



Updates on HUD's Efforts to Address Residential Radon Exposure

Office of Environment and Energy and Office of Lead Hazard Control and Healthy Homes





HUD Radon Testing & Mitigation Demonstration Grant Program

Radon Testing & Mitigation (RTM) Demonstration Grant Program

- Program goals:

- Provide funds to public housing agencies to test for and mitigate elevated radon levels (i.e., \geq the EPA action level of 4 pCi/L) in housing developments they manage.
- Support the development of a plan for future testing and mitigation.
- Provide important information on methods and costs for radon testing and mitigation in public housing.

Grant Program Funding at a Glance

	FY21 (\$4M)	FY22 (\$5M)	FY23 & FY24 (\$5M + FY24 funds, so far)
TOTAL AMOUNT REQUESTED	\$9.1M (REC'D 29 APPLNS; 24 ELIGIBLE APPLICANTS)	\$8.5M (REC'D 24 APPLNS; 18 ELIGIBLE APPLICANTS)	\$3.1M (REC'D 7 APPLNS; 6 ELIGIBLE APPLICANTS)
NEW AWARDS	~\$4M (9 AWARDS)	~\$5M (10 AWARDS)	TBD
Min # of Residents Protected From Risk of Radon Exposure	10,700 RESIDENTS, INCLUDING CHILDREN.	11,500 RESIDENTS, INCLUDING CHILDREN.	TBD

FY22 RTM Grants

- \$5M available
- 24 applications received
- Ten awards made, ranging from \$253,650 to \$600,000, totaling ~\$5M
- Funding is expected to protect at least 11,500 residents, including children

ZONE	LEGAL NAME	STATE	FY22 FUNDING RECEIVED
1	Huntsville HA	AL	\$558,800
2	Lake County	IL	\$593,670
1&2	East Chicago	IN	\$561,786
1	City of Topeka	KS	\$435,750
1	Bowling Green	KY	\$484,483
1	Louisville Metro	KY	\$600,000
1	City of Lee's Summit	MO	\$425,952
1	Springfield Metropolitan	OH	\$590,435
2	Newport	TN	\$253,650
1	Roanoke	VA	\$449,000



HUD's Proposed Departmentwide Radon Policy

HUD's Departmentwide Radon Policy: How We Got Here

- In 2020, the HUD Office of Inspector General (OIG) conducted an evaluation of HUD program offices' policies and approaches for radon.
 - As a result of the evaluation, the OIG recommended, among other things, that HUD “[d]evelop and issue a departmentwide policy that notes that radon is a radioactive substance and outlines HUD's requirements to test for and mitigate excessive radon levels in accordance with 24 CFR 50.3(i)(1) and 58.5(i)(2)(i).”
- To resolve this recommendation, OEE proposed a two-prong approach with short-term and long-term actions:
 1. OEE will develop a departmentwide policy that identifies radon as a radioactive substance and requires radon to be considered as part of environmental reviews for activities that are Categorically Excluded Subject to 24 CFR 50.4 and 58.5 (CEST), Environmental Assessment (EA), or Environmental Impact Statement (EIS) in accordance with 24 CFR 58.5(i)(2)(i).
 2. Enact radon testing and mitigation requirements through rulemaking.

HUD's Departmentwide Radon Policy: How We Got Here

- HUD's environmental review regulations: 24 CFR Part 50 and 58
 - HUD's regulations and processes for implementing the National Environmental Policy Act (NEPA)
 - HUD's delegated authority to Responsible Entities (REs)
 - Part 50: when HUD conducts the environmental review; Part 58: When a REs conducts it
 - Apply to **all** HUD programs and projects subject to NEPA (almost everything except FHA single family mortgages)
- HUD's Contamination Regulations: 24 CFR 50.3(i) & 58.5(i)(2):
 - "(i) Also, it is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, **and radioactive substances**, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property."
 - Requires a "contamination analysis" as part of the environmental review for all projects subject to it
 - As a radioactive substance, radon would have to be considered as part of the contamination analysis

What Would and Wouldn't be Covered by HUD's Radon Policy

- The policy would only cover HUD funded or assisted projects
- The Proposed Departmentwide Radon Policy (radon policy) would cover *all* HUD projects subject to HUD's contamination regulations
 - This means all projects at the Categorically Excluded subject to ("CEST"), Environmental Assessment (EA), and Environmental Impact Statement (EIS) levels of NEPA review would be subject to the policy*
- What the policy doesn't cover:
 - *Projects under the FHA Multifamily Accelerated Processing Guide (MAP Guide) and Healthcare Mortgage Insurance Program Handbook have their own existing, more strict, radon requirements
 - Projects that are Categorically Excluded not subject to (CENST)- projects exempt from our contamination regs or exempt from NEPA- would *not* have to follow the radon policy
 - Other projects not covered by the proposed radon policy:
 - Issuance of FHA-backed single family mortgages
 - Projects from "small public housing agencies" under \$100,000 (statutorily exempt from environmental review)
 - Tenant-based rental assistance, operating costs, studies, engineering/design costs, training

The Draft Proposed Radon Policy

- The draft policy that went through public comment lists four options for considering radon risk with industry standard testing being the preferred option:
 - **Preferred, Best Practice:** ANSI/AARST radon testing and mitigation standards
 - **Alternative strategies** that can be used (if testing not otherwise required by law/reg):
 - Do-It-Yourself (DIY) Testing: Use of individual DIY home radon test kits
 - Continuous Radon Monitoring Devices: for use by trained local government staff in remote areas
 - Review of science-based data on radon in the area where the project site is located: state/tribal geologic data, CDC radon test data
- Note: Actual testing for radon is *not* required under the draft policy
- If use of any of the above methods determine that indoor radon levels are or may be above 4 pCi/L, then the RE must document and implement a mitigation plan.
 - The mitigation plan must: identify the radon level; consider the risk to occupants' health; describe the radon reduction system that will be installed; establish an ongoing maintenance plan; establish a reasonable timeframe for implementation; and require post-installation testing by a licensed radon professional, where feasible.

Radon Testing and Mitigation as Eligible HUD Program Costs

- For all major HUD programs, both radon testing and mitigation are eligible program expenses, allowing grantees and REs to use program funds to cover any needed costs for testing and mitigation.
- This means that grantees and REs would *not* have to pay out of pocket to cover any up-front costs for radon testing or mitigation not currently required of them
 - In this situation, the primary barrier to radon testing and mitigation would be a cost for testing and mitigation that is significant when compared to the project cost itself
- Bottom line: ***Grantees can use existing HUD funds to cover radon costs***

Program or grant name	Is radon testing an eligible expense?	Is radon mitigation an eligible expense?
Community Development Block Grant (CDBG)	Yes	Yes
Community Development Block Grant CARES Act (CDBG-CV)	Yes	Yes
Community Development Block Grant Disaster Recovery (CDBG-DR)	Yes	Yes
Community Development Block Grant Mitigation (CDBG-MIT)	Yes	Yes
Community Project Funding (CPF) Grants	Yes	Yes
Continuum of Care Program (CoC)	Yes	Yes
Emergency Solutions Grants Program	Yes	Yes
FHA-Insured Healthcare Loans	Yes	Yes
FHA-Insured Multifamily Loans	Yes	Yes
Green and Resilient Retrofit Program (GRRP)	Yes	Yes
HOME Investment Partnerships American Rescue Plan Program (HOME-ARP)	Yes	Yes
HOME Investment Partnerships Program (HOME)	Yes	Yes
Housing Opportunities for Persons With AIDS (HOPWA)	Yes	Yes
Housing Trust Fund (HTF)	Yes	Yes
HUD Section 8 renewals with capital repairs	Yes	Yes
HUD Section 8(bb) Transfer of Budget Authority.	Yes	Yes
Indian Community Development Block Grant (ICDBG)	Yes	Yes
Indian Housing Block Grant Program (IHBG)	Yes	Yes
Public Housing Capital and Operating Funds	Yes	Yes
Rental Assistance Demonstration (RAD)	Yes	Yes
Section 108 Loan Guarantee Program	Yes	Yes
Section 202 Supportive Housing for the Elderly Program	Yes	Yes
Section 811 Supportive Housing for Persons with Disabilities Program	Yes	Yes
Self-Help Homeownership Opportunity Program (SHOP)	Yes	Yes
Transfers of Rental Assistance with HUD Held or Insured Debt and/or Use Restrictions ("Section 209 Transfers.")	Yes	Yes



Next Steps: Getting to A published Final Policy

- The policy is *not in effect yet*
- HUD is working on finalizing the policy, and expects to have it published within the next month or two
 - The final policy will now take effect 90 days after publication
 - An email announcement will be sent out to the HUD Exchange environmental review email list
- HUD-OEE Radon Webinar Series
 - HUD's Office of Environment and Energy is putting on a series of three webinars about residential radon exposure and its radon policy
 - Two of three webinars have occurred, and the third webinar- which will be all about the policy- will occur shortly after the policy is published
 - All webinars are recorded and will be posted on the [OEE webpage on The HUD Exchange](#)
- Technical assistance: for any questions about HUD's environmental review requirements, including addressing radon, you should go to your regional HUD environmental contact

HUD Resources on Radon

RTM Grant Program

- Link to view radon grant opportunity:

www.grants.gov/web/grants/view-opportunity.html?oppld=349163

- Link for other HUD grant opportunities:

www.hud.gov/grants

- Contact for Radon Grant Program:

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Addressing Radon for HUD Projects

- HUD regional environmental (OEE) staff:

https://www.hud.gov/program_offices/comm_planning/environment_energy/staff

- HUD Exchange Environmental Review Webpage:

<https://www.hudexchange.info/programs/environmental-review/>

- Multifamily Accelerated Processing (MAP) Guide:

https://www.hud.gov/program_offices/administration/hudclips/guidebooks/hsg-GB4430



Questions?