expenditures could increase by an estimated \$70,400 in fiscal 2003, which accounts for the bill's October 1, 2002 effective date. This estimate reflects the cost of hiring one health physicist to serve as the State radon contact and liaison to EPA and one office secretary to assist with the administration of the radon program, including managing telephone calls to a radon hotline and photocopying and mailing informational

materials. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses, including contractual services and travel. The information and assumptions used in calculating the estimate are stated below:

- MDE will receive approximately 2,800 to 3,000 inquiries annually for information regarding radon;
- a significant portion of the inquiries will be technical in nature, requiring the State radon contact to be knowledgeable about radiation physics, including all aspects of radon health risks, testing, mitigation, and construction of housing conducive to radon venting;
- contractual services will be used for printing of educational materials; and
- the State radon contact will attend one conference each year.

Salaries and Fringe Benefits	\$55,700
Communications-Postage and Radon Hotline	5,025
Contractual Services-Printing	2,625
Equipment and Other Operating Expenses	<u>7,050</u>
Total FY 2003 State Expenditures	\$70,400

Future year expenditures reflect: (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Department of Legislative Services

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