



*A Partnership Dedicated to Radiation Protection*

# **CRCPCD FHFA Update**

**Indoor Environments 2003 – Radon and Vapor Intrusion Symposium  
October 31, 2023**

*Kimberly Steves, CRCPCD*

# Introduction to CRCPD

Conference of Radiation Control  
Program Directors, Inc.



**501(c)(3) nonprofit non-governmental professional organization dedicated to radiation protection.**

**CRCPD's mission is "to promote consistency in addressing and resolving radiation protection issues, to encourage high standards of quality in radiation protection programs, and to provide leadership in radiation safety and education.**

**CRCPD's primary membership is made up of radiation professionals in State and local government that regulate the use of radiation sources. Anyone with an interest in radiation protection is eligible to join.**

# CRCPD and Radon

- State Radon Programs
- Partnerships
- E-25 Committee on Radon
- Annual Conference/Symposium
- SSR-R Committee on Suggested Radon Regulations
- [www.Radonleaders.org](http://www.Radonleaders.org) (Radon Leaders Saving Lives) web portal
- National Radon Action Plan (NRAP)
- International Atomic Energy Agency (IAEA)

Chairperson: **Joshua Kerber (MN) 06/13**

Email: [Joshua.kerber@state.mn.us](mailto:Joshua.kerber@state.mn.us)

Continuous Working Group (Rotation required annually, last rotation 4/22)

| Members  | Advisors   |
|--|--|
| Eleanor Divver (UT) 02/17<br>Denise Bleiler (PA) 10/18<br>Brian Giancola (NJ) 2/21<br>Chrys Kelley (CO) 10/16<br><b>Leslie Smith (MI) 10/21*</b> | Kim Steves (KS) 12/11<br>Angela Tin (IL-Affil) 10/12<br><b>Melinda Enstrom (IL) 08/15*</b><br>Natalia Deardorff (CA) 09/18<br>Pat Daniels (IL) 10/18<br>Michelle Thompson (VT) 2/22<br>Ellen Zoeller (NE) 3/22<br>Maria Coons (PA) 3/22<br>Allison Sullivan (CT) 10/18 |
| Consultant<br>Brandy Toft (NTAA-Affil) 10/18   | Working Group Interactive Resources:   |

# State Radon Programs

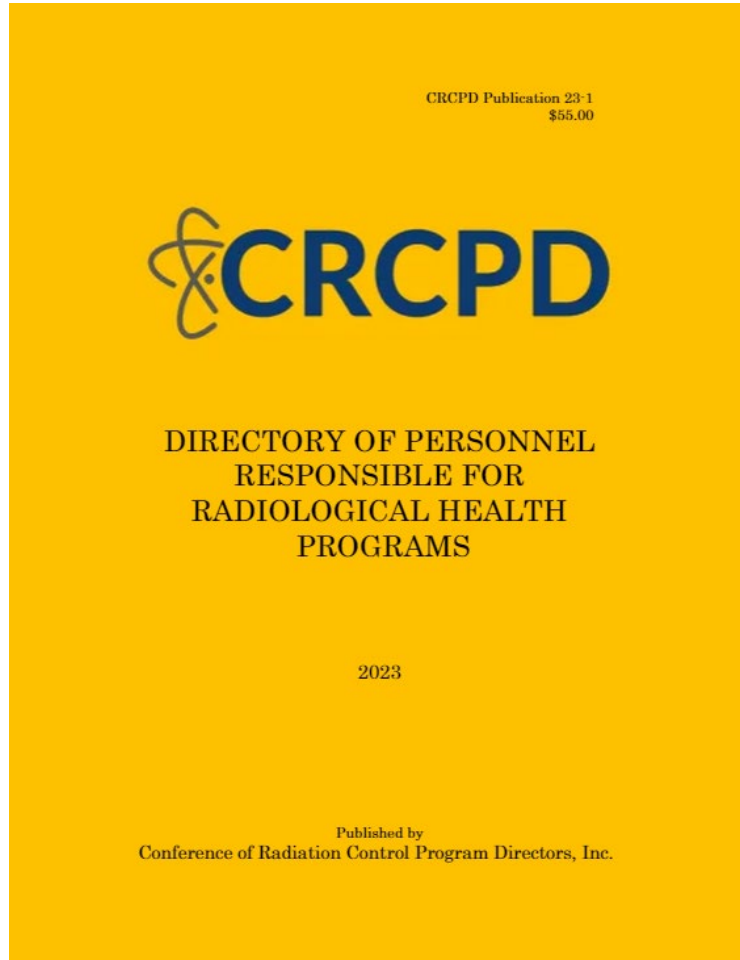
[www.crcpd.org](http://www.crcpd.org)

The screenshot shows the CRCPD website with the following elements:

- Top right navigation: CONTACT US, MY PROFILE, MANAGE PROFILE, SIGN OUT
- Logo: **CRCPD** A Partnership Dedicated to Radiation Protection
- Social media: Follow Us Today! (Facebook, Twitter)
- Blue navigation bar: Home, About, Environmental, General, Healing Arts, Homeland Security, Suggested State Regs, Store
- Main image: A group of approximately 12 people standing in front of a banner that reads "CONFERENCE OF RADIATION CONTROL PROGRAM DIRECTORS" and "A Partnership Dedicated to Radiation Protection".
- Below the main image: A blue cover for the "CRCPD DIRECTORY OF PERSONNEL RESPONSIBLE FOR RADIOLOGICAL HEALTH PROGRAMS 2023". The cover also includes "CRCPD Publication 23-1 \$66.00" and "Published by Conference of Radiation Control Program Directors, Inc.".
- Below the directory cover: A portrait of a man in a white naval officer's uniform, with the text "Nominations Open for 2024 Villforth Lecture Series" below it.

# State Radon Programs

[www.crcpd.org](http://www.crcpd.org)



| MINNESOTA†  |   |
|---|---|
| Office Hours - 8:00 - 4:30 CST  |   |
| 24-Hour Telephone: 651/649-5451 ( <i>Minnesota Duty Officer</i> )   |   |
| Fax: 651/201-4606   |   |
| Website: <a href="https://www.health.state.mn.us/communities/environment/radiation/index.html">https://www.health.state.mn.us/communities/environment/radiation/index.html</a>  |   |
| ♦ <b>Navara, Mary</b> , Senior Manager<br>Minnesota Department of Health<br>Environmental Health Division<br>Indoor Environmental & Radiation Section<br>625 Robert Street N<br>P.O. Box 64975<br>St. Paul, MN 55164-0975 | Telephone: 651/201-5826<br>Email: <a href="mailto:mary.navara@state.mn.us">mary.navara@state.mn.us</a><br>Fax: 651/201-4606<br>Toll Free: 800/798-9050  |
| ◊ <b>Tranter, Daniel</b> , Supervisor<br>Indoor Air Unit<br>(Radon Contact)   | Telephone: 651/201-4618<br>Email: <a href="mailto:daniel.tranter@state.mn.us">daniel.tranter@state.mn.us</a><br>Website: <a href="http://www.health.state.mn.us/radon">www.health.state.mn.us/radon</a> |
| ◊ <b>Kerber, Josh</b> , Environmental Health<br>Research Scientist<br>Indoor Air Unit<br>Environmental Health<br>(Radon Contact)  | Telephone: 651/201-5613<br>Email: <a href="mailto:josh.kerber@state.mn.us">josh.kerber@state.mn.us</a><br>Website: <a href="http://www.health.state.mn.us/radon">www.health.state.mn.us/radon</a>       |
| ◊ <b>Juran, Brandon</b> , Supervisor<br>Radioactive Materials Unit<br>Environmental Monitoring  | Telephone: 651/201-4526<br>Email: <a href="mailto:brandon.juran@state.mn.us">brandon.juran@state.mn.us</a><br>Website: <a href="http://www.health.state.mn.us/ram">www.health.state.mn.us/ram</a>       |
| ◊ <b>Beaver, Bevin</b> , Supervisor<br>X-Ray Unit<br>Environmental Health   | Telephone: 651/201-4536<br>Email: <a href="mailto:bevin.beaver@state.mn.us">bevin.beaver@state.mn.us</a><br>Website: <a href="http://www.health.state.mn.us/xray">www.health.state.mn.us/xray</a>       |
| ◊ <b>Verke, Craig</b> , Senior Radiation Specialist<br>X-Ray Unit<br>Environment Health   | Telephone: 651/201-4533<br>Email: <a href="mailto:craig.verke@state.mn.us">craig.verke@state.mn.us</a><br>Website: <a href="http://www.health.state.mn.us/xray">www.health.state.mn.us/xray</a>         |
| ◊ <b>Hass, Amy</b> , Health and Safety Analyst<br>Radiological Emergency Response Planning<br>Environmental Health  | Telephone: 651/201-5818<br>Email: <a href="mailto:amy.hass@state.mn.us">amy.hass@state.mn.us</a><br>Website: <a href="http://www.health.state.mn.us/ram">www.health.state.mn.us/ram</a>                 |



# FHFA Radon Policy – Who is the FHFA



- Responsible for the effective supervision, regulation, and housing mission oversight of Fannie Mae and Freddie Mac (the Government Sponsored Enterprises “GSEs”)
- Since 2008, FHFA has also served as conservator (receiver) of Fannie Mae and Freddie Mac
- FHFA mission: Ensure the regulated entities fulfill their mission by operating in a safe and sound manner to serve as a reliable source of liquidity and funding for the housing finance market throughout the economic cycle
- FHFA issued directive to the GSEs to develop multifamily radon policy in February 2021
- Policy in effect for loan applications on or after 7/1/2023



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## FHFA Increases Radon Testing Requirements at Enterprise-Backed Multifamily Properties

Published: 1/19/2023

FHFA has adopted more robust radon testing requirements for multifamily properties backed by Fannie Mae and Freddie Mac (the Enterprises). This policy enhancement ensures that properties financed by the Enterprises continue to provide safe and sustainable housing for tenants across the United States. FHFA's determination to reevaluate the Enterprises' radon standards is based on a growing body of research that raises concerns about human exposure to naturally occurring radon gas.

### Background

Radon is an invisible, odorless, and tasteless gas that comes from the breakdown of uranium inside the earth. Radon is a carcinogen, and extended exposure may be linked with an increased risk of lung cancer. Where present in soils, radon exposure can occur by breathing air entering buildings through cracks and gaps in walls and floors.

In 2021, FHFA directed the Enterprises' multifamily divisions to review their radon assessment requirements to ensure the policies are data-informed, fully understood by lenders and borrowers, and properly implemented and enforced. Through oversight of our regulated entities, FHFA's mission is to responsibly foster a sustainable housing finance system that supports equitable access to affordable, decent, and safe homeownership and rental housing.

# FHFA Radon Policy

## ENHANCEMENTS FROM PREVIOUS POLICY

- Testing increased from 10% of ground floor units to 25% with a minimum of one unit tested per building
- Requiring an Environmental Professional (EP) to manage the radon testing process
- Requiring the EP or property representative to provide tenant notification prior to radon testing
- Encouraging better radon data collection
- Reminding lenders and EP's that compliance with state laws and regulations on radon is required



# FHFA Radon Policy

## AREAS OF CONCERN - Measurement

### Testing Requirements:

- Radon testing must be managed by an Environmental Professional (EP)
  - ***[No radon professional credential or training required]***
- Initial testing must include at least 25% of all ground-contact units (GCUs) at the property and no fewer than one test conducted per building containing GCUs at the property

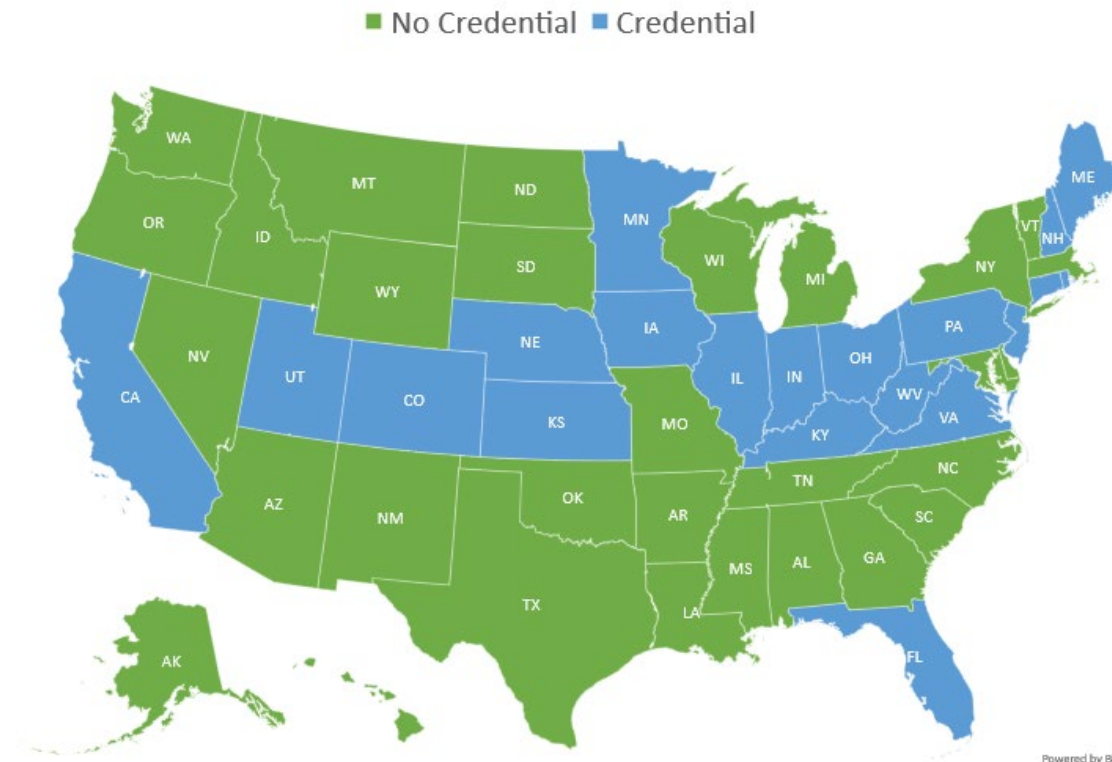
### Exemptions:

- Properties determined by Environmental Professional to not require testing and/or mitigation (documented reasons)



# FHFA Radon Policy

- All testing and mitigation must be conducted in compliance with all applicable state and local laws and regulations
  - if a conflict exists between applicable laws/regulations and the GSEs policy, the more stringent requirement applies



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# FHFA Radon Policy Considerations for Regulated

## States

| State         | Required Credential(s) |               | Current MEAS/MIT Standard(s) in Effect |                  |
|---------------|------------------------|---------------|--|------------------|
|               | Private Certification  | State License | ANSI-AARST                             | EPA, ASTM, other |
| California    | X                      |               | All                                    |                  |
| Colorado      | Mitigation             | X             | Mitigation                             |                  |
| Connecticut   | X                      | X             | All                                    |                  |
| Florida       |                        | X             | (rule pending)                         | All              |
| Illinois      |                        | X             |  | All              |
| Indiana       | X                      | X             | All                                    |                  |
| Iowa          |                        | X             | Measurement                            | Mitigation       |
| Kansas        |                        | X             | All                                    |                  |
| Kentucky      | X                      | X             | All                                    |                  |
| Maine         |                        | X             |  | All              |
| Minnesota     |                        | X             | All                                    |                  |
| Nebraska      |                        | X             | All                                    |                  |
| New Hampshire | Mitigation             |               | Mitigation                             |                  |
| New Jersey    |                        | X             | All                                    |                  |
| Ohio          |                        | X             |  | All              |
| Pennsylvania  |                        | X             | Multifamily                            | Single Family    |
| Rhode Island  | X                      | X             | All                                    |                  |
| Utah          | Mitigation             | X             | Mitigation                             |                  |
| Virginia      | X                      |               | (under discussion)                     | Single Family    |
| West Virginia | X                      | X             | All                                    |                  |

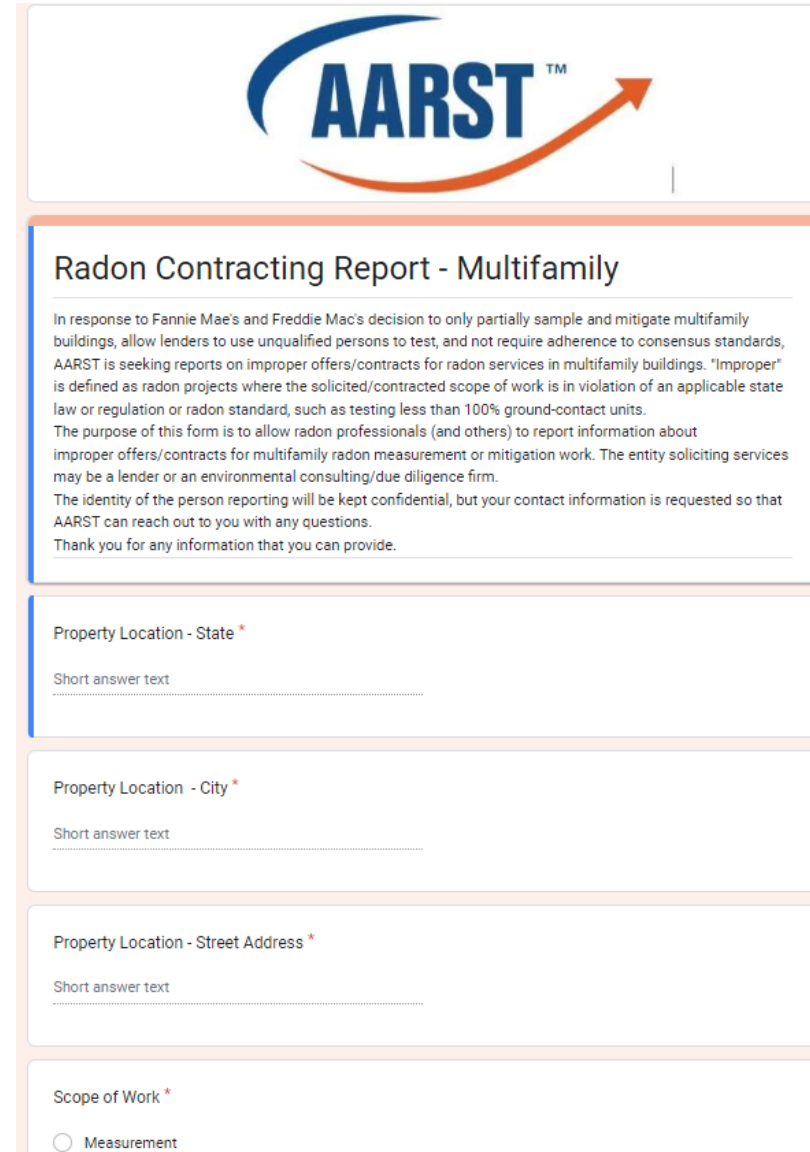
# **FHFA Radon Policy Considerations for Regulated States**

- **Issue regulatory notice clarifying state law prevails over GSE policy**
  - **Post on website**
  - **Forward to regulated community**
  - **Send to Housing Finance Agency, Insurance Commission, Real Estate Agents**
  - **Send to banker associations such as state affiliates of the Mortgage Banker Association and the American Banker Association**
- **Prepare to address questions, compliance, requests for clarification**
- **Move to enforce on reports of improper contracting and services**
- **Work with AARST chapter (or National where there's no chapter)**
- **Communicate with E-25 on assistance needs**

# FHFA Radon Policy Considerations for Regulated States

<https://tinyurl.com/RnReportMF>

**Who to Report?  
Lender or “Due Diligence”  
Firm that is offering a  
scope of work that does  
not meet state radon  
requirements**

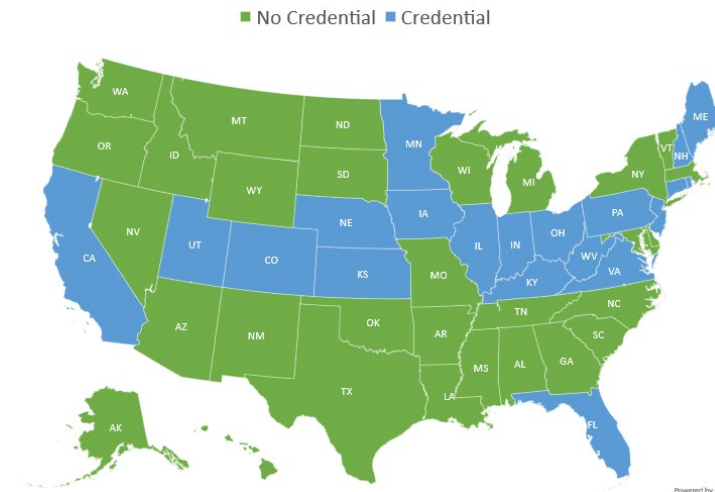


The screenshot shows the AARST logo at the top, followed by the title "Radon Contracting Report - Multifamily". Below the title is a paragraph of text explaining the form's purpose: "In response to Fannie Mae's and Freddie Mac's decision to only partially sample and mitigate multifamily buildings, allow lenders to use unqualified persons to test, and not require adherence to consensus standards, AARST is seeking reports on improper offers/contracts for radon services in multifamily buildings. 'Improper' is defined as radon projects where the solicited/contracted scope of work is in violation of an applicable state law or regulation or radon standard, such as testing less than 100% ground-contact units. The purpose of this form is to allow radon professionals (and others) to report information about improper offers/contracts for multifamily radon measurement or mitigation work. The entity soliciting services may be a lender or an environmental consulting/due diligence firm. The identity of the person reporting will be kept confidential, but your contact information is requested so that AARST can reach out to you with any questions. Thank you for any information that you can provide." Below the text are four input fields: "Property Location - State \*", "Property Location - City \*", "Property Location - Street Address \*", and "Scope of Work \*". The "Scope of Work" field has a radio button next to the option "Measurement".



# FHFA Radon Policy Considerations for Non-Regulated States

- **NRPP certified radon professionals may have to deal with a conflict between the standards they committed to follow and the demands of the lender/environmental consultant.**
- **CRCPD E-25 and AARST are available to provide guidance, support, and assistance if a state is interested in pursuing radon regulation.**



# FHFA Radon Policy – Liability and Health Equity Considerations

**What are the potential liability and health equity impacts on lenders, environmental consultants, and multifamily property owners choosing to meet only the minimum requirements of the GSEs multifamily radon policy?**

- **Disparate treatment of tenants who have no control over the building**
- **Tenants whose units were never tested and never mitigated exposed to radon**
- **Tenants whose units were never tested living in building with active mitigation system somewhere else**
- **Minimum GSE requirements deliver inferior services – no standards, no training – that don't protect public health**
- **Post-mitigation testing only in tested units**

# FHFA Radon Policy

## NEXT STEPS

### FHFA Outreach and Education – Coordination with AARST and EPA

The screenshot shows the AARST website header with navigation links: HOME, ABOUT US, RESOURCES, SYMPOSIUM & EDUCATION, and CONTACT. A shopping cart icon and a 'MY ACCOUNT' button are also visible. Below the header is a video player for a video titled 'Review of FHFA / GSEs' Multifamily Radon Policy'. The video player includes a play button, a 'Watch later' button, and a 'Share' button. The video is hosted on YouTube, as indicated by the 'Watch on YouTube' button at the bottom left. The AARST logo is visible in the bottom right corner of the video player area.

[www.aarst.org/courses](http://www.aarst.org/courses)

# FHFA Radon Policy

## NEXT STEPS

The Enterprises and FHFA will continue to monitor the multifamily mortgage market and will reassess these radon requirements using available data and on-going feedback in consideration of the radon industry's ability to adapt to increasing radon testing on a nationwide scale, impacts on residents of Enterprise- financed properties, and the Enterprises' ability to serve our mission.

**In 2025, FHFA and the Enterprises will reassess radon requirements after collecting better data on radon testing at Enterprise-backed properties.**

*- From Freddie Mac and Fannie Mae's Joint Multifamily Radon Policy FAQs 7/24/2023*

# FHFA Radon Policy

## NEXT STEPS

- **To enforce their laws, regulated states need to be able to identify where the laws are being violated.**
  - **Radon professionals should communicate improper bids to state radon program**
- **Reporting when a lender is hiring for a job that does not meet the state law requirements is critical. The goal is to target the lenders who are violating the law, not the radon professional.**
- **Ensure measurement and mitigation data for multifamily buildings is accurately reported to the state(s);**
  - **FHFA/GSEs will review the radon data collected and use it to revisit the policy.**
- **Without strong radon laws and regulations, states cannot ensure their residents are adequately protected.**
- **CRCPD continues to work with AARST and EPA. Additional outreach planned.**

# FHFA Radon Policy

## RELATED WEB RESOURCES

**FHFA Press Release January 2023** [“FHFA Announces Enhancements to Fannie Mae and Freddie Mac Radon Standards for Multifamily Properties”](#)

<https://www.fhfa.gov/Media/Blog/Pages/FHFA-Increases-Radon-Testing-Requirements-at-Enterprise-Backed-Multifamily-Properties.aspx>

### **Freddie Mac:**

“Exhibit 11 Radon Testing and Mitigation Standards”

[https://mf.freddiemac.com/docs/exhibit\\_11\\_radon\\_testing\\_and\\_mitigation\\_standards.pdf](https://mf.freddiemac.com/docs/exhibit_11_radon_testing_and_mitigation_standards.pdf)

### **Fannie Mae:**

“Fannie Mae and Freddie Mac’s Joint Multifamily Radon Policy Frequently Asked Questions” August 3, 2023

<https://multifamily.fanniemae.com/media/document/pdf/multifamily-radon-policy-faqs>



# Radon Leaders Saving Lives

<http://www.radonleaders.org/>

RADONLEADERS.ORG

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## Radon Leaders Saving Lives

Test. Fix. Save a Life!

Our  
Partners



Conference  
of  
Radiation  
Control  
Program  
Directors



The  
American  
Association  
of Radon  
Scientists  
and  
Technologist.



Environmental  
Protection  
Agency



Centers for Disease Control and Prevention  
CDC 24/7: Saving Lives. Protecting People™

# QUESTIONS?

**Kimberly Steves**

**Technical Assistant**

**Conference of Radiation Control Program Directors**

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**Conference of Radiation  
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