



State of New Jersey

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TO: Chief School Administrators
Business Administrators

FROM: Richard Rosenberg
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This memorandum provides information needed to comply with the State's new indoor radon gas testing requirements for public schools, in accordance with *N.J.S.A. 18A:20-40*, enacted September 14, 2000.

The following is a brief overview of the law and its implementation:

- **As required by law**, all public school buildings used as a public school must be tested by September 2005, and at least once every five years thereafter;
- **Child-care centers** operated by nonprofit organizations within public schools are a priority, as required by law;
- **In the interim** before the September 2005 deadline, districts may wish to conduct radon testing prior to scope development of a major rehabilitation school facility project, and then request remediation of any elevated radon concentrations (4 picoCuries per liter or higher per *N.J.S.A. 26:2D-70 et seq.*) to be funded as an eligible cost of the project;
- **While radon remediation may be presented as part of a school facilities project, radon testing is not an eligible school facilities project cost.** However, radon testing is eligible towards a district's required maintenance budget amount as presented in their Comprehensive Maintenance Plan. Also, as noted in the district's Long Range Facilities Plan ("LRFP"), facilities used for noninstructional or noneducational purposes, and any structure, building, or facility used solely for school administration, have been identified as "other capital projects" and are ineligible for state funding.
- **The Office of School Facilities in the Department of Education (DOE) will require all radon test results to be presented as a required component of the next LRFP**, due to the DOE on or before December 15, 2005. The DOE is working towards an updated version of the LRFP's web-based database in which radon results are to be compiled along with other facilities information. Any radon mitigation measure should be presented in that LRFP as a project;
- **Radon remediation measures** may be presented as a school facilities project, both in the remaining years of the current LRFP and in future LRFPs. Henceforth, the NJDOE will allow radon mitigation measures of high radon concentrations (4 picoCuries per liter or higher) in eligible facilities to be presented for consideration as a school facilities project eligible for state funding support. To recapitulate;

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- **Districts must undergo radon testing of all public school buildings used as a public school** as a required condition for DOE approval of the LRFP, beginning with the 2005 LRFP submission.

In conjunction with DOE, the New Jersey Department of Environmental Protection (DEP) has developed testing guidance utilizing the United States Environmental Protection Agency (EPA) guidelines developed for radon measurement in schools.

The EPA guidelines can be found in the document "*Radon Measurement in Schools (Revised Edition)*," (EPA 402-R-92-014), which can be obtained from the EPA Indoor Air Quality Information Line at (800) 438-4318. The New Jersey school testing guidance can be accessed at the DEP radon website, currently located at www.njradon.org.

EXPERTISE, CERTIFICATIONS, EXEMPTIONS AND CONTRACTS:

By New Jersey law (*N.J.S.A. 26:2D-70*) and regulation (*N.J.A.C. 7:28-27*), radon testing and remediation must be conducted by DEP-certified professionals employed by or affiliated with DEP-certified radon businesses, or by individuals specifically exempted from certification requirements. School officials can obtain an exemption, which will allow them to conduct testing, by taking a DEP-approved course and receiving a DEP exemption identification number, as described at the DEP radon website.

A list of businesses certified by DEP to conduct radon measurement and remediation in schools is available at the DEP radon website or by calling the DEP Radon Information Line at (800) 648-0394.

Except in the case where an exempted school official (see above) performs testing, contractual arrangements for radon testing and/or remediation must be made either directly with a DEP-certified radon business or with a company that subcontracts to a DEP-certified radon business. In the latter case, the name of the certified radon business to be used must be included in the contract.

TESTING TIMES AND CONDITIONS:

Long-term tests of 90 days or more provide the best assessment of average school year exposure. However, because of cost and convenience, **short-term tests of two to five days are typically used in the school setting.**

The EPA and DEP recommend that short-term tests be conducted on school days (weekdays while the school is in session) and while the heating, ventilation, and air-conditioning (HVAC) system is operating normally. Tests should be conducted during the cold weather months of October through March. Research has shown that these conditions provide the best assessment of students' average exposure. Testing in warm weather, or on weekends or holidays, may not provide test results that reflect average exposure, due to the fact that windows may be open, the HVAC may be on different settings than on school days, repair work may be occurring, and so forth. All these conditions can greatly affect radon levels.

If school officials feel they must test outside of the October through March period, or on weekends or holidays, they must document the reasons why and maintain this documentation on file. School officials must also document the steps taken to ensure that doors and windows are kept closed (except for normal entry and exit); that the HVAC is operating as it would on school days; and, that there are no unusual activities occurring in the building that could affect air currents and/or air pressure. Districts should anticipate that DOE, DEP or third parties will request such documentation if there is any concern that testing was not performed as recommended.

In addition to the aforementioned guidance, both DOE and DEP strongly recommend that testing not be performed in the summer in buildings without operating central air-conditioning, due to the very high likelihood that windows may be open during the testing period, or that room air may stagnate. Either situation could cause substantial variance to desired "normal usage" test results.

It is firmly recommended that the HVAC systems be inspected prior to testing, and then repaired or adjusted as appropriate such that neither HVAC malfunctions nor imbalances will affect test results.

All short-term tests should be done with the HVAC system operating at normal school day settings, with the usual setback periods, and with windows and doors closed except for normal entry and exit, starting at least 12 hours prior to the beginning of the test.

It is of particular importance for short-term testing that doors and windows be kept closed to the greatest extent possible. Keeping doors and windows closed minimizes the unpredictable impact on radon levels caused by air currents and air pressure changes from outside weather conditions. If open doors and windows are observed during the test period and this is observed by or reported to the company that is analyzing the test results, the company may state in their report to the school that the results could be invalid based on this observation. In this event, the school would have to retest to comply with the requirements of the school radon testing law.

STAFF INVOLVEMENT:

To ensure cooperation of teachers and staff in maintaining closed building conditions, it is recommended that the principal speak to all teachers and staff about the importance of the test and the importance of keeping doors and windows closed. This has been found to be the most effective strategy in gaining cooperation. The DEP radon website includes a handout for teachers and staff that can be used to explain closed building conditions. The site also includes a sign to be posted, stating that testing is in progress.

If school officials have compelling reasons to deviate from any of the recommendations in *Radon Measurement in Schools*, they should document the reasons and maintain this documentation on file at the school. School officials should not hesitate to contact the DEP Radon Information Line if they have questions about testing procedures, at (800) 648-0394.

TEST RESULTS, PARENT NOTIFICATION, AND OTHER INFORMATION:

The DEP and DOE jointly require that the results of this radon testing be posted in an area easily accessible to both parents and the public. The DEP fact sheet "Interpretation of Testing Results," which is available at the DEP radon website, must accompany test results. In addition, it is recommended that districts provide information to parents both prior to testing and following testing, so that parents are fully informed of the testing program. This will help to ease parental concern about the purpose of testing and any potential health consequences that can be associated with radon. Sample letters that can be used, along with a fact sheet for parents, are available at the DEP radon website.

It is recommended that school officials budget for both testing and mitigation, so that remediation can be accomplished quickly to avoid concern about students remaining in affected rooms. This is especially important for schools that are in areas with high radon potential (the radon potential tier designation for each New Jersey municipality can be found at www.njradon.org). It is important to note, however, that radon levels can vary significantly within a local area, depending on underlying geology and building characteristics, so that a school may have elevated levels of radon even if other proximate test results are low, and vice versa. This is why schools located in areas with low radon potential are also required to test under the law.

Further information on radon and radon testing can be obtained at the DEP radon website (www.njradon.org). Be sure to check this website before testing, as new information will be posted periodically. If you have specific questions on testing or mitigation guidelines for schools, contact the DEP Radon Information Line at (800) 648-0394. For questions regarding DOE requirements, contact Bernie Piaia, director of the Office of School Facilities, at (609) 984-2735.

Thank you for your cooperation in implementing this new legislation. It is an important step in protecting your students and staff from exposure to elevated radon concentrations.

RR/BP:er/jrd[radon2]

c: Members, State Board of Education

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