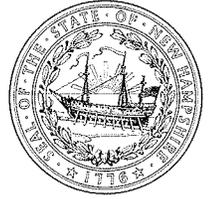




The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



Thomas S. Burack, Commissioner  
February 4, 2014

The Honorable Edward Butler, Chairman  
House Commerce and Consumer Affairs Committee  
Legislative Office Building, Room 302  
Concord, NH 03301

**Re: HB 1532 relative to notification of radon level prior to sale or lease of property.**

Dear Chairman Butler and Members of the Committee:

The Department of Environmental Services (DES) is pleased to offer testimony in support of HB 1532, which would require the disclosure of any radon in air test conducted within the last 12 months prior to the sale or lease of a property. We also suggest consideration of an amendment to expand the existing buyer notification requirements to include specific language that states that radon and arsenic in drinking water supplies are also public health concerns that should be considered. The suggested amendment language is attached.

Radon and arsenic are naturally occurring contaminants of significant public health concern in New Hampshire. DES has recommended for many years that indoor air be tested for radon and residential water supply wells be tested for both radon and arsenic. Many people remain unaware that these are important public health issues in New Hampshire. HB1532 would help NH residents to become more aware and to make healthier choices by ensuring that any recent information on radon and arsenic levels is available for consideration.

A brief explanation of possible exposure routes and public health concerns for radon and arsenic is provided below:

**RADON:** Radon is a colorless, odorless, tasteless, naturally occurring radioactive gas produced from the decay of the element radium which occurs in certain rocks and soil worldwide. When radon accumulates in indoor air it can pose a serious health risk, primarily lung cancer. Radon can enter a home via three common pathways: 1.) migration into the basement through cracks or other openings in the foundation; 2.) release of radon gas dissolved in water during household activities such as showering, dishwashing, and doing laundry; and 3.) release from building materials such as a granite block foundation and some floor or wall tiles. The State of New Hampshire had a radon program from 1988 through 2011. During that time the program distributed radon test kits and collected test results for over 25,000 New Hampshire households located throughout the state. The data showed that over 30% of these households had radon levels in air at or above the United States Environmental Protection Agency's (EPA's) recommended remediation level of 4.0 picocuries per liter. With respect to radon in well water, DES estimates that approximately 55 percent of water supply wells in New Hampshire produce water containing radon at levels higher than the NHDES-recommended action level of 2,000 picocuries per liter. This estimate is based on several thousand test results from N.H. water supply wells.

ARSENIC: Arsenic is a naturally-occurring element, quite common in bedrock and in well water in New Hampshire. The U.S. Geological Survey estimates that 20 to 30 percent of New Hampshire's private wells produce water containing arsenic at concentrations that exceed the health-based maximum contaminant level of 10 ppb. EPA has also established a goal of 0 parts per billion of arsenic for public water systems to eliminate cancer risk associated with arsenic. Exposure to arsenic can pose serious health risks including cancer and diabetes, as well as cardiovascular, immune system, nervous system and skin problems.

HB 1532, with the suggested amendment, would provide more information during real estate transactions to ensure that New Hampshire's families have a better understanding of the potential for exposure to radon and arsenic and a greater ability to make better decisions concerning the health of their families.

Thank you for the opportunity to provide testimony. Should you have any questions, or need additional information, please feel free to contact Craig A. Wright, Director, Air Resources Division (271-1088, [Craig.Wright@des.nh.gov](mailto:Craig.Wright@des.nh.gov)) or Thomas P. Niejadlik, Administrator, Environmental Health Program, Air Resources Division (271-6865, [Thomas.Niejadlik@des.nh.gov](mailto:Thomas.Niejadlik@des.nh.gov)).

Sincerely,



Thomas S. Burack  
Commissioner  
Department of Environmental Services

cc: Sponsors of HB 1532