

26:2D-59 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2D-59 et al (Radon gas dangers--requires DEP to study)

LAWS OF: 1985 **CHAPTER:** 408

BILL NO: A4112

Sponsor(s): Zimmer and others

Date Introduced: September 9, 1985

Committee: Assembly: Agriculture and Environment
Senate: Institutions, Health and Welfare

Amended during passage: Yes Amendments during passage denoted by asterisks. Substitute for S3319 (not attached since identical to A4112)

Date of Passage: Assembly: September 12, 1985
Senate: November 18, 1985

Date of Approval: January 10, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly: Yes
Senate: Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

See newspaper clipping file in New Jersey Reference Department under "N.J.-Atomic fuel-1985 and 1986" and "N.J.-Radiation-1982--".

Report, referred to in section 1 of act, not issued as of 6-1-86. For further information, contact Mary Cahill, 530-4002 (5-4002).

P. L. 1985, CHAPTER 408, *approved January 10, 1986*1985 Assembly No. 4112 (*Official Copy Reprint*)

AN ACT concerning radon gas and radon progeny contamination supplementing P. L. 1958, c. 116 (C. 26:2D-1 et seq.), and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The Department of Environmental Protection shall prepare
2 and transmit to the Governor and Legislature a study concerning
3 the dangers posed to the public health, safety, and welfare by the
4 presence of radon gas and radon progeny in residential dwellings,
5 schools, and public buildings in the State. The study shall identify
6 the potential sources of contamination in the State, identify demo-
7 graphic, geologic, and geographic areas subject to an actual or
8 potential threat or danger of contamination, and develop a cost-
9 effective strategy for radon gas and radon progeny contamination
10 testing. The study shall include recommendations for private
11 actions to solve or alleviate potential health problems and any
12 legislative or executive action that should be taken. The depart-
13 ment shall prepare and transmit to the Governor and the ***[Legis-**
14 **lature]*** *Senate Institutions, Health and Welfare Committee and*
15 *the General Assembly Agriculture and Environment Committee*^o
16 interim reports on its progress in implementing this section ***[every**
17 **90 days commencing on the effective day of this act]*** *. *The de-*
18 *partment shall transmit its first report on May 1, 1986 and subse-*
19 *quent reports every six months thereafter*.*

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted November 18, 1985.

C 408-2

1 2. The Department of Health shall conduct an epidemiologic
2 study of cancer and the presence of radon gas and radon progeny
3 in residential dwellings and shall maintain a voluntary registry of
4 persons at risk of radiogenic lung cancer. The department shall
5 communicate promptly to persons on the registry new techniques
6 for the prevention of mortality from the disease.

1 3. The Department of Environmental Protection and the Depart-
2 ment of Health shall coordinate to establish a program of con-
3 firmatory monitoring of the presence of radon gas and radon
4 progeny in residential dwellings utilizing local health officers and
5 the Department of Environmental Protection personnel.

1 4. The Departments of Environmental Protection and Health
2 shall also coordinate to establish a public information and education
3 program to inform the public of the potential health effects of the
4 presence of radon gas and radon progeny in residential dwellings
5 and the geographic areas in the State subject to an actual or
6 potential threat of danger and the measures which can be taken
7 to protect the health, safety, and welfare of the citizens of the State.
8 This public information and education program shall include:

9 a. A cooperative program with county and local health depart-
10 ments to facilitate health education in response to requests from
11 the public; and

12 b. A toll-free public telephone information service within the
13 Department of Environmental Protection to answer questions from
14 residents of the State concerning radon gas and radon progeny
15 contamination. The availability of the public telephone informa-
16 tion service shall be published in the major newspapers circulated
17 in the geographic areas of this State subject to an actual or
18 potential threat of danger from radon gas or radon progeny
19 contamination.

1 5. There is appropriated from the General Fund to the Depart-
2 ment of Environmental Protection the sum of \$2,600,000.00 to
3 carry out the provisions of this act.

1 6. There is appropriated from the General Fund to the Depart-
2 ment of Health the sum of \$600,000.00 to carry out the provisions
3 of this act.

1 7. This act shall take effect immediately.

ASSEMBLY, No. 4112

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 9, 1985

By Assemblymen ZIMMER, S. ADUBATO, McENROE, WEIDEL,
FRELINGHUYSEN, MARTIN, LOVEYS, HAYTAIAN,
LITTELL, KERN, FELICE and HARDWICK

AN ACT concerning radon gas and radon progeny contamination
supplementing P. L. 1958, c. 116 (C. 26:2D-1 et seq.), and
making an appropriation.

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2 and transmit to the Governor and Legislature a study concerning
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6 the potential sources of contamination in the State, identify demo-
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8 potential threat or danger of contamination, and develop a cost-
9 effective strategy for radon gas and radon progeny contamination
10 testing. The study shall include recommendations for private
11 actions to solve or alleviate potential health problems and any
12 legislative or executive action that should be taken. The depart-
13 ment shall prepare and transmit to the Governor and the Legisla-
14 ture interim reports on its progress in implementing this section
15 every 90 days commencing on the effective day of this act.

1 2. The Department of Health shall conduct an epidemiologic
2 study of cancer and the presence of radon gas and radon progeny
3 in residential dwellings and shall maintain a voluntary registry of
4 persons at risk of radiogenic lung cancer. The department shall

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3 of this act.

1 7. This act shall take effect immediately.

STATEMENT

It has recently been discovered that 200,000 or more homes in northern New Jersey are at risk from radon gas and radon progeny contamination. These homes are primarily situated atop the Reading Prong, a geological structure containing uranium. The uranium decays and radon gas seeps up through the earth and is trapped inside homes where it in turn decays to radon progeny. These progeny may lodge in the lungs, increasing the risk of cancer. A substantial percentage of lung cancer in nonsmokers is believed to

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be due to radon gas and/or radon progeny. In a Pennsylvania county situated on the Reading Prong, nearly 40% of the 2,000 homes tested had unsafe radon levels. One home contained the highest levels of radon found in the nation. It is unknown how many homes in New Jersey are contaminated or are at risk.

This bill seeks to identify the extent of the problem and derive solutions before a major health catastrophe occurs. Specifically, this bill requires the Department of Environmental Protection to prepare a study identifying the areas at risk, the dangers involved, methods for radon testing, and possible solutions. The Department of Health is required to conduct an epidemiologic study investigating the association of lung cancer with radon and radon progeny exposures in homes, and to establish a voluntary registry of persons previously exposed to high levels of radon and radon progeny.

The Departments of Environmental Protection and Health are required to collaborate to establish an information program to inform the public who is at risk and what protective measures can be taken. This program shall include a toll-free information service to answer questions from the public and any arrangement with local health officials as may be deemed appropriate to provide support services. The departments are also required to coordinate to establish a training program for local health officials to perform confirmatory radon testing.

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4112

STATE OF NEW JERSEY

DATED: SEPTEMBER 12, 1985

It has recently been discovered that 200,000 or more homes in northern New Jersey are at risk from radon gas and radon progeny contamination. These homes are primarily situated atop the Reading Prong, a geological structure containing uranium. The uranium decays and radon gas seeps up through the earth and is trapped inside homes where it in turn decays to radon progeny. These progeny may lodge in the lungs, increasing the risk of cancer. A substantial percentage of lung cancer in nonsmokers is believed to be due to radon gas and/or radon progeny. In a Pennsylvania county situated on the Reading Prong, nearly 40% of the 2,000 homes tested had unsafe radon levels. One home contained the highest levels of radon found in the nation. It is unknown how many homes in New Jersey are contaminated or are at risk.

This bill seeks to identify the extent of the problem and derive solutions before a major health catastrophe occurs. Specifically, this bill requires the Department of Environmental Protection to prepare a study identifying the areas at risk, the dangers involved, methods for radon testing, and possible solutions. The Department of Health is required to conduct an epidemiologic study investigating the association of lung cancer with radon and radon progeny exposures in homes, and to establish a voluntary registry of persons previously exposed to high levels of radon and radon progeny.

The Departments of Environmental Protection and Health are required to collaborate to establish an information program to inform the public who is at risk and what protective measures can be taken. This program shall include a toll-free information service to answer questions from the public and any arrangement with local health officials as may be deemed appropriate to provide support services. The departments are also required to collaborate to establish a training program for local health officials to perform confirmatory radon testing.

The bill appropriates from the General Fund \$2,600,000.00 to the Department of Environmental Protection, and \$600,000.00 to the Department of Health to carry out the provisions of this act.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 4112
with Senate committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 30, 1985

As amended by committee, this bill appropriates \$2.6 million to the Department of Environmental Protection and \$.6 million to the Department of Health to conduct studies concerning the presence of radon gas and radon progeny in the State.

The bill requires the Department of Environmental Protection to conduct a study concerning the dangers posed to the public health, safety and welfare by the presence of radon gas and radon progeny in residential buildings, schools and public buildings in the State. The study is to identify potential sources of contamination in the State and demographic, geologic and geographic areas subject to a threat or danger of contamination and to develop cost effective strategies for testing for contamination. The department is directed to report to the Governor and the Senate Institutions, Health and Welfare Committee and General Assembly Agriculture and Environment Committee on May 1, 1986 and every six months thereafter on its progress in carrying out the study.

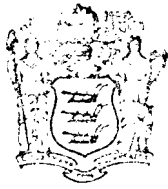
The Department of Health is required to conduct an epidemiologic study of the link between the incidence of lung cancer and the presence of radon gas or its progeny in residential dwellings. The department also is directed to maintain a voluntary registry of persons at risk of radiogenic lung cancer. Finally, both departments are required to establish a program of confirmatory monitoring of and to coordinate a public information and education campaign on the potential health effects of the presence of radon gas or its progeny in residential dwellings.

State officials recently disclosed that over 250,000 homes and businesses in seven counties in the State (Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex and Warren) sit upon a billion year old geologic formation known as the Reading Prong. The Reading Prong contains deposits of uranium, from which emanates radon gas, a known carcinogen usually associated with causing lung cancer. State officials

have also indicated that since uranium is present in varying concentrations in most of northern New Jersey, there actually may be as many as 1.4 million homes at risk of contamination.

The Department of Environmental Protection states that without a thorough scientific study, it is not possible to judge the nature and extent of the problem in New Jersey or to identify the areas in the State or the types of housing which are at the greatest risk of contamination. Accordingly, with this bill's appropriation the department will screen a sample of 6000 residences in various locations in the State to determine what areas and types of housing are at greatest risk. The department will use this data to establish priorities for more extensive testing for contamination which will be conducted at a later date.

The committee amended the bill to require that the Department of Environmental Protection shall report specifically to the standing legislative committees which reviewed the bill rather than the Legislature, generally, on its progress in implementing the study. Amendments also provide that the reporting commence on May 1, 1986 and continue every six months, rather than every 90 days.



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OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

Contact: PAUL WOLCOTT
609-292-8956

TRENTON, N.J. 08625

Release: FRI., JAN. 10, 1986

Governor Thomas H. Kean has signed legislation directing a \$3.2 million study of radon contamination and methods of remediating the problem in seven Central and North Jersey counties.

The bill, A-4112/S-3319, was sponsored by Assemblyman Richard Zimmer, R-Hunterdon, and State Senator John H. Dorsey, R-Morris.

The bill appropriates funds to the Department of Environmental Protection (DEP) to assess the potential for naturally occurring radon contamination inside the approximately 250,000 homes built on the Reading Prong, a rock formation which extends through parts of Warren, Sussex, Hunterdon, Somerset, Passaic, Bergen, and Morris counties.

Funds will also go to the Department of Health to conduct a widescale study of the health risks associated with radon, which is a colorless, odorless gas, naturally emitted from some rock formations.

"This legislation will finally allow us to begin to grapple with this potentially serious problem," Kean said. "Fortunately, radon gas can be controlled and vented, so that, as we identify health hazards, we can act to alleviate them.

"With this money finally in hand, the DEP and the Health Department may now begin this important work," Kean said.

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