

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
168-35 (COR)	Sabina Flores Perez Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING TESTING AND MITIGATING RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND TO CONDUCT A NEEDS ASSESSMENT REGARDING RADON TESTING OF GOVERNMENT OF GUAM FACILITIES.	6/21/19 4:12 p.m.	9/13/19	Committee on Environment, Revenue and Taxation, and Procurement	11/6/19 2:00 p.m.	2/26/20 1:12 p.m.	7/2/19	As amended by the Committee on Environment, Revenue and Taxation, and Procurement



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

February 21, 2020

The Honorable Tina Rose Muña Barnes

Speaker

I Mina'trentai Singko Na Liheslaturan Guåhan
163 Chalan Santo Papa
Hagåtña, Guam 96910

VIA: The Honorable Regine Biscoe Lee
Chairperson, Committee on Rules

for Regine Biscoe Lee

RE: Committee Report on Bill No. 168-35 (COR) As Amended

Håfa adai Speaker Muña Barnes,

Transmitted herewith is the Committee Report on Bill No. 168-35 (COR), As Amended by the Committee on Environment, Revenue and Taxation, and Procurement – **“AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING TESTING AND MITIGATING RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND TO CONDUCT A NEEDS ASSESSMENT REGARDING RADON TESTING OF GOVERNMENT OF GUAM FACILITIES.”**

Committee votes are as follows:

- 2 TO DO PASS
- 0 TO NOT PASS
- 2 TO REPORT OUT ONLY
- 0 TO ABSTAIN
- 0 TO PLACE IN INACTIVE FILE

Si Yu'os ma'åse',

Sabina Flores Perez

Sabina Flores Perez

RECEIVED
FEB 21 2020
1:30 PM.
COMMITTEE ON RULES
[Signature]

*Revisions Rec'd @ 02/26/20
@ 10:29 a.m.*

Stephanie Jones

2020 FEB 26 PM 1:12



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

I MINA TRENTAI SINGKO NA LIHESLATURAN GUAHAN

35TH GUAM LEGISLATURE

COMMITTEE REPORT

Bill No. 168-35 (COR)

**As Amended by the Committee on
Environment, Revenue and Taxation, and
Procurement**

**Introduced by Senator Sabina Flores Perez,
Tina Rose Muña Barnes, Kelly Marsh
(Taitano), PhD**

**“AN ACT TO *ADD* A NEW ARTICLE 3 TO
CHAPTER 45 OF TITLE 10, GUAM CODE
ANNOTATED, RELATIVE TO MANDATING
TESTING AND MITIGATING RADON IN
SCHOOLS AND CHILD CARE FACILITIES,
AND TO CONDUCT A NEEDS ASSESSMENT
REGARDING RADON TESTING OF
GOVERNMENT OF GUAM FACILITIES.”**



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
35TH GUAM LEGISLATURE

February 21, 2020

MEMORANDUM

To: **All Members**
Committee on Environment, Revenue and Taxation, and Procurement

From: **Senator Sabina Flores Perez** *SFP*
Committee Chairperson

Subject: **Committee Report on Bill No. 168-35 (COR), As Amended by the Committee on Environment, Revenue and Taxation, and Procurement**

Håfa Adai,

Transmitted herewith for your consideration is the Committee Report on Amended Bill No. 168-35 (COR) – “AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING TESTING AND MITIGATING RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND TO CONDUCT A NEEDS ASSESSMENT REGARDING RADON TESTING OF GOVERNMENT OF GUAM FACILITIES.”

This report includes the following:

- Copy of COR Referral of Bill No. 168-35 (COR)
- Notices of Public Hearing
- Copy of Public Hearing Agenda
- Public Hearing Sign-in Sheet
- Submitted Testimonies and Supporting Documents
- Committee Report Digest
- Copy of Bill No. 168-35 (COR)
- Copy of Bill No. 168-35 (COR), *As amended by the Committee on Environment, Revenue and Taxation and Procurement.*
- Amended Mark-up Version
- Copy of Fiscal Note from Bureau of Budget and Management Research
- Committee Vote Sheet
- Related News Report

Please take the appropriate action on the attached vote sheet. Your attention to this matter is greatly appreciated. Should you have any questions or concerns, please do not hesitate to contact me.

Senator Regine Biscoe Lee
Chair

Senator Amanda L. Shelton,
Vice Chair

Speaker Tina Rose Muña Barnes,
Member

Vice Speaker Telena Cruz Nelson,
Member

Senator Kelly Marsh (Taitano), PhD,
Member

Senator Sabina Flores Perez
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

September 13, 2019

Senator Clynton E. Ridgell
Member

Senator Joe S. San Agustin,
Member

Senator Jose "Pedro" Terlaje,
Member

Senator Therese M. Terlaje,
Member

Senator James C. Moylan,
Member

Senator Mary Camacho Torres,
Member and Chair, Subcommittee on Protocol

MEMO

To: Rennae Meno
Clerk of the Legislature

Attorney Julian Aguon
Legislative Legal Counsel

From: Senator Régine Biscoe Lee
Chair, Committee on Rules

Re: Referral of Bill No. 168-35 (COR)

Buenas yan Háfa adai.

As per my authority as Chair of the Committee on Rules and subject to §6.01(d), Rule VI of our Standing Rules, I am forwarding the referral of Bill No. 168-35 (COR).

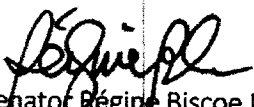
Please ensure that the subject bill is referred to the Committee on Environment, Revenue and Taxation, and Procurement, chaired by Senator Sabina Flores Perez.

I also request that the same be forwarded to the prime sponsor of the subject bill.

If you have any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this important matter.

Respectfully,


Senator Régine Biscoe Lee
Chair, Committee on Rules

I Mina'trentai Singko Na Liheslaturan Guahan
BILL STATUS

Bill Number	Author	Description	Date Introduced	Date Reported	Committee Assigned	Public Hearing Date	Date Available (Negotiated)	Enacted	Notes
168-35 (COR)	Sablina Flores Perez Tina Rose Muña Barnes Kelly Marsh (Taitano), PhD	AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING REGULAR TESTING AND MITIGATION OF RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND INITIATE A NEEDS ASSESSMENT OF GOVERNMENT OF GUAM BUILDINGS.	6/21/19 4:12 p.m.	9/13/19	Committee on Environment, Revenue and Taxation, and Procurement			7/2/19	



Correction To: 1st Notice of Public Hearing: Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Oct 29, 2019 at 3:11 PM

To: "Walter S. Leon Guerrero" <walter.leonguerrero@epa.guam.gov>, nic.rupley@epa.guam.gov, mcogadmin@teleguam.net, jonfernandez@gdoe.net, vince.arriola@dpw.guam.gov, esanchez@gdoe.net, wiese@guamecc.org, info@pcrguam.com, "Paul E.R. Packbier" <paul@pcrguam.com>, gccpresident@guamcc.edu, "Thomas W. Krise, PhD" <tkrise@triton.uog.edu>, GuamCampus@piu.edu, cip@gdoe.net, busofc.admin@guahanacademy.org, gcatrades@guam.net, admin@ilearnguam.org, admin@sifalacs.com, info@guamchildcare.org, abcchildrenscenter@hotmail.com, amtpaulino@hotmail.com, rlchang70@gmail.com, peredo@guam.net, nagarajs@ite.net, natarajan@phrken.com, docs_daycare@yahoo.com, docspreschool@gmail.com, docs.kiddie.college@gmail.com, dcdcj1980_2@yahoo.com, firststepguam@yahoo.com, guam.giggles@gmail.com, tinadeleonguerrero@gmail.com, gla_guam@yahoo.com, chonamontessori@ymail.com, hmkidsgu@ite.net, sbarbara0310@gmail.com, tess@digi-tell.com, dcclc@digi-tell.com, littlee.guam@gmail.com, guam@littlegarden-inter.com, littleones.espinosa@gmail.com, huffer56@yahoo.com, macpsy12@gmail.com, mhcnk211@gmail.com, milestonesplaynlearn.guam@gmail.com, lolccc09@gmail.com, nenechildcarecenter@yahoo.com, zeny_unsay@yahoo.com, png@teleguam.net, etgapas@gmail.com, maureen_lujan@hotmail.com, precious1schild@yahoo.com, rftslc@yahoo.com, sffcd daycare@yahoo.com, smallworldcenter@gmail.com, tdcc@ite.net, mlynn@ite.net, tendershepherdguam@gmail.com, thegivingtreeguam@hotmail.com, maelonietamongdong@hotmail.com, jenneth_rosario@yahoo.com, theyounglearnercenter@gmail.com, cecil.orsini@clb.guam.gov, gary.walton@hbcguam.net, jeremy.zajicek@hbcguam.net, pbennett@stjohnsguam.com, spcscommunications@gmail.com, gca@teleguam.net, lawrence.alam@dphss.guam.gov, patrick.luces@dphss.guam.gov, linda.denorcey@dphss.guam.gov, Terry Cuabo <tcuabo@guamcancer.org>, Marisha Artero <marisha.artero@cancer.org>, mariebenit@yahoo.com, corychun@cancer.org, yogad99@yahoo.com, renatab@triton.uog.edu, theguammedicalsociety@gmail.com, samir.ambrale@fhphealth.com, rachaeltg@triton.uog.edu, adioguam@yahoo.com, guamnursesassociation@yahoo.com, felix.cabrera@grmc.gu, michael.cruz@grmc.gu, Cathy Rivera Castro <catcastro44@gmail.com>, Kina-Doree Lewis <kina_lewis@nps.gov>, earljl@yahoo.com, "Rick S. Unpingco" <rickpmc@teleguam.net>, guamdoris@gmail.com, fish@guam.net, lisa.fisher@anz.com, bill_hagen@hotmail.com, Tony.diaz@archagana.org, "Dafne M. Shimizu" <Dafne.Shimizu@revtax.guam.gov>, horeckylaw@teleguam.net, Sabrina Salas Matanane <sabrina@kuam.com>, nester@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, news@sorensenmediagroup.com, reporters@postguam.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, heugenio@guampdn.com, John O'Connor <johntaoconnor@gmail.com>, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofguam.com>, businesseditor@glimpsesofguam.com, assist_editor@glimpsesofguam.com, reporter2@glimpsesofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, aebenavente@gdoe.net, "Leevin T. Camacho" <law@guamag.org>
Cc: phnotice@guamlegislature.org

October 29, 2019

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson*

Subject: **Correction To: 1st Notice of Public Hearing: Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.**

The Committee on Environment, Revenue and Taxation, and Procurement will be conducting a public hearing on **Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.** This public hearing will take place in *Liheslaturan Guahan*, Public Hearing Room. The agenda is as follows:

9:00 a.m.

Executive Appointment of Mr. Earl Garrido to serve as a Member of the Guam Board of Equalization.

Executive Appointment of Ms. Doris Brooks to serve as a Member (CPA Representative) of the Public Utilities Commission.

Executive Appointment of Mr. Ricardo Unpingco to serve as a Member (Utilities Representative) of the Public Utilities Commission.

Executive Appointment of Ms. Elizabeth Fisher to serve as a Member of the Alcohol Beverage Control Board.

2:00 p.m.

~~**Bill No. 169-35 (COR) – Sabina Flores Perez / Telo T. Taitague / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD / James C. Moylan** - An act to add a new § 104115.1 to Chapter 104 of Title 21, Guam Code Annotated, relative to public awareness of radon risks, and the reporting of radon results, upon sale of real property.~~

Bill No. 168-35 (COR) – Sabina Flores Perez / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD - An act to add a new Article 3 to Chapter 45 of Title 10, Guam Code Annotated, relative to mandating regular testing and mitigation of radon in schools and child care facilities, and initiate a needs assessment of government of Guam buildings.

Bill No. 204-35 (COR) – Joe S. San Agustin - An act to add a new Article 9 to Chapter 77, Division 2, Title 12, Guam Code Annotated, relative to authorizing the issuance of tax credits for contributors to the renovation, improvement and participation of the Guam Basketball Confederation to the FIBA Asia Cup.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña*, Guam 96910, via email to office@senatorperez.org, no later than 4pm, November 12, 2019. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

194 Hernan Cortes Avenue, Terlaje Professional Building, 1st Floor, *Hagåtña*, Guam 96910 671.989.2968•office@senatorperez.org

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Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, and Procurement
I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, *Hagåtña*, Guam 96910

M: Guam Congress Building, 163 Chalan Santo Papa, *Hagåtña*, Guam 96910

T: (671) 989-2968

E: office@senatorperez.org



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement
I MINA TRENDAI SINGKO NA LIHESLATURAN GUAHAN
35TH GUAM LEGISLATURE

October 29, 2019

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2:00 p.m.

Bill No. 168-35 (COR) – Sabina Flores Perez / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD - An act to add a new Article 3 to Chapter 45 of Title 10, Guam Code Annotated, relative to mandating regular testing and mitigation of radon in schools and child care facilities, and initiate a needs assessment of government of Guam buildings.

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2nd Notice of Public Hearing: Wednesday, November 6, 2019 at 9:00 a.m. and 2:00p.m.

Office of Senator Sabina Perez <office@senatorperez.org>

Mon, Nov 4, 2019 at 8:41 AM

To: "Walter S. Leon Guerrero" <walter.leonguerrero@epa.guam.gov>, nic.rupley@epa.guam.gov, mcogadmin@teleguam.net, jonfernandez@gdoe.net, vince.arriola@dpw.guam.gov, esanchez@gdoe.net, wiese@guamecc.org, info@pcrguam.com, "Paul E.R. Packbier" <paul@pcrguam.com>, gccpresident@guamcc.edu, "Thomas W. Krise, PhD" <tkrise@triton.uog.edu>, GuamCampus@piu.edu, cip@gdoe.net, busofc.admin@guahanacademy.org, gcatrades@guam.net, admin@ilearnguam.org, admin@sifalacs.com, info@guamchildcare.org, abcchildrenscenter@hotmail.com, amtpaulino@hotmail.com, rlchang70@gmail.com, peredo@guam.net, nagarajs@ite.net, natarajan@phrken.com, docs_daycare@yahoo.com, docspreschool@gmail.com, docs.kiddie.college@gmail.com, dcdcj1980_2@yahoo.com, firststepguam@yahoo.com, guam.giggles@gmail.com, tinadeleonguerrero@gmail.com, gla_guam@yahoo.com, chonamontessori@ymail.com, hmkidsgu@ite.net, sbarbara0310@gmail.com, tess@digi-tell.com, dcclc@digi-tell.com, littlee.guam@gmail.com, guam@littlegarden-inter.com, littleones.espinosa@gmail.com, huffer56@yahoo.com, macpsy12@gmail.com, mhcnk211@gmail.com, milestonesplaynlearn.guam@gmail.com, lolccc09@gmail.com, nenechildcarecenter@yahoo.com, zeny_unsay@yahoo.com, png@teleguam.net, etgapas@gmail.com, maureen_lujan@hotmail.com, precious1schild@yahoo.com, rftslc@yahoo.com, sffcdayscare@yahoo.com, smallworldcenter@gmail.com, tdcc@ite.net, mlynn@ite.net, tendershepherdguam@gmail.com, thegivingtreeguam@hotmail.com, maelonietamongdong@hotmail.com, jenneth_rosario@yahoo.com, theyounglearnercenter@gmail.com, cecil.orsini@clb.guam.gov, gary.walton@hbcguam.net, jeremy.zajicek@hbcguam.net, pbennett@stjohnsguam.com, spcscommunications@gmail.com, gca@teleguam.net, lawrence.alam@dphss.guam.gov, patrick.luces@dphss.guam.gov, linda.denorcey@dphss.guam.gov, Terry Cuabo <tcuabo@guamcancer.org>, Marisha Artero <marisha.artero@cancer.org>, mariebenit@yahoo.com, corychun@cancer.org, yogad99@yahoo.com, renatab@triton.uog.edu, theguammedicalsociety@gmail.com, samir.ambrale@fhphhealth.com, rachaeltlg@triton.uog.edu, adioguam@yahoo.com, guamnursesassociation@yahoo.com, felix.cabrera@grmc.gu, michael.cruz@grmc.gu, Cathy Rivera Castro <catcastro44@gmail.com>, Kina-Doree Lewis <kina_lewis@nps.gov>, earljg@yahoo.com, "Rick S. Unpingco" <rickpmc@teleguam.net>, guamdoris@gmail.com, fish@guam.net, lisa.fisher@anz.com, bill_hagen@hotmail.com, Tony.diaz@archagana.org, "Dafne M. Shimizu" <Dafne.Shimizu@revtax.guam.gov>, horeckylaw@teleguam.net, Sabrina Salas Matanane <sabrina@kuam.com>, nester@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, news@sorensenmediagroup.com, reporters@postguam.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, heugenio@guampdn.com, John O'Connor <johntaoconnor@gmail.com>, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofguam.com>, businesseditor@glimpsesofguam.com, assist_editor@glimpsesofguam.com, reporter2@glimpsesofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, aebenavente@gdoe.net, "Leevin T. Camacho" <law@guamag.org>
Cc: phnotice@guamlegislature.org

November 4, 2019

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson*

Subject: **2nd Notice of Public Hearing: Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.**

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Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña*, Guam 96910, via email to office@senatorperez.org, no later than 4pm, November 12, 2019. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

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Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, and Procurement

I Mina'trentai Singko na Liheslaturan Guåhan

35th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, 163 Chalan Santo Papa, Hagåtña, Guam 96910

T: (671) 989-2968

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OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement
I MINA TRENTAI SINGKO NA LIHESLATURAN GUAHAN
35TH GUAM LEGISLATURE

November 4, 2019

MEMORANDUM

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TEAM 24 PRESENTS

Art & WINE

FOR CHARITY EVENT
SILENT AUCTION

THURSDAY, NOVEMBER 7, 2019
6:00 PM - 10:00 PM

TRIPLE J MAIN HEADQUARTERS,
UPPER TUMON (IN FRONT OF KMART)




**DONATION \$15 PERSON
\$20 AT THE DOOR**

**PURCHASE TICKETS AT
THE GUAM DAILY POST, TAMUNING
(ACROSS DENNY'S)**






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Ailyn Agasen • William R. Kang • Darathina Henero
Fawn Mendilota • Joe Guerman • Dawn Reyes
Young Guns Collective • Andrew Gulac
Marcus Villaverde • Katlyn Sutherland

ALL PROCEEDS TO BENEFIT

Thank You

Andy Wheeler • Jenn Chaffin • Mark Murer

Senator Sabina Flores Perez
Committee on Environment, Revenue and Taxation, and Procurement

Public Hearing Notice
Wednesday, November 6, 2019
I Liheslaturan Guahan, Public Hearing Room

AGENDA

9:00am
Executive Appointment of Mr. Earl Garrido to serve as a Member of the Guam Board of Equalization.

Executive Appointment of Ms. Doris Brooks to serve as a Member (CPA Representative) of the Public Utilities Commission.

Executive Appointment of Mr. Ricardo Unpiagco to serve as a Member (Utilities Representative) of the Public Utilities Commission.

Executive Appointment of Ms. Elizabeth Fisher to serve as a Member of the Alcohol Beverage Control Board.

2:00pm
Bill No. 168-35 (COR) – Sabina Flores Perez / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD – An act to add a new Article 3 to Chapter 45 of Title 10, Guam Code Annotated, relative to mandating regular testing and mitigation of radon in schools and child care facilities, and initiate a needs assessment of government of Guam buildings.

Bill No. 204-35 (COR) – Joe S. San Agustin – An act to add a new Article 9 to Chapter 77, Division 2, Title 12, Guam Code Annotated, relative to authorizing the issuance of tax credits for contributors to the renovation, improvement and participation of the Guam Basketball Confederation to the FIBA Asia Cup.

Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 Chalan Sonso Papa, Hagåtña, Guam 96910, via email to office@sabinaflores.org, no later than 4pm, November 12, 2019. Individuals requiring special accommodations should submit request to Office of Senator Sabina Flores Perez at 989-2968. Paid for by Committee funds.

Guam Memorial Hospital Authority
Aturidat Espetát Mirmurát Guahan
850 Governor Carlos G. Camacho Road
Tamuning, Guam 96913

PUBLIC NOTICE

BOARD OF TRUSTEES MEETING

Date: Wednesday, November 6, 2019
Time: 5:30 p.m.
Place: 1st Floor, Daniel L. Webb Conference Room

For special accommodations, auxiliary aids or other services, please contact Toni Tenorio at 647-2218, Monday through Friday from 8:00 a.m. to 5:00 p.m.

/s/ Lillian Perez-Posadas, MN, RN
Hospital Administrator/CEO

This advertisement was paid for with government funds.

BUREAU OF STATISTICS & PLANS
BUREAU OF STATISTICS AND PLANS
Government of Guam
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3
Fax: (671) 477-1812

REQUEST FOR PROPOSAL
RFP-BSP-2020-001

The Guam Bureau of Statistics and Plans (BSP) is soliciting proposals from experienced and qualified Offerors to provide Professional Information Technology Consulting Services ("Services") to perform a Technical Needs Assessment and develop an Information Technology Strategic Plan for the Government of Guam's Executive Branch. The issuance of this RFP in no way constitutes a commitment by Bureau of Statistics and Plans to award a contract.

All entities interested in submitting a proposal may pick up hard copies of the Request for Proposals (RFP) beginning Monday, November 4, 2019 to Friday, November 15, 2019 at the Director's Office, Bureau of Statistics and Plans, located at the Ricardo J. Bordallo Governor's Complex, Adelup, 513 West Marine Corps Drive, Hagåtña, Monday through Friday from 8:00 a.m. to 5:00 p.m. Chamorro Standard Time (ChST) excluding Government of Guam holidays. Electronic copies of the RFP are also available online at the following website: www.bsp.guam.gov. BSP recommends that prospective offerors register contact information with the BSP to ensure they receive any notices regarding any changes or updates to the IFB/RFP. GSA shall not be liable for failure to provide notice to any party who did not register contact information.

Proposals must be submitted to the Bureau of Statistics and Plans Director's Office, Bureau of Statistics and Plans, located at the Ricardo J. Bordallo Governor's Complex, Adelup, 513 West Marine Corps Drive, Hagåtña by no later than 5:00 p.m. ChST, Tuesday, November 19, 2019. Failure to submit Proposals at the specified location on or before the specified date and time will be grounds for rejection of the Proposal.

This activity is supported by funding through the U.S. Department of Interior for Guam and administered by the Bureau of Statistics and Plans Socio Economic Planning Program.

/s/ TYRONE J. TAITANO
Director

This advertisement is paid with U.S. Department of Interior, Office of Insular Affairs federal funds under Grant Number D19AP00068/TAP-GUAM-2019-3



Update to Agenda: 2nd Notice of Public Hearing: Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.

1 message

Office of Senator Sabina Perez <office@senatorperez.org>

Tue, Nov 5, 2019 at 10:00 AM

To: "Walter S. Leon Guerrero" <walter.leonguerrero@epa.guam.gov>, nic.rupley@epa.guam.gov, mcogadmin@teleguam.net, jonfernandez@gdoe.net, vince.arriola@dpw.guam.gov, esanchez@gdoe.net, wiese@guamecc.org, info@pcrguam.com, "Paul E.R. Packbier" <paul@pcrguam.com>, gccpresident@guamcc.edu, "Thomas W. Krise, PhD" <tkrise@triton.uog.edu>, GuamCampus@piu.edu, cip@gdoe.net, busofc.admin@guahanacademy.org, gcatrades@guam.net, admin@ilearnguam.org, admin@sifalacs.com, info@guamchildcare.org, abcchildrenscenter@hotmail.com, amtpaulino@hotmail.com, rchang70@gmail.com, peredo@guam.net, nagarajs@ite.net, natarajan@phrken.com, docs_daycare@yahoo.com, docspreschool@gmail.com, docs.kiddie.college@gmail.com, dcdcj1980_2@yahoo.com, firststepguam@yahoo.com, guam.giggles@gmail.com, tinadeleonguerrero@gmail.com, gla_guam@yahoo.com, chonamontessori@ymail.com, hmkidsgu@ite.net, sbarbara0310@gmail.com, tess@digi-tell.com, dcclc@digi-tell.com, littlee.guam@gmail.com, guam@littlegarden-inter.com, littleones.espinosa@gmail.com, huffer56@yahoo.com, macpksy12@gmail.com, mhcnk211@gmail.com, milestonesplaynlearn.guam@gmail.com, lolccc09@gmail.com, nenechildcarecenter@yahoo.com, zeny_unsay@yahoo.com, png@teleguam.net, etgapas@gmail.com, maureen_lujan@hotmail.com, precious1schild@yahoo.com, rftslc@yahoo.com, sffccdaycare@yahoo.com, smallworldcenter@gmail.com, tdcc@ite.net, mlynn@ite.net, tendershepherdguam@gmail.com, thegivingtreeguam@hotmail.com, maelonietamongdong@hotmail.com, jenneth_rosario@yahoo.com, theyounglearnercenter@gmail.com, cecil.orsini@clb.guam.gov, gary.walton@hbcguam.net, jeremy.zajicek@hbcguam.net, pbennett@stjohnsguam.com, spcscommunications@gmail.com, gca@teleguam.net, lawrence.alam@dphss.guam.gov, patrick.luces@dphss.guam.gov, linda.denorcey@dphss.guam.gov, Terry Cuabo <tcuabo@guamcancer.org>, Marisha Artero <marisha.artero@cancer.org>, mariebenit@yahoo.com, corychun@cancer.org, yogad99@yahoo.com, renatab@triton.uog.edu, theguammedicalsociety@gmail.com, samir.ambrale@fhphealth.com, rachaeltlg@triton.uog.edu, adioguam@yahoo.com, guamnursesassociation@yahoo.com, felix.cabrera@grmc.gu, michael.cruz@grmc.gu, Cathy Rivera Castro <catcastro44@gmail.com>, Kina-Doree Lewis <kina_lewis@nps.gov>, earljg@yahoo.com, "Rick S. Unpingco" <rickpmc@teleguam.net>, guamdoris@gmail.com, fish@guam.net, lisa.fisher@anz.com, bill_hagen@hotmail.com, Tony.diaz@archagana.org, "Dafne M. Shimizu" <Dafne.Shimizu@revtax.guam.gov>, horeckylaw@teleguam.net, Sabrina Salas Matanane <sabrina@kuam.com>, nestor@kuam.com, Chris Barnett <malafunkshun@kuam.com>, joan@kuam.com, news@sorensenmediagroup.com, reporters@postguam.com, news@guampdn.com, news@k57.com, rlimtiaco@guampdn.com, heugenio@guampdn.com, John O'Connor <johntaoconnor@gmail.com>, kstokish@gmail.com, editor@pacificislandtimes.com, Maureen Maratita <publisher@glimpsesofofguam.com>, businesseditor@glimpsesofofguam.com, assist_editor@glimpsesofofguam.com, reporter2@glimpsesofofguam.com, Guam Progress <guamprogress@yahoo.com>, colinperez@gmail.com, Gabejereza@gmail.com, aebenavente@gdoe.net, "Leevin T. Camacho" <law@guamag.org>
Cc: phnotice@guamlegislature.org

November 5, 2019

MEMORANDUM

To: All Senators, Stakeholders and Media

Fr: Senator Sabina Flores Perez, *Chairperson*

Subject: **2nd Notice of Public Hearing: Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.**

The Committee on Environment, Revenue and Taxation, and Procurement will be conducting a public hearing on **Wednesday, November 6, 2019 at 9:00 a.m. and 2:00 p.m.** This public hearing will take place in *I Liheslaturan Guahan*, Public Hearing Room. The agenda is as follows:

9:00 a.m.

Executive Appointment of Mr. Earl Garrido to serve as a Member of the Guam Board of Equalization.

Executive Appointment of Ms. Doris Brooks to serve as a Member (CPA Representative) of the Public Utilities Commission.

~~Executive Appointment of Mr. Ricardo Unpingco to serve as a Member (Utilities Representative) of the Public Utilities Commission. *To Be Removed from Agenda~~

Executive Appointment of Ms. Elizabeth Fisher to serve as a Member of the Alcohol Beverage Control Board.

2:00 p.m.

Bill No. 168-35 (COR) – Sabina Flores Perez / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD - An act to add a new Article 3 to Chapter 45 of Title 10, Guam Code Annotated, relative to mandating regular testing and mitigation of radon in schools and child care facilities, and initiate a needs assessment of government of Guam buildings.

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Testimonies should be addressed to Senator Sabina Flores Perez, Chairperson, and will be accepted via hand delivery to our office, our mailbox at the Guam Congress Building at 163 *Chalan Santo Papa, Hagåtña, Guam 96910*, via email to office@senatorperez.org, no later than 4pm, November 12, 2019. In compliance with the Americans with Disabilities Act, individuals requiring special accommodations or services should contact the Office of Senator Sabina Flores Perez at 989-2968.

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Office of Senator Sabina Flores Perez

Committee on the Environment, Revenue & Taxation, and Procurement

I Mina'trentai Singko na Liheslaturan Guahan

35th Guam Legislature

O: 194 Hernan Cortez Avenue, First Floor, Terlaje Professional Building, Hagåtña, Guam 96910

M: Guam Congress Building, 163 *Chalan Santo Papa, Hagåtña, Guam 96910*

T: (671) 989-2968

E: office@senatorperez.org



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN

35TH GUAM LEGISLATURE

AGENDA

PUBLIC HEARING

Wednesday, November 6, 2019

I Liheslaturan Guahan, Public Hearing Room

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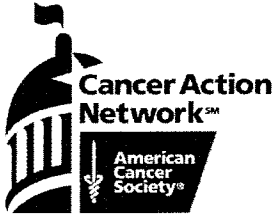
OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson
 Committee on Environment, Revenue and Taxation, and Procurement
 I MINA TRENTAI SINGKO NA LIHESLATURAN GUÁHAN
 35TH GUAM LEGISLATURE

Public Hearing
 Wednesday, November 6, 2019, 2:00pm
 I Liheslaturan Guahan, Public Hearing Room

Bill No. 168-35 (COR) – Sabina Flores Perez / Tina Rose Muña Barnes / Kelly Marsh (Taitano), PhD - An act to add a new Article 3 to Chapter 45 of Title 10, Guam Code Annotated, relative to mandating regular testing and mitigation of radon in schools and child care facilities, and initiate a needs assessment of government of Guam buildings.

NAME (please print)	AGENCY/ ORGANIZATION	ORAL TESTIMONY	WRITTEN TESTIMONY	IN FAVOR	NOT IN FAVOR	CONTACT INFORMATION
Bill Hagen		✓	✓	✓		
Cathy Rivera Castro		✓	✓	✓		
DIANE TAITANO						
Roland Gutierrez		✓	✓	✓		
Nic Pupley Lee						



American Cancer Society
Cancer Action Network
2370 Nuʻuanu Avenue
Honolulu, Hawaiʻi 96817
808.432.9149
www.acscan.org

November 5, 2019

35th Guam Legislature
Senator Sabina Flores, Chair
Committee on Environment, Revenue and Taxation, and Procurement

Testimony in support of Bill 168-35 (COR)
Cory Chun, Hawaii Pacific Region
American Cancer Society Cancer Action Network

The American Cancer Society Cancer Action Network (ACS CAN) supports Bill 168-35, which requires routine testing for schools and licensed child care facilities. The measure also requires radon mitigation plans prior to the issuance of new construction permits for schools. According to EPA Radon zone mapping, parts of Guam may have higher levels of radon in the Zone 1 designation.¹

Radon is an odorless, tasteless gas that is released as a byproduct of decay of naturally occurring elements such as uranium, thorium, and radium in rocks and soils. After the parent element decays, the radon travels by pressure-driven air flow and diffuses into above-ground air.

Radon accumulates indoors as it seeps through cracks in building foundations and radiates from some building materials if they are made from radon-containing substances. Almost any building material made from natural substances, including concrete and wallboard, may give off some level of radon. As a result, radon is found in higher concentrations in the lower levels of buildings and in uninhabited crawl spaces.

Exposure to high radon concentration has been identified as the second leading cause of lung cancer worldwide. Approximately 15,000 to 22,000 lung cancer deaths per year are associated with elevated radon exposure, more than 10 percent of which were in non-smokers. Radon emits high-energy radiation that damages lung epithelia, increasing the mutation rates in DNA and increasing the risk of lung cancer.

The American Cancer Society Cancer Action Network (ACS CAN) believes that the public should be made aware of the known information concerning the potential problem of

¹ See <https://www.epa.gov/sites/production/files/2015-07/documents/zonemapcolor.pdf>

radon contamination in certain housing areas in the United States and how to reduce such a risk. ACS CAN urges federal, state and local governments to approve legislation which reduces the potential health threat posed by radon by implementing public awareness campaigns and requiring disclosure of radon levels by builders, home owners, schools, and daycare facilities.

Bill No. 168-35 (cor)

November 6, 2019

To the Committee on the Environment, Revenue & Taxation, and Procurement
Committee Members:

A recent report by the U.S. EPA suggests that there are 21,000 deaths per year in the United States caused by exposure to Radon. I doubt that the people of Guam are exempt from those statistics. The U.S. Military on Guam has retrofitted all their housing units with Radon mitigation systems and all new housing and enclosed workspaces are being built with Radon mitigation systems. Do they know something we don't know?

We can't see it, we can't taste it, we can't smell it but its cumulative effect over time can be deadly and we should make every effort to protect our children from what ever hazard found in our environment. Testing for excessive Radon is simple and non-disruptive and the results, after confirmation, should be made public when dealing with public buildings and spaces.

Some thoughts: line 1 page 2 should have testing first before mitigation.

The U.S. military should be consulted about their testing results and where they have found zones of high levels of radon. Once zones of high radon concentration are established homeowners in the areas should be encouraged to test their homes for excessive radon levels.

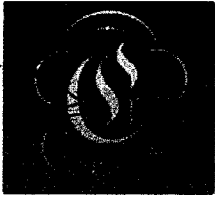
There are private contractors on Guam capable of doing testing with results in as little as 3 days and should be considered.

Please feel free to consider us as a resource as you move forward with this important legislation.

Thank you

Bill Hagen


bill_hagen@hotmail.com



Catherine M. R. Castro

224 Roy T. Damian Jr. Street ☉ Mongmong, Guam 96910

November 06, 2019

My name is Cathy Rivera Castro and a resident of the village of Mongmong. I am appearing before you in full support of Bill 168-35 (COR). I am a mother and a grandmother that wants to do what I can to ensure that the island my grandchildren along with all the children of our island and the generations after them will be one that is safe, healthy and prosperous.

Yesterday, our Magahaga Lou Leon Guerrero and Y Segundo Na Magalahi Joshua Tenorio proclaimed November 2019 as Lung Cancer Awareness Month. In my remarks on behalf of the Guam Cancer Coalition, stated that Lung Cancer is the most common cancer worldwide as well as on our island. The CDC reports that about 80 to 90 percent of lung cancers are connected to cigarette smokers. However, it can also be caused by second-hand smoke, a family history of the disease and exposure to certain air pollutants such as asbestos, arsenic, radon, even diesel exhaust/fumes and other environmental and workplace carcinogens. The survival rate is much lower than any other leading cancer sites such as colon, breast and prostate combined. According to the World Health Organization radon has been identified as the **second leading cause of Lung Cancer**.

Radon is a dangerous invisible gas that has been found in numerous homes in our island. This tasteless, odorless substance can easily get into one's home through cracks and openings in the property's foundation. Radon escapes easily from the ground into the air, where it decays produces further radioactive particles. As we breathe, the particles are deposited on the cells lining the airways, where they can damage DNA and potentially cause lung cancer. It can also be found in the drinking water. We can deduce that radon exposure can be dangerous to one's health.

Radon has been a silent killer for the past 30 years. During this time, half a million Americans have died from radon-induced lung cancer. The mortality statics associated with radon exposure are staggering. At least 50% of people exposed to radon will die within one year. This number decreases to a 15% chance of living for five years. To prevent radon-related illnesses, it's important to undergo an inspection for radon testing.

As harmful as radon exposure is for adults, the risks are **even greater** when it comes to children. Children's bodies are still forming, and the airborne particles released by radon can cause permanent damage to the DNA tissue in their lungs. This exposure causes cell damage, which can eventually lead to cancer.

I applaud Senator Sabina Perez for introducing this bill along with her Co-Sponsors Speaker Tina Barnes and Senator Kelly Marsh Taitano. Your commitment to the health and safety of our community is evident by your support. It is my greatest prayer that when this bill is entertained on the session floor, that your colleagues will join you with unwavering support and commitment to see this bill pass. Please continue to show the people of Guam that you have put their interest first before all else, thus fulfilling what they have asked of you.

Each time a measure such as this bill is introduced, we come one step closer to lowering the incidents of diseases on our island. These types of policies will allow our people to live in an environment that is not only healthy **but safe**. We are prolonging and extending lives.

Thank you once again for giving me an opportunity to come before you and having my voice heard, on what transpires in my island and join you in *"fighting the good fight"* for the betterment of Guam.

May I take this opportunity to say from my family to yours – wishing each of you and your colleagues along with your staff and families, a **Very Happy and Blessed Thanksgiving**.

Saina Ma'ase yan Bendesion



Cathy Rivera Castro

Mobile: 671. [REDACTED]

Email: [REDACTED]@gmail.com

Help make a **FIGHTER** be a **SURVIVOR!**

Create and Support Awareness for Sarcoma - Bone Cancer

Wear a Yellow Ribbon for **Dre - Andre Jon Rivera Castro**



AHENSIAN PRUTEKSION LINALA GUÁHAN

LOURDES A. LEON GUERRERO, GOVERNOR OF GUAM • JOSHUA F. TENORIO, LIEUTENANT GOVERNOR OF GUAM
WALTER S. LEON GUERRERO, ADMINISTRATOR

TESTIMONY OF GUAM EPA ADMINISTRATOR WALTER S. LEON GUERRERO:
BILL 168-35(COR) – WEDNESDAY · NOVEMBER 6, 2019

The Guam Environmental Protection Agency (Guam EPA) agrees with the legislative findings and intent of Bill 168-35COR. The Agency is pleased with the efforts of Senator Perez and the entire committee that led to identifying a sense of urgency to support our mission in radon awareness. Guam EPA has spent a great deal of time and resources to attain both an accredited radon laboratory and certification for staff to train others in radon measurement and mitigation.

The accreditation and certifications are both nationally recognized by the National Radon Proficiency Program (NRPP) – a program that provides certification credentials for professional radon testers and mitigators. As an independent administrative program of the American Association of Radon Scientists and Technologists, Inc. (AARST), the NRPP is governed by a certification council consisting of radon industry stakeholders who are responsible for credentialing policies and procedures. Additionally, NRPP is the recommended certification body of USEPA.

While the Agency recognizes the importance in safeguarding our youth from the potentially harmful effects of radon exposure, we'd like for our local statutes to standardize the nationally recognized programs, and we recommend mirroring or adopting the standards of the NRPP into local law. This will give the Agency the authority necessary to carry out its duty with actions associated with radon such as:

- Creating rules and regulations for radon testing requirements, mitigation maintenance and design standards, certification requirements and general requirements for quality control/quality assurance, work planning and data integrity with respect to reporting
- Identifying enforcement and compliance measures to define our regulatory role as it relates to radon
- Properly funding adequate staff
- Integration into the future building codes for future development in radon resistant construction
- Multi agency coordination with other stakeholder agencies like GDOE, DPHSS and DPW

Addressing these five concerns is critical towards the success of this bill's mandates. Bill 168-35 is a great start towards achieving our common goal in addressing radon. This bill's progressive and forward thinking has the potential enable the Agency to effectively guide the island's management of radon in homes, businesses, private and public buildings with a greater degree of certainty. We ask that more time to given to consider our concerns and to allow this bill to mature to its full potential. Our Air Program is encouraged by your efforts, and will be more readily available for discussion.

Thank you for the opportunity to speak with you all today, my team and I are available to answer any questions that you may have.

/s/ Walter S. Leon Guerrero



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN

35TH GUAM LEGISLATURE

COMMITTEE REPORT DIGEST

I. OVERVIEW

Bill No. 168-35 (COR) was introduced on June 21, 2019 by Sabina Flores Perez, Tina Rose Muña Barnes, Kelly Marsh (Taitano), Ph.D. and was subsequently referred by the Committee on Rules to the Committee on Environment, Revenue and Taxation, and Procurement on September 13, 2019.

The Committee on Environment, Revenue and Taxation, and Procurement convened a public hearing on Bill No. 168-35 (COR) on Wednesday, November 6, 2019 at 2:00 PM in *I Liheslatura's* Public Hearing Room.

Public Notice Requirements

Public Hearing notices were disseminated via email to all Senators and all main media broadcasting outlets on October 29, 2019 and again on November 4, 2019. Publication was conducted in the **Guam Daily Post**, a newspaper of general circulation, fulfilling the 5-Day Notice and 48 Hour Notice of the Open Government Law requirements respectively.

Senators Present

Senator Sabina Flores Perez

Committee Chairperson

Senator Kelly Marsh (Taitano), Ph.D.

Committee Member

Senator Telo T. Taitague

Committee Member

Senator Joe S. San Agustin

Legislative Member

II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 2:00PM.

Chairperson Perez: *Håfa Adai*, welcome to the Guam Congress Building. The purpose of this public hearing is to hear testimony in regards to two bills. Bill 168-35 (COR), sponsored by myself, Senator Sabina Flores Perez, co-sponsored by Speaker Tina Muña-Barnes, as well as Senator Kelly Marsh Taitano. It's an act to add a new Article 3 to Chapter 45, Title 10 Guam Code Annotated, relative to mandating regular testing and mitigation of radon in schools and licensed childcare facilities, and initiating a needs-assessment of Government of Guam buildings. The second item on the agenda is Bill No. 204-35 (COR) sponsored by Senator Joe San Augustin. It's an act to add a new Article 9 to Chapter 77, Division 2, Title 12, Guam Code Annotated. It's relative to authorizing the issuance of tax credits for contributors to the renovation, improvement, and participation of the Guam Basketball Confederation to the FIBA Asia Cup. So, we now begin our agenda. The first item is Bill No. 168-35 (COR), again sponsored by myself, co-sponsored by Speaker Tina Rose Muña-Barnes, as well as Senator Kelly Marsh Taitano. It's an act to add a new Article 3 to Chapter 45, Title 10 Guam Code Annotated, relative to mandating regular testing and

mitigation of radon in schools and childcare facilities and initiate a needs-assessment of GovGuam buildings.

I'd like to start with giving an introduction to this bill. Bill 168-35 prioritizes the health of our infants and children, who are one of the most vulnerable segments of our population, to environmental toxins by requiring radon testing and mitigation in schools and childcare facilities. The bill also aims to protect Government of Guam workers and members of the public who use government facilities by initiating a needs-assessment for radon testing of all GovGuam buildings. The measure is authored by myself, co-sponsored by Speaker Tina Muña Barnes, and Senator Marsh, Kelly Marsh Taitano. I'd like to thank my colleagues for their support. Radon is a colorless and odorless radioactive gas, a known carcinogen. USEPA recognizes it as a second-leading cause of lung cancer in the United States. According to the American Cancer Society Cancer Action Network testimony, approximately 15,000 to 22,000 lung cancer deaths, per year are associated with elevated radon exposure and more than 10 percent of which are non-smokers. In addition to lung cancer, long-term exposure to radon increases the risk of thyroid cancer, which can affect blood pressure, body temperature, metabolism and weight. USEPA ranks indoor radon among the most serious environmental health problems facing us today.

On Guam, historically dangerous levels have been measured, including in our schools. USEPA sets the maximum recommended action level for 4 picoCuries per liter (4 pCi/L) of air. Anything above that is considered dangerous. Yet, some local buildings have recorded levels as high as 143 picoCuries per liter (143 pCi/L) of air. The indoor radon gas is associated with the geological formations of karst limestone, which is the predominant substrate in northern Guam, where nearly two-thirds of the population of our island live. Buildings constructed in these areas are susceptible to increased concentrations of radon, which may enter undetected through structural pores and cracks that develop over time. In order to protect our children, Bill 168-35 requires that all public, private schools, and licensed childcare facilities conduct radon tests within two years of the passage of this bill, and every five years, thereafter. Guam EPA shall collaborate with GDOE to seek federal grants to assist in testing and mitigation of radon. Guam EPA shall also provide free radon testing services to properly licensed childcare facilities. If radon is found above dangerous levels, then it must be mitigated by a method approved by Guam EPA. Furthermore, prior to receiving permits from the Department of Public Works, they must pass muster. Their building plans must include radon-resistant construction techniques approved by Guam EPA.

In thinking about our loved ones and those in our community who have been diagnosed with cancer, as leaders in this society, we must seek ways to provide support and to minimize cancer risks to our people. Bill 168-35 is an important measure that aims to reduce exposure to a known carcinogen and prevent cancers and other health effects related to radon exposure, especially those are the who are most vulnerable. In recognition of November as Lung Cancer Awareness Month, and September as Childhood Cancer Awareness Month, it is a particularly appropriate time for this body to take action on Bill 168-35 without delay. I thank my colleagues for their support on this measure. It is imperative we work together to protect our citizens, especially children, from the cancer and health risks of continuous exposure to high levels of radon which exist on our island.

Chairperson Perez called up those who signed up to testify.

William Hagen: Afternoon, Senators. This is in regards to Bill 168-35. Committee Members, Senators, in a recent report and you recomm—you addressed it, suggested that there are 21,000 deaths per year in the United States caused by radon exposure. I doubt that the people of Guam are exempt from those numbers. The US military on Guam has retrofitted all their housing units with radon mitigation systems, and all new housing and enclosed workspaces are being built with radon mitigation systems. Do they know something that we don't know? We can't see it, we can't taste it, we can't smell it, but its cumulative effect over time, can be deadly and we should make every effort to protect our children from whatever hazard found in our environment. Testing of excessive radon is simple and non-destructive, disruptive, and the results after confirmation should be made public when dealing with public buildings and spaces. Some thoughts: Line 1, Page 2 should have 'testing' before 'mitigation'; the US military should be consulted about their testing results and where they have found high zones of high levels of radiation, radon. Once its zones of high radon concentrations are established, homeowners in the areas should be encouraged to test their homes for excessive radon. There are private contractors on Guam capable of doing testing, with the results in as little three days, and should be considered. Please feel free to consider us as a resource as you move forward with this important legislation. Thank you.

Cathy Rivera Castro: *Buenas* and *Håfa Adai* Senator Sabina Perez, Chairperson of the Committee on Environment, Revenue and Taxation, Procurement, and your fellow Senators, Senator Telo, Senator Kelly Marsh, and Senator Joe. My name is Cathy Rivera Castro and I'm a resident of the village of *Mongmong*. I'm appearing before you in full support of Bill 168-35 (COR). I am the current vice-chair and the incoming chairperson for the Guam Cancer Coalition. I'm a mother and a grandmother that wants to do what I can to ensure that the island my grandchildren, along with all the children of our island and the generations after them, will be one that is safe, healthy, and prosperous. Yesterday, our *Maga'håga*, Governor Lou Leon Guerrero, and *Segundo na Maga'låhi*, Joshua Tenorio, had proclaimed November 2019 as Lung Cancer Awareness Month. In my remarks, on behalf of the Guam Cancer Coalition, I stated that lung cancer is the most common cancer worldwide, as well as on our island. The CDC reports that about eighty to ninety percent of lung cancers are connected to cigarette smokers. However, it can also be caused by secondhand smoke, a family history of the disease, and exposure to certain air pollutants, such as asbestos, arsenic, radon, even diesel exhaust fumes and other environmental and workplace carcinogens. The survival rate is much lower than any other leading cancer sites, such as colon, breast, and prostate cancers, combined.

According to the World Health Organization, radon has been identified as a second leading cause of lung cancer, and may I add that lung cancer is the number one cause of morbidity here on Guam and cancer is the second leading cause of morbidity. Radon is a dangerous invisible gas that has been found in numerous homes in our island. This tasteless, odorless substance can easily get into one's home through cracks and openings in the property's foundation. Radon it's escapes easily from the ground into the air where it decays, produces further radioactive particles; as we breathe these particles, they are deposited on the cells, cell linings of the airways, where they can damage DNA and potentially cause lung cancer. It can also be found in the drinking water, and we can deduce that radon exposure can be dangerous to one's health. Radon has been a silent killer for the past thirty years, and during this time, half a million Americans have died from radon-induced lung cancer. The mortality statistics, according with, according to radon exposure, are staggering. At least 50% of the people exposed to radon will die within one year. The number decreases to

15% chance of living for five years. And to prevent radon related illnesses, it must be important to undergo an inspection for radon testing. As harmful as radon exposure is for adults, the risks are even greater when it comes to children. Children's bodies are still forming. The airborne particles released by radon can cause permanent damage to their DNA tissues in their lungs. The exposure causes cell damages which can eventually lead to cancer. I applaud senator Sabina Perez for introducing this bill, along with our co-sponsors Speaker Tina Muña Barnes, and Senator Kelly Marsh (Taitano). Your commitment to the health and safety of our community is evident by your support. It is my greatest prayer that, when this bill is entertained on the session floor, that your colleagues will join you with unwavering support and commitment to see this bill pass. Please continue to show the people of Guam that you have put their interests first, before all else, thus fulfilling what they have asked of you. Each time a measure such as this bill is introduced, we come one step closer to lowering the incidence of diseases on our island. These types of policies will of our people to live an environment that is not only healthy, but safe. We are prolonging and extending lives. Thank you, once again, for giving me an opportunity to come before you and having my voice heard on which transpires on my island, and join you in 'fighting the good fight' for the betterment of Guam. And may I take this opportunity to say, from my family to yours, wishing each of you and your colleagues, along with your staff and families, a very happy and blessed Thanksgiving. *Saina Ma'åse' yan Bendisiön.*

Chairperson Perez: Thank you so much for your words, Ms. Castro. And yes, I'm committed to reducing the, the toxins, toxin burden in our island and protecting our people. Thank you.

Ms. Castro: Thank you.

Roland T. Gutierrez, Jr., Environmental Health Specialist Supervisor, Guam Environmental Protection Agency: I want to defer to our PIO for our testimony for our Agency, and I'll be here to answer any technical-related questions or anything in regard to our testimony.

Nic Rupley Lee, Public Information Officer, Guam Environmental Protection Agency: Hi, *Håfa Adai*. Our Administrator, Walter S. Leon Guerrero, extends his regrets for not being able to appear before you this afternoon, so he's sent us in his place. So, Guam EPA agrees with the legislative findings and intent of Bill 168. The Agency is pleased with the efforts of Senator Perez and the entire Committee that led to identifying a sense of urgency to support our mission in radon awareness. Guam EPA has spent a great deal of time and resources to attain both an accredited radon lab and certification for staff to train others in radon measurement and mitigation. The accreditation and certifications are both nationally recognized by the National Radon Proficiency Program; this is a program that provides certification credentials for professional radon testers and mitigators. As an independent administrative program of the American Association of Radon Scientists and Technologists, Inc., the NRPP is governed by a certification council consisting of radon industry stakeholders who are responsible for credentialing policies and procedures. In addition to that, NRPP is the recommended certification body of the USEPA.

While the Agency recognizes the importance and safeguarding our youth from potentially harmful effects of radon exposure, we'd like for our local statutes to standardize the nationally recognized programs, and we recommend mirroring or adopting the standards of the NRPP into local law. This gives the Agency the authority necessary to carry out its duties and actions associated with

radon, such as creating rules and regulations for radon testing requirements, mitigation, maintenance of mitigation devices, design standards, certification requirements, and general requirements for quality control and quality assurance, work planning and data integrity, with respect to radon reporting. In addition to that, we want to be able to identify enforcement and compliance measures to define our regulatory role as it relates to radon. We also want to be able to seek proper funding for adequate staff to fulfill this mandate. We also want to look into integration into future building codes for future development in radon-resistant construction, and perhaps the discussion about multi-agency coordination with other stakeholder agencies like DOE, Department of Public Health, and DPW. Addressing these five concerns is critical towards the success of this bill's mandates. Bill 168 is a great start towards achieving our common goal in addressing radon. This bill's progressive and forward-thinking and has the potential to enable the Agency to effectively guide the island's management of radon in homes, businesses, private and public buildings. And with a greater degree of certainty, we ask that more time be given to consider our concerns and to allow this bill to mature to its full potential. Our Air Program is encouraged by your efforts, and we will be more readily available for a discussion. Signed, Walter Leon Guerrero.

Chairperson Perez: Okay, thank you. Thank you so much, Nic. In looking at your testimony and the bill itself, can it be implemented? What do you think is a proper timeframe for implementation, and are the rules and regs necessary to actually do the testing and mitigation?

Mr. Gutierrez: Well, in order for, so radon testing is a complex procedure, and there are basically quality assurance and quality controls that need to be implemented so that the data that we receive from analyzing of the, of the radon detection devices are accurate. Analyzing down to 4 picoCuries (4pCi/L) per liter of error is, you have to be very accurate. When you pass a bill that says that there must be testing, there must be some type of a standard that must be across the board, so that the results that we get from this testing can be relied on. So there, we're, we agree with the bill in, in its form, but we think there must be more to it, so that we can assure that what we're getting out of the bill and what the type of results that we're getting from these people that are testing are accurate.

Chairperson Perez: So, in your testimony, you have an accredited radon laboratory. Can that be utilized to, do...

Mr. Gutierrez: We can utilize it, but there's only a certain amount of testing we can do. I only have two staff that's certified to do the testing for, if you're gonna say, the whole island, all day, all childcare centers, schools and public buildings. That staff is not dedicated to doing radon. I also do enforcement of major and minor sources of air emissions: asbestos, LED abatement, and other things. I mean, to do all of that in two years would be a monumental task for my staff. Additionally, if you were gonna have contractors and other people that are gonna contribute to that, there must be some standards in place that they need to abide by, that we can ensure that the accuracy of the results for their testing. Additionally, the people that are doing the mitigation, if there's found out to be that there are high levels of radon in there, they must be certified, also, into some type of standard. That standard, so that they would come about, to do, when they do their mitigation, it actually, the results come out for what they're intended to be.

Chairperson Perez: Okay. So, Mr. Hagen, you mention in your testimony that the military is already currently doing the testing every five years, in fact.

Mr. Hagen: I'm not sure what their testing frequency is. I know Wolf Creek, which is a subcontractor to the Navy, has regular testing which they do, like, every year. I know their homes are being tested regular.

Chairperson Perez: Would you happen to know if they are, they qualify for the NRPP certification?

Mr. Hagen: I believe that they send their, their capsules back to a lab in the United States, which I'm sure has to be certified.

Chairperson Perez: Okay.

Mr. Hagen: I'm also certified under the NRPPP, as he suggested, it, there should be a national standard, or a standard approved within the legislation so that,

Chairperson Perez: Okay.

Mr. Hagen: It's consistent.

Chairperson Perez: And you have that certification, apparently?

Mr. Hagen: Yes.

Chairperson Perez: As far as testing and mitigation is concerned?

Mr. Hagen: Testing, mitigation, and the E-PERM, E-PERM lab that's certified

Chairperson Perez: Mr. Gutierrez, your lab is, is it also?

Mr. Gutierrez: NRPP certified, yes.

Chairperson Perez: Certified?

Mr. Gutierrez: Currently, there are only four people on island that are certified: Mr. Hagen, Mr. Packbier, and two of my, two of my staff. Actually, five people. When you run a radon lab, you have to have your lab certified by an, a certified agency either a National Radon Safety Board or the National Radon Proficiency Program. And to do that, there are certain standards you must do: performance testing, spike testing, and you must do continuing education for your staff, every two years, to turn it in. All of the people that I know, currently, are doing military contracts, are all off-island contractors that are brought in at a substantial price to do the testing. Generally, when there's testing that's available, especially the state's, tests generally run about \$25 a test. Mitigation, it's another whole animal, itself.

Chairperson Perez: According to the fiscal note, there's roughly about a hundred and three entities. We're talking about public schools, private schools, DoD schools, and licensed care facilities. How long does a test take, and do you think it could be done in two years' time?

Mr. Gutierrez: I'm not sure. A test takes minimum of 48 hours to actually run the test, and it takes three hours to stabilize the canisters, and another, about 20 minutes to test each can.

Chairperson Perez: Potentially there is, the capacity is there. I mean, if they just dedicated the workload to for two years, a two-year period, I mean, for a hundred and three...

Mr. Gutierrez: I wouldn't be able to do that with my staff. We have other, like, the new power plant is coming out. We're permitting that. We have other emission sources that we permit. We also do vehicle inspections for smog, and I couldn't dedicate three of my staff for two years to do that.

Chairperson Perez: Considering, I mean, maybe we can figure out the time, as well as, maybe the FTEs. How many employees are required to do that?

Mr. Gutierrez: That would be up for discussion, yes.

Chairperson Perez: But if you could provide that information, that would be helpful.

Mr. Gutierrez: I would need the information, in regards to what needs to be tested, in the amount of rooms, buildings, and what level you want to be tested, you want to test it to what standard?

Chairperson Perez: We'll definitely communicate on that. But it is possible? I mean, just the capacity needs to be boosted?

Mr. Gutierrez: You would expect to Guam EPA to test all hundred and three schools and every room and building, and public buildings?

Chairperson Perez: Well, capacity in regards to...

Mr. Gutierrez: Just childcare and schools? Are you talking government buildings, also?

Chairperson Perez: This is a hundred and three entities, so...

Mr. Gutierrez: Basically, the standard is, if anything is above 4 picoCuries (4pCi/L), you retest. And so, we use a charcoal canister laboratory. Mr. Hagen uses the E-PERM. E-PERM, once you stabilize the E-PERM capsule, you basically can test it almost instantly. So, it takes me twenty minutes to test and three hours for each of the cans to stabilize. Not only do we have to deploy the cans, we need to go pick them up, bring them back to our lab, stabilize them, so, I don't know if we are able to do that with,

Chairperson Perez: Okay.

Mr. Gutierrez: My staff, but we can discuss it.

Chairperson Perez: We'll discuss more about the resources.

Mr. Gutierrez: The second part of that is, once it's over 4 you need to retest, and after you retest, if it's over, then mitigation has to be done. And so, who will be doing the mitigation and ensuring that the mitigation is done properly?

Chairperson Perez: Let's talk about the resource another, another time. Are there any other barriers to accomplishing the testing?

Mr. Gutierrez: Well, who's gonna enforce the requirement for testing every five years; who's going to enforce the requirement, to make sure they retest every two years, if they have a mitigation system in place? I mean, that's standards, that needs to be, that needs to be put down so that we know who's gonna enforce that. I mean, is it gonna be part of a permitting process for DPHSS when you walk in there to get your permit, every year that you have, uh, that you were tested within the last five years, or, or two years, if you were mitigated. I mean, there's some things that we need to discuss to make sure that, that, the radon testing and mitigation are kept up once it's in place and once it's done.

Chairperson Perez: I think that's, you know, that's something that could be worked, considering the, the long-term health effects and considering these are a vulnerable population. Yeah, so, we'll definitely look at the resource issue. Did you have a comment, too?

Mr. Lee: Yeah, sorry Senator. We also noticed that the enabling act is being amended, but we would also maybe suggest that an entirely new chapter be implemented into 10 GCA that would deal specifically with, with radon to give us the, the proper authority to enforce and, and to do all of the, I mean, issue all of the certification requirements and talk about the reporting requirements in detail, and give us the ability to form the, the rules and regs to carry out the statute. I think that that would go a long way towards, not just reaching out for the schools and the and the, the daycare facilities and the government facilities, but the entire island. We want to be able to revisit that with you at some point. I think that would be, that would be the best means to give the bill its greatest potential. Thank you.

Chairperson Perez opens the floor to her colleagues.

Senator Taitague: Thank you Madame Chair. Thank you, everybody, for being here today. You mentioned earlier, Roland, that you have two staff, currently, that are certified under testing for radon. What does it take to become certified? Do they go off-island to get this certification?

Mr. Gutierrez: Well, we're certified now to, to give the classes for certification and then we're set up with the Guam Community College for testing. We can give the class, for the measurement class it's a 24-hour class. It's basically, you come to class 24 hours and after that, you have two years to take the test. The mitigation class is a forty—it's almost a, it's a 48-hour in-class, and then one day of fieldwork. We can also offer that class. Then you can take the test, so far, also at GCC. Basically, we were given a grant by USEPA to, basically stand up our analytical lab, certify our

staff, and then certify our staff to teach these classes on-island so that contractors and other measurement providers or mediation providers didn't have to go off-island. That's all part of the capacity-building that we're trying to do at our Agency. We just gave our first class at the last PIEC, and we basically had three, two people from off-island and three people on-island, which is one person, including my staff. We have two people on-island that actually, other than my staff, that actually took, took the class. We're trying to build capacity so that we, there'd be an industry to actually accomplish this. That Guam EPA wouldn't have to actually do all the testing, itself. We wouldn't mind doing the public buildings and, I mean, you know, government buildings and government schools and things like that. But when it comes to private homes and other businesses like that, I think we should build capacity within, within the island so that private contractors and, they can do that type of work.

Senator Taitague: That's the purpose of your Agency, in addressing radon, is to, well, certify other individuals to do the testing themselves. Is that the only purpose that you do, or what testing have you done out there? Have you done any testing at any other agencies, like government building or a school, or just a..?

Mr. Gutierrez: Yeah. Recently, we tested the Guam Visitors Bureau. We've also tested the Department of Revenue and Taxation. We've tested some of the schools, that, some of the mitigation systems have gone down. But actually, we're actually building that. We just had our lab certified, just the beginning of last year, and we're basically, we had to get a staff certified and we did that this summer. We're currently working on our second class, that we're going to be giving out probably within the next six to nine months, which is the mitigation class. We can basically certify people on-island to do the actual radon mitigation.

Senator Taitague: With that being said, that you are doing some testing out there, already,

Mr. Gutierrez: Yes.

Senator Taitague: For some agencies and buildings.

Mr. Gutierrez: Yes, we are.

Senator Taitague: Or the buildings and schools. Anything in the private sector?

Mr. Gutierrez: We haven't done any—only private homes and residences.

Senator Taitague: Private homes?

Mr. Gutierrez: Yes.

Senator Taitague: Okay.

Mr. Gutierrez: We haven't opened the program. We're going to open the program, out to the public, very soon. You can come into our office and get radon canisters and kits to test your home.

Senator Taitague: I see. Okay. I noticed that also in the fiscal note, it says that BBMR was not able to receive a comment from Guam EPA on the estimated cost impact requirements for Bill 186, I mean 168. The good Chairman mentioned some of these schools, the subtotal of about a hundred and three individuals—have you had an opportunity to review what BBMR wrote?

Mr. Lee: No, we had some difficulty in assessing any type of number. I mean, given this is a new universe for us, in terms of adding to our regulatory role. We weren't comfortable giving any.

Senator Taitague: Numbers?

Mr. Lee: Reliable feedback, I mean, because at the time of the request there were still some unknowns in terms of what the lab's capabilities were, what our abilities were for recruitment into Mr. Gutierrez's program.

Senator Taitague: I see. Well, I appreciate what BBMR did, because they took the initiative and they went out and did some numbers, just to give us a cost estimate. I'm asking the good Chair, if she could direct you guys to at least work with BBMR on these numbers and see if you can agree with these numbers, as well. At least take a look at it and provide some insight. I'd like to hear what you have to say about this BBMR report they sent to us, as far as cost. Because, right now they're looking at about \$52,750 on just the, I believe, if I'm not mistaken, total estimate of about, six, seven, eight, nine, one hundred twenty-nine buildings and facilities. At about that amount of money, and that seems awfully low. So I'd like you to look at that and, and see because we need to, we need the numbers. Also, you mentioned how you're putting down rules and regulations, that you want additional time to review this and I agree about the chapter that you brought up, to put it in the Chapter 10 Guam Code Annotated, having its own legislation do that. Talking about rules and regs, have you had the opportunity to look at other jurisdictions, on how they do it with regards to radon and, and their rules and regs, that you're looking at, trying to establish—do you have anything like that, that you've looked at?

Mr. Gutierrez: I have not seen any personally mandated, in the states, I believe it's more of an industry mandated, I'm sorry, it's an industry-driven goal, where the realtors and other associations get together and they've done that. I will look into it, if there is any actual regulations from the government in regards to test the requirements for testing. There's none that I currently know of, but I will look into it further.

Senator Taitague: Yeah, I think that might be very helpful, because, you know it's that, the sooner the better on this, you know, to get something like this going, I think it's very important. And I, I really like your suggestions, especially incorporating the other agencies and departments in this, you know DPW, Public Health, DOE, all to be a part of this. And I'm looking for you to, looking at BBMR's recommendations or their estimates. Okay, thank you so much. Thank you Madam Speak—Chair.

Senator Marsh Taitano: *Saina Ma'åse'*, Madam Chair and *Si Yu'os Ma'åse'* to everyone who came here to testify. Each of your testimony offered something important; some insight as to how it affects our community, potentially. How it affects children more so because of their, their growing and, and so forth, and it was important to hear about some of the recommendations, of

course, and ways to strengthen this, so that it continues to meet those needs for our communities. So, I definitely thank you for that. So, a few questions came to mind as we were going through this material. In your recommendations of what needs to be put in place in order to make this bill fully functioning for the community and meeting all of the goals that we really want to see and better protecting our safety, you had mentioned having more staff. Do you have an estimate at this time, as to how many additional staff would be helpful for you to have in place for this to be a fully functioning program?

Mr. Gutierrez: No, currently. I have not seen the BBMR report or request, and I have not seen the number of buildings or schools, childcares, or rooms that have to be tested. If I had that information prior, I may have been able to give you some idea of what it would cost the Government, itself, to do all of that testing, in regards to the current staff I have, and the, their pay scales, and the amount of time it would take me to test these buildings. Not currently, but I believe we can come up with it, if I have the numbers.

Senator Marsh Taitano: Yup. And, and I think this continued communication between yourself, and the author, and myself, as co-sponsor; that we can also be continuing to refine this. And maybe figure out the most time-efficient, most effective way to get this out there, and meeting community needs. So, that may be changing as time goes on, anyway. I'd also like to know, perhaps it's information that Mr. Hagen has. What is the typical cost of testing? I'm guessing that it's, it's going to be predicated to a certain degree on the size of the facility, and so forth. But can you give us an understanding of what kind of cost we're talking about, if it's a private endeavor; if we hire a private company.

Mr. Hagen: The cost is basically in the labor: in the entry into the facility, placing the testing device, setting it up, coming back 48 hours later, closing it, and removing it. It could be three, four hours of labor, plus the testing, which takes about 20 minutes. Oh, it's not so much in the technology as it is in just manpower that are required to place and remove these devices. And we don't pay minimum wage.

Senator Marsh Taitano: Right, so that's, that's very good in outlining the, the manpower that would be involved, or human power, as I might say.

Mr. Hagen: So, a test could run you \$50 in your home.

Senator Marsh Taitano: Okay, for a home. And then, for something larger, and I realize that our schools are of various sizes, but for a school, I guess we would times the size of our home until we get to a school. So \$400, \$500, \$1,000 if it's a large school?

Mr. Hagen: If we're doing a number of tests in a single area, I mean, the, the time required isn't much more than a single location. So, if you want to do a school, you would probably not do every building or every location, but randomly, at the ground-floor level get the feedback and determine whether or not you have to complete every building, or every, every classroom. Yeah. \$500, \$1,000. You can do pretty good testing.

Senator Marsh Taitano: Okay, and that helps me understand the process a little bit better, and it also helps me understand some of the costs that are involved in, in, potentially, one way or the other. So one of the things that I was thinking about, or ran through my mind, so you were mentioning that at some point we're going to be able to pick up canisters and test our own homes. Did I understand you, correctly, when you said that?

Mr. Gutierrez: Yes, we have a capability, right now. You can come to, well, we haven't opened it to the public, but you can come to our office and request the canister and conduct the test. They're outlined, detailed testing procedures that you need to follow to ensure that you do the tests properly. Our results are, basically, only accurate if you follow the instructions that are given to you to do the tests.

Senator Marsh Taitano: Okay. And so I'm glad that I understood you correctly. So in this, this may be something that we continue to communicate. But would it seem to, to be feasible, then, to set up a system like that, since it is something that people can, with guidance, handle for these childcare centers and these schools to be, maybe even trained as a group and walked through the processes and then they could self-test?

Mr. Gutierrez: Well, there is a quality assurance and quality control problem with that. If you give an individual a test and he takes the can, never opens it, brings it back, and I analyze, it's gonna be non-detect. So, generally, there is the third party that's involved to ensure an independent analysis; that the results that we're receiving are accurate, and they were done properly. If you just give a canister to a childcare center, and of course they want to be '0' just don't open the canister. Now bring it back to me in two days, then I'll analyze it, and there'll be nothing. So there must be some type of third-party independent person that goes in there, whether it's some type of tech, because the techs don't need to be actually certified to do it. We can train them to do it. And the testing that was done in the early 90s from Dr. Burkhardt, they basically had the school staff do the test. But, you know, they're not testing, like, you know, for a business or anything. They're testing for the school. So that would be a little bit of a problem, if it was a home, there wouldn't be no problem because you would want to know the results. But if I was gonna be subjected to actually putting in a mitigation system, I wouldn't open the can. So, there'll be a problem. That's the only thing that, with that.

Senator Marsh Taitano: Okay and it's, it's it's helpful to hear the issues that you outlined. And so, I'm wondering, right, of course, we're trying to think about this as efficiently and effectively as possible. And so, certainly if I want to safeguard the children, that's what this is all about, and the rest of the community. But that there may be some means of having a third party, or someone who is certified, or is the technician that can be that quality assurance. So, I mean, we don't have to decide today, but I'm just kind of exploring some possibilities, here. And when you tested GVB and other places, what have been your results, thus far? Were there any findings that are above the levels that are indicated in the bill?

Mr. Gutierrez: Not at GVB and not at Department of Revenue and Taxation.

Senator Marsh Taitano: So, thus far, you have not run across any buildings that have exceeded...

Mr. Gutierrez: No government buildings. Yes. No, we've done tests, we've done about probably a hundred since last summer, we've done about a hundred homes, and yes, we've had high results. As high as in the hundreds but none of the government, the two government buildings that we tested, so far.

Senator Marsh Taitano: Okay, well I think quite a few of us can breathe a sigh of relief, there, that, that, that's good news, that the government buildings are safe for the employees and the rest of the community that go in them. For those hundred homes, for those that tested high, what was your, your next part of process? Did you refer them...

Mr. Gutierrez: Direct...?

Senator Marsh Taitano: Yeah, did you direct them to proper mitigation?

Mr. Gutierrez: We recommend they do mitigation, but whether they do it or not, that's up to them. Some of, some of them decided that they're going to ventilate their homes, and they've tested, a few of them have ventilated their homes and retested it. As long as they ventilated, they're fine. Some of them just, just didn't do. I don't know what they did. They didn't do anything.

Senator Marsh Taitano: Well, yes, they got the information, which was important and useful, I'm sure. And then, we hope that everybody is mitigating to the best of their ability. So, thank you for that information, and I look forward to continuing to work with you as, as this bill moves forward.

Senator San Agustin: Thank you, Madam Chair. Umm I just like to first thank Cathy. Thank you for your testimony, and I like what you said. These types of positive allow our people to live in an environment that is not only healthy, but safe. I like that statement. And I like the information that Mr. Hagen provided that the military is doing it. This must be something going on, on the base that they should share with us, right. Especially, I live up in *Yigo*, so they're doing it up at Anderson and Navy and for them southern folks, who would like to know what's going on? What my concern is, that, number one: I'm, I'm in support of your bill, Madam Chair. What I'd like to know is, actually, maybe the question should be more at Mr. Leon Guerrero, not at you two folks. And the reason why I ask this is, that, because his statement is, 'I agree with the Legislature's findings and the intent of the bill.' Then on the third paragraph, 'we'd like for our local statutes to standardize the national recognized program; I recommend mirroring or adopting the standards.' I don't know if either one of you can answer, is there, has there been any submission by EPA to ask that we, we changed the statute? Or is it just because of this bill, that there's a concern that we need a mirror it. Are you aware of that?

Mr. Gutierrez: I'm sorry I don't know, I don't understand the question.

Senator San Agustin: The statement from Mr. Leon Guerrero is, 'we'd like for the local statute to standardize the national recognized programs and we recommend mirroring or adopting the standards into local law.' My question is, has anything been submitted by EPA to ask this body to make sure the statute is in compliance of national standards?

Mr. Gutierrez: Mmm no.

Senator San Agustin: Probably not, right?

Mr. Gutierrez: USEPA has not, but they are the ones who provided the grant funding for our Agency to stand up our lab and to be NRPP certified.

Senator San Agustin: I understand that. I heard what you mentioned. All I'm just asking is, has Guam EPA asked that statute to be standardized? And that's what I'm trying to lead to, because it's hard to support the bill but also, 'say we can't stand it up,' okay? Either you support it and you're gonna provide information, because the budget is gonna come up, where we would ask you, 'what is your funding, your funding requirement for staff?' 'What do you need, and what funding do you need,' because I don't remember. I don't know if the Chair can, can remind me if there was anything provided by EPA saying that they needed funds to stand up and to increase your staffing, because, you know, I heard you quite clearly. You got short personnel. You got a vendor that's willing to do it, it's the business transaction. But at the same token, we're talking about schools, government buildings. It's \$150,000/\$150 a building, per se, a home; could range to, maybe \$1,000 per government building. And it can be absorbed by Guam EPA and through federal grants, such as, like, its mentioned on the bill, here, that DOE will work with federal grants to find out, to assist in the testing and mitigation of radon. And just, what I'm trying to get at, sir, is that, as I read this letter, and I'm in support of the bill, and I'm trying to just work it where, I think we're missing, the bill is very simple. Start the testing and get it done in two years. Give us the data, so that this body can actually find ways to fund you, so that you can fulfill it. That's really what, what, what I'm gonna be asking you, as the appropriation person, is that, Madam Chair, your bill says let's get the testing.

We start the budget process in January/February. If you don't provide us the information, then, the bill is, is good; the letter becomes having a fault. You know what I mean? We support the intent, and we want to make sure that everybody's working at it, because it's talking about our children. It's talking about keeping our environments safe. And exactly what you said. When you test homes, sometimes you know, homeowners have a habit of not taking the mitigation process, and maybe they need to be informed that they gotta take the mitigation. Because if they attempt to sell it, the real estate industry needs to know this, that this home, radon rating is too high. Don't sell it unless there's a mitigation, so that you know, like, some people say, you know, somebody got suckered into buying a home for \$150,000 but they got radon shooting up the sky. Mr. Hagen comes in, because you won't get involved, it costs them hundreds of thousands of dollars to clean the house out. There's a mechanism in place that everybody needs to know what's going on, other than just the schools and government buildings. Well when we start talking about individual homes, we're talking about the people, in general. I mean you might end up, unfortunately, hopefully not, or myself, you might end up buying a home, thinking it's a great-looking home. But we didn't realize, or didn't know that the radon level, level is so high that they never took your advice. That maybe, maybe later on, Madame Chair, a bill can be introduced, that when we talk about homes there'll be some fines and penalties for selling a home. That's dangerous to people. Sir, Mr. Lee.

Mr. Lee: Hi. Thank You, Senator. I seem to recall Bill-169 being signed into law, right. That discusses of how selling brokers for real residential property have to disclose that information to

the, to the buyer. If there was any testing done, and if there was any, you know, what, at what levels the testing revealed, and if there was any mitigation measures for the home. So, I do know that the clock's ticking on us, because I think we're supposed to be able to provide the brokers with information from the Agency by this January. So we're keeping an eye on that, ummm...

Senator San Agustin: And, Mr. Lee, that's what I'm getting at, when we look at the staffing. As Mr. Leon Guerrero states, create the rules and regulation, proper funding. If you start, if we start getting information and Senator Sabina Perez goes, 'Senator Joe, we need to make sure that's included; we need to start funding them, because radon is a threat to the people of Guam, to our children, to everybody.' I won't know that. I mean, I saw this bill and I said I'm gonna go check it out because, exactly. Bill-169. Okay, they got to do this. This letter's saying, 'we need help.' But, but there's nothing following it. I have nothing behind it, saying what is the budget requirement. I don't wanna prolong this bill. I'm just saying, get back to, and you know me, Senator, Mr. Lee. Just get back. Get us the information, get it to Senator Perez. Let's make this bill stronger than it is, and let's fulfill what your requirements are. And we're not gonna put Mr. Hagen out of business, but he may have other competitors joined, because they're all going to see that radon is going to be a testing, it's going to be a common thing.

Mr. Lee: If the bill gets strengthened, it will create an industry for Mr. Hagan and his competitors, absolutely. Yeah, so that, there, there's a huge potential for not, not just safeguarding, but for industry creation and an awareness, furthered awareness with, with radon.

Senator San Agustin: Yes, because I like to see EPA being the top of the line, saying, 'hey, get this done.' He'll probably be having fun, saying I got five, six people more to start doing all the testing all over the island. Thank you. Thank You, Madame Chair.

Chairperson Perez: Thank You, Senator San Agustin. I guess another question, too, would be: what would it look like? So, and the one of the points that Walter had said out, that he would like to see a multi-agency coordination with other stakeholder agencies, such as GDOE, Department of Public Health and Social Services, and DPW. So, are you looking at permitting, the permitting process? Or what part are you looking at, there?

Mr. Gutierrez: Well, prior to myself coming, and I provided information to our PIO, basically, I personally did not know the extent of the testing that needed to be done. Working with Public Health we can identify all of the childcare centers, how many of them are there, that we need to test; working with DOE, you can identify all the schools; how many schools that need to be tested, you know, how many classrooms there are there. And the reason we want standards is because when it comes to, well we go with NRPP, because we were grant-funded by them. But they have national standards for testing of homes, residential buildings, and multi-story buildings, large school buildings, and then they, it basically spells out how to do testing and how to do the, how to look at these places and then, and decide how the testing will be done according to how these buildings are constructed. The only reason we wanted a national standard is because we want a level playing field, because if somebody's not certified, certified by a state and comes in, and they're sort of taking standard, it's not the same as NRPP or the National Radon Safety Board. We don't know if the results that they're giving their customers or the people that are being tested are accurate. So, we want them to be across the board. That's the only reason we're trying to put a

national standard, or a standard. Something equivalent to that. I spoke to the PIO, it's either the NRPP standard, the National Radon Safety Board, or state equivalent standard. So that everybody is in the same level playing field. That's the only reason for the national standard. As for the testing, itself, we just need a greater information in order to determine if Guam EPA is gonna do this. What kind of universe is out there, that we're gonna actually have to test, so we know what kind of staff that we need to do this, and accomplish this within the two years. And then, as a reporting mechanism to ensure that the enforcement is done, we don't regulate schools and we don't regulate daycares, Public Health does. Every time they come in to get their permit every year, check box: do you, did you have a test within the last five years for radon? Did you have a test with two years for your mitigation system? You know, things like that. That's the reason why we're asking for collaboration. And as part of the whole thing is that, and like I said, I, I apologize for not having the information to give you today, in regards to how much it's going to cost to test all these schools and childcares. But if BBMR has a breakdown, we can provide that information.

Chairperson Perez: Yeah, thank You, Mr. Gutierrez. I just emailed that to both of you.

Mr. Gutierrez: Okay, thank you.

Chairperson Perez: So, I'm looking forward to seeing your, your response.

Mr. Gutierrez: Okay.

Mr. Lee: Oh, and we do have a conference call this Wednesday, that we want to invite you to,

Chairperson Perez: Yes.

Mr. Lee: For radon with USEPA.

Chairperson Perez: Yes.

Mr. Lee: We'll send you...

Mr. Gutierrez: I've already, she's already.

Chairperson Perez: Okay.

Mr. Gutierrez: We were supposed to have it before this hearing, but it fell through.

Chairperson Perez: Okay, great. Thank you very much. Is there anybody else that would like to testify on Bill-168? If not, this concludes this portion of the agenda, and thank you so much for being here, today, and working to provide testimony.

Written Testimonies:

- Corey Chun, *American Cancer Society, Cancer Action Network, Hawaii Pacific Region*
- Bill Hagen, *Pacific Solar and Photovoltaics/Pacific Pest Control*

- Catherine M.R. Castro
- Walter Leon Guerrero, *Administrator, Guam Environmental Protection Agency*

III. FINDINGS AND RECOMMENDATION

The Committee on Environment, Revenue and Taxation, and Procurement finds the following support and recommendations for Bill No. 168-35 (COR), based on the testimony submitted at the public hearing:

- The American Cancer Society Cancer Action Network (ACS CAN) supports Bill No. 168-35 (COR). They note that radon contributes to 15,000 to 22,000 deaths per year, 10 percent of which are non-smokers. They also add that radon emits high-energy radiation that damages lung epithelia, increasing the mutation rates in DNA and increasing the risk of lung cancer. ACS CAN urges legislation which reduces the potential health threat posed by radon by implementing public awareness campaigns and requiring disclosure of radon levels by builders, homeowners, schools, and daycare facilities.
- Mr. Hagen supports Bill No. 168-35 (COR). Mr. Hagen is nationally certified to test for, and mitigate, radon. He shares that the US Military on Guam has retrofitted all their housing units with radon mitigation systems. He further states that testing for excessive radon is simple and non-disruptive and the results, after confirmation, should be made public when dealing with public buildings and spaces. He shares that private contractors on Guam, including himself, can complete radon tests and provide results in as little as three days. He also notes that 21,000 people die in the US annually from radon exposure. He suggests line 1, page 2, in the findings and intent, should mention testing first before mitigation, in order to clarify how mitigation comes after proper testing.
- Ms. Castro supports Bill No. 168-35 (COR). She shares that lung cancer is the most common form of cancer in the world, as well as on Guam, and is a dangerous form of cancer with a low survival rate. She adds that radon is the second leading cause of lung cancer, and the odorless and colorless gas is particularly dangerous for growing children for whom exposure to radon can have a greater negative impact. She prays that the bill will pass, and believes it will help lower incidences of disease and prolong lives. She views these types of policies as allowing Guam's people to live in an environment that is both healthy and safe.
- The Guam Environmental Protection Agency agrees with the legislative findings and intent of Bill No. 168-35 (COR). The Agency has spent a great deal of time and resource to attain both an accredited radon laboratory and certification for staff to train others in radon measurement and mitigation. Guam EPA adds that, beyond the scope of the bill, there are additional measures that could be taken to help them enforce radon safety. They would like for local statutes to standardize the nationally recognized programs, and as such, they recommend mirroring or adopting the standards of the National Radon Proficiency Program into law. They also advocate for inter-agency collaboration, and addressing radon mitigation in future editions of Guam's building code. The Agency also emphasizes the

need for adequate funding, as the GEPA Air Program is already tasked with numerous mandates. Lastly, GEPA is encouraged by the efforts encapsulated by the bill, and they would like to assist with feedback on this and future legislation.

The Committee appreciates GEPA's additional input and acknowledges that many of these recommendations are planned for inclusion in an upcoming radon bill being authored by the Chair with the help of GEPA.

The Fiscal Note by BBMR notes there are 37 public schools, 4 DOD schools, 36 private schools, and 26 licensed child care facilities on Guam. It estimates it will cost \$27,000 to test all these facilities. Of this \$27,000, GovGuam will incur the costs of public schools and child care facilities, which are \$11,100 and \$3,900 respectively (respectively \$5,500 and \$1,950 per year for two years). These amounts are similar to those estimated by Mr. Hagen during the public hearing, when he stated it would cost between \$500 - \$1000 to test the average school. Mr. Hagen's business provides radon testing and he is nationally certified.

In subsequent communications with the Committee, GEPA has shared that BBMR's estimates may be low. GEPA believes there are 37 public schools and 53 child care facilities, and that it will cost GovGuam \$135,500 to test them all over a two-year period (\$62,800 per year for two years to test all public schools, and \$4,950 per year for two years to test all childcare facilities). They also estimate it will cost \$2,000 for each private school to conduct their own testing.

The Committee finds that, to test all public schools and child care facilities, GovGuam will need to budget between \$7,450 (BBMR estimate) and \$67,750 (GEPA estimate) per year for the first two years following enactment of this bill into public law. Afterwards, when testing is required every five years instead of every two, it will cost GovGuam between \$2,980 (BBMR estimate) and \$27,100 (GEPA estimate) per year to periodically test all existing public schools and child care facilities.

If GovGuam finds that any public schools have dangerous levels of radon, it will cost between \$900 (BBMR estimate) and \$2,500 (GEPA estimate) to mitigate radon in an area of ~2,000 square feet to safe levels; not all classrooms will necessarily show the same level of radon. These costs are difficult to predict, and they are not obligated by this legislation, but presumably GDOE will seek to mitigate the danger once found. As such, relevant appropriations will need to be addressed once test results are determined. Additionally, GEPA will need additional personnel to assist with test completion. The Committee advocates for this in the upcoming FY2021 budget, and will also seek new legislation authorizing a GDOE STEM program to conduct testing in public schools, and an internship program to train GEPA interns to conduct field radon tests at schools and child care facilities.

The Committee finds that it is more cost-effective to incorporate radon mitigation systems into new construction, rather than to retrofit after construction is complete. GEPA estimates it will cost 50% less to incorporate radon mitigation systems into new school construction rather than to wait and retrofit a school after construction. GEPA also strongly advises requiring radon mitigation for all school construction, even in the Southern part of Guam in which radon is less prevalent. This is because back-fill used in construction can be sourced from anywhere, and such back-fill can

itself produce radon. According to GEPA, local examples exist in which back-fill caused a newly constructed structure to register high levels of radon (this situation even occurred with a DoD school before they began requiring all military facilities on Guam, both new and old, to incorporate radon mitigation systems).

The Committee also finds that radon has previously been identified as an environmental risk to Guam's children. Public Laws 20-184, 21-27, and 21-62 were adopted to create a "Radon Contamination Task Force" and to allocate funds to test all public schools. The results of these tests have been lost, and also would no longer be valid as cracks may develop over time in a foundation to allow radon into a building.

Based on information provided during the Public Hearing, the Committee has made changes to the introduced version of Bill No. 168-35 (COR). Minor grammatical and numbering edits were made to improve clarity without changing the substance of the bill. In addition, the following substantive changes were made to the bill:

- The term "licensed" was removed from "licensed child care facility" throughout the bill. By referring to just "child care facility," the bill now makes clear that the rules established therein shall apply to all child care facilities, even those that are unlicensed or pending licensure.
- A definitions section was added to the beginning of the Article, to clarify the use of the terms "child care facility" and "school." These definitions were taken from 10 GCA § 25101(a) and (c).
- In Subsection (a), an additional sentence was added to clarify that GEPA may require additional testing, possibly after renovations or changes to HVAC systems, if the Agency believes it is needed to provide a more current measurement of radon in the facility.
- In Subsections (c) and (d), references to testing and mitigation needing to meet standards "listed" "prescribed" and "approved" by GEPA were removed. Instead, a new Subsection (f) was added to clarify that current ANSI/AARST National Consensus Standards, or an equivalent publication as determined by Board of Directors of the Guam Environmental Protection Agency, must be followed. This was a recommendation by GEPA, and the language of Subsection (f) allows for future updates should industry standards change.
- In Subsection (d), language previously required that, following discovery of dangerous levels of radon (exceeding 4 pCi/L), a school or child care facility must mitigate radon to a "level determined acceptable by the school authority." This language was changed to clearly state that mitigation should reduce radon to "a safe level of four picocuries per liter of air (4 pCi/L) or lower." This was done to remove ambiguity, and clarify that mitigation must reduce radon to below the nationally recognized level for unhealthy amounts of radon. In this section, language was also added that "Guam Environmental Protection Agency may require, at its discretion, additional testing to measure whether radon has been mitigated to safe levels," to clarify that Guam EPA may require follow-up testing to ensure that mitigation efforts worked.

- A new Subsection (e) was added, and the old Subsection (e) was changed to Subsection (f). The new Subsection (e) addresses a concern of Guam EPA, that the bill lacked clear enforcement actions. With this new subsection, a school or child care facility will need to provide documentation that its facilities are safe from dangerous levels of radon whenever applying for a sanitary permit at DPHSS.
- The old Subsection (f) found in the Introduced version of the bill, which related to GEPA collaborating with GDOE to seek federal grants, was moved to a new Section 3, and the term “grants” was replaced with “funding” to broaden the types of financial support that may be sought. Additional language was added to clarify that this Section shall not preclude other government agencies from seeking funding to support this Article, from sources within the federal government or elsewhere.
- In Section 4 (previously numbered as Section 3), relative to Needs Assessments, the term “estimated” was added to clarify that this effort does not require extensive expenditures to monitor and obtain exact numbers. The term “residency period” was clarified to “time spent indoors.” And, language was added to clarify that DOA and GEPA may conduct a survey to determine high-traffic, priority facilities, rather than having to go out and visit every site themselves.

The Committee finds that lung cancer is the most common form of cancer on Guam. Studies have also shown that radon is the second leading cause of lung cancer, and indoor accumulation above 4 pCi/L can be dangerous, particularly for children. Because radon is a colorless and odorless gas, testing is needed to ensure that children are not exposed to this radioactive carcinogen while at school or in child care facilities. The Committee further finds that the cost of testing and abating for radon is manageable, and such efforts are necessary to protect Guam’s children from cancer and other serious radon-related illnesses.

The Committee on Environment, Revenue and Taxation, and Procurement hereby reports out Bill No. 168-35 (COR), *As Amended by the Committee*, “**AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING TESTING AND MITIGATING RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND TO CONDUCT A NEEDS ASSESSMENT REGARDING RADON TESTING OF GOVERNMENT OF GUAM FACILITIES,**” with the recommendation to report out only.

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 168-35(COR)

Introduced by:

Sabina Flores Perez *SFP*
Tina Rose Muña Barnes *TRMB*
Kelly Marsh (Taitano), PhD *KM*

**AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45
OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE
TO MANDATING REGULAR TESTING AND
MITIGATION OF RADON IN SCHOOLS AND CHILD
CARE FACILITIES, AND INITIATE A NEEDS
ASSESSMENT OF GOVERNMENT OF GUAM
BUILDINGS**

2019 JUN 21 PM 4:12 *18*

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guåhan* finds that radon is a known carcinogen, considered by the United States Environmental Protection Agency (USEPA) as the second leading cause of lung cancer in the United States. A radioactive, colorless, and odorless gas, radon may also impede the function of other vital organs, such as the thyroid gland that produces hormones that control heart rate, blood pressure, body temperature, metabolism, and weight, according to recent studies. Radon, as a byproduct of decay of natural elements such as radium and uranium in rocks and soil, may enter buildings and other enclosed spaces and accumulate at concentrations above the USEPA recommended radon action level of 4 picocuries per liter of air (4 pCi/L). Historically, some private homes and public facilities, including schools, on Guam have tested for radon levels above the USEPA recommended action level.

1 *I Liheslaturan Guåhan* finds that regular mitigation and testing is necessary
2 to help ensure the protection of Guam’s citizens, and seeks to mandate regular testing
3 and mitigation of radon in schools and child care facilities, and initiate a needs
4 assessment of Government of Guam buildings.

5 **Section 2.** A new Article 3 is hereby *added* to Chapter 45 of Title 10, Guam
6 Code Annotated to read:

7 **“ARTICLE 3**

8 **RADON TESTING AND MITIGATION, REQUIRED**

9 **§ 45300. Radon Testing and Mitigation, Required**

10 All schools and licensed child care facilities shall regularly conduct
11 radon testing, and mitigate unsafe levels of radon, as outlined below:

12 (a) All schools and licensed child care facilities shall conduct radon
13 testing within two (2) years of passage of this Act or within one (1) year of
14 obtaining an occupancy permit, and at least every five (5) years thereafter. For
15 the purposes of this article, “schools” shall include all public and private
16 schools.

17 (b) Each entity shall maintain files of its radon test results and make
18 such files available for review, and shall report every radon test result to the
19 Guam Environmental Protection Agency within thirty (30) days of conducting
20 said test.

21 (c) No construction permit shall be issued for the construction of any
22 new school, except after submission to the Department of Public Works of
23 documentation sufficient to establish that the project plan incorporates
24 construction techniques to mitigate radon levels in the air of the facility in
25 accordance with the radon abatement measures listed by the Guam
26 Environmental Protection Agency.

1 (d) If radon is found in a school or licensed child care facility
2 exceeding four (4) picocuries per liter of air after repeated testing as
3 prescribed by the Guam Environmental Protection Agency, any industry
4 accepted mitigation technique approved by the Guam Environmental
5 Protection Agency shall be used to reduce the radon level to the level or below
6 the level determined acceptable by the school building authority.

7 (e) The Guam Environmental Protection Agency shall provide free
8 radon testing services to properly licensed child care facilities, for the
9 purposes of conducting radon testing and reporting on these results.

10 (f) The Guam Environmental Protection Agency shall collaborate
11 with Guam Department of Education to seek federal grants to assist in the
12 testing and mitigation of radon.”

13 **Section 4. Needs Assessment of Government of Guam Buildings.** The
14 Department of Administration, in collaboration with the Guam Environmental
15 Protection Agency, shall conduct a Needs Assessment of Government of Guam
16 buildings to determine which Government of Guam buildings are to be prioritized
17 for radon testing and mitigation, based on occupancy rate and residency period for
18 members of the public and government employees. This Needs Assessment shall be
19 conducted and transmitted to *I Liheslaturan Guåhan* and *I Maga'hågan Guåhan*
20 within six (6) months of passage of this Act.

21 **Section 5. Severability.** If any provision of this Act or its application to
22 any person or circumstance is found to be invalid or contrary to law, such invalidity
23 *shall not* affect other provisions or applications of this Act that can be given effect
24 without the invalid provision or application, and to this end the provisions of this
25 Act are severable.

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2019 (FIRST) Regular Session

Bill No. 168-35 (COR)

As Amended by the Committee on Environment,
Revenue and Taxation, and Procurement.

Introduced by:

Sabina Flores Perez
Tina Rose Muña Barnes
Kelly Marsh (Taitano), PhD

**AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 45
OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE
TO MANDATING TESTING AND MITIGATING RADON
IN SCHOOLS AND CHILD CARE FACILITIES, AND TO
CONDUCT A NEEDS ASSESSMENT REGARDING
RADON TESTING OF GOVERNMENT OF GUAM
FACILITIES.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that radon is a known carcinogen, considered by the United States Environmental
4 Protection Agency (USEPA) as the second leading cause of lung cancer in the United
5 States. A radioactive, colorless, and odorless gas, radon may also impede the
6 function of other vital organs, such as the thyroid gland that produces hormones that
7 control heart rate, blood pressure, body temperature, metabolism, and weight,
8 according to recent studies. Radon, as a byproduct of decay of natural elements such
9 as radium and uranium in rocks and soil, may enter buildings and other enclosed
10 spaces and accumulate at concentrations above the USEPA recommended radon
11 action level of 4 picocuries per liter of air (4 pCi/L). Historically, many private

1 homes and public facilities, including schools, on Guam have tested for radon levels
2 above the USEPA recommended action level.

3 *I Liheslaturan Guåhan* finds that regular testing and mitigation are necessary
4 to help ensure the protection of Guam’s citizens, and seeks to mandate regular testing
5 and mitigation of radon in schools and child care facilities, and initiate a needs
6 assessment of Government of Guam buildings.

7 **Section 2.** A new Article 3 is hereby *added* to Chapter 45 of Title 10, Guam
8 Code Annotated, to read:

9 **“ARTICLE 3**

10 **RADON TESTING AND MITIGATION**

11 **§ 45300. Definitions.**

12 For the purposes of this Article:

13 (a) “School” means any establishment, public or private, for the care and
14 education of students from kindergarten through grade twelve (12) and any college
15 or university or educational institution of higher learning.

16 (b) “Child care facility” includes, but is not limited to, all facilities defined
17 by the Department of Public Health and Social Services as family day care homes,
18 foster family homes, group day care homes, residential treatment facilities, day care
19 center, day nurseries, nursery school, kindergarten school, day care homes, or similar
20 institutions or units regardless of name.

21 **§ 45301. Radon Testing and Mitigation in Child Care Facilities and**
22 **Schools.**

23 All schools and child care facilities shall regularly conduct radon testing, and
24 mitigate unsafe levels of radon, as outlined below:

25 (a) All schools and child care facilities shall conduct radon testing within
26 two (2) years of passage of this Act or within one (1) year of obtaining an occupancy
27 permit, and at least every five (5) years thereafter. The Guam Environmental

1 Protection Agency may require additional testing of any school or child care facility,
2 including facilities having undergone renovation or changes to heating, ventilation,
3 and air conditioning (HVAC) systems, should the Agency believe that additional
4 testing may be needed to accurately measure the current amount of radon in the
5 facility.

6 (b) Each school and child care facility shall maintain files of its radon test
7 results and make such files available for review, and shall report every radon test
8 result to the Guam Environmental Protection Agency within thirty (30) days of
9 conducting said test.

10 (c) No construction permit shall be issued for the construction of any new
11 school, except after submission to the Department of Public Works of documentation
12 sufficient to establish that the project plan incorporates construction techniques to
13 mitigate radon levels in the air of the facility in accordance with subsection (g).

14 (d) If radon is found in a school or child care facility exceeding four
15 picocuries per liter of air (4 pCi/L) after testing, mitigation techniques shall be used
16 to reduce radon in the facility to a safe level of four picocuries per liter of air (4
17 pCi/L) or lower. The Guam Environmental Protection Agency may require, at its
18 discretion, additional testing to measure whether radon has been mitigated to safe
19 levels.

20 (e) Beginning three years following enactment of this Act, the Department
21 of Public Health and Social Services shall require each school and child care facility,
22 as part of the sanitary permit issuance or renewal process, to provide adequate
23 documentation that its facilities do not exceed four picocuries per liter of air (4
24 pCi/L). Such documentation shall, at minimum, consist of a recent letter produced
25 by the Guam Environmental Protection Agency that the school or child care facility
26 is in compliance with this Act.

1 (f) The Guam Environmental Protection Agency shall provide free radon
2 testing services to child care facilities, for the purposes of conducting radon testing
3 and reporting on these results.

4 (g) All testing, mitigation techniques, construction techniques and relevant
5 activities as prescribed by this Act shall be done in accordance with current
6 ANSI/AARST National Consensus Standards or an equivalent publication as
7 determined by Board of Directors of the Guam Environmental Protection Agency.”

8 **Section 3. Collaboration on Federal Funding Opportunities.** The Guam
9 Environmental Protection Agency *shall* collaborate with the Guam Department of
10 Education to seek federal funding to assist with the aims of this Article. This Section
11 shall not be construed as preventing any entity, either public or private, from seeking
12 federal funding to assist with the aims of this Article.

13 **Section 4. Needs Assessment of Government of Guam Buildings.** The
14 Department of Administration (DOA), in collaboration with the Guam
15 Environmental Protection Agency (GEPA), *shall* conduct a Needs Assessment of
16 Government of Guam facilities, including leased or owned, to determine which
17 facilities should be prioritized for radon testing and mitigation based on the risk
18 posed to members of the public and government employees. Such determination may
19 be based on occupancy rate, geographic location, or any factors that DOA and GEPA
20 determine effective. Said Needs Assessment shall include a general estimate of the
21 cost to provide testing for prioritized facilities. DOA and GEPA may conduct the
22 Needs Assessment through a survey distributed to management within the
23 Government of Guam, or through any other means DOA and GEPA determine
24 effective. This Needs Assessment *shall* be conducted and transmitted to *I*
25 *Liheslaturan Guåhan* and *I Maga'hågan Guåhan* within six (6) months of passage
26 of this Act.

1 **Section 5. Severability.** If any provision of this Act or its application to
2 any person or circumstance is found to be invalid or contrary to law, such invalidity
3 *shall not* affect other provisions or applications of this Act that can be given effect
4 without the invalid provision or application, and to this end the provisions of this
5 Act are severable.

COMMITTEE MARKUP

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN 2019 (FIRST) Regular Session

Bill No. 168-35 (COR)

As Amended by the Committee on Environment,
Revenue and Taxation, and Procurement.

Introduced by:

Sabina Flores Perez
Tina Rose Muña Barnes
Kelly Marsh (Taitano), PhD

AN ACT TO *ADD* A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING TESTING AND MITIGATING RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND TO CONDUCT A NEEDS ASSESSMENT REGARDING RADON TESTING OF GOVERNMENT OF GUAM FACILITIES.

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1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that radon is a known carcinogen, considered by the United States Environmental
4 Protection Agency (USEPA) as the second leading cause of lung cancer in the United
5 States. A radioactive, colorless, and odorless gas, radon may also impede the
6 function of other vital organs, such as the thyroid gland that produces hormones that
7 control heart rate, blood pressure, body temperature, metabolism, and weight,
8 according to recent studies. Radon, as a byproduct of decay of natural elements such
9 as radium and uranium in rocks and soil, may enter buildings and other enclosed
10 spaces and accumulate at concentrations above the USEPA recommended radon
11 action level of 4 picocuries per liter of air (4 pCi/L). Historically, many private

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1 homes and public facilities, including schools, on Guam have tested for radon levels
2 above the USEPA recommended action level.

3 *I Liheslaturan Guåhan* finds that regular testing and mitigation are necessary
4 to help ensure the protection of Guam’s citizens, and seeks to mandate regular testing
5 and mitigation of radon in schools and child care facilities, and initiate a needs
6 assessment of Government of Guam buildings.

7 **Section 2.** A new Article 3 is hereby *added* to Chapter 45 of Title 10, Guam
8 Code Annotated, to read:

9 **“ARTICLE 3**

10 **RADON TESTING AND MITIGATION**

11 **§ 45300. Definitions.**

12 For the purposes of this Article:

13 (a) “School” means any establishment, public or private, for the care and
14 education of students from kindergarten through grade twelve (12) and any college
15 or university or educational institution of higher learning.

16 (b) “Child care facility” includes, but is not limited to, all facilities defined
17 by the Department of Public Health and Social Services as family day care homes,
18 foster family homes, group day care homes, residential treatment facilities, day care
19 center, day nurseries, nursery school, kindergarten school, day care homes, or similar
20 institutions or units regardless of name.

21 **§ 45301. Radon Testing and Mitigation in Child Care Facilities and**
22 **Schools.**

23 All schools and child care facilities shall regularly conduct radon testing, and
24 mitigate unsafe levels of radon, as outlined below:

25 (a) All schools and child care facilities shall conduct radon testing within
26 two (2) years of passage of this Act or within one (1) year of obtaining an occupancy
27 permit, and at least every five (5) years thereafter. *The Guam Environmental*

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1 Protection Agency may require additional testing of any school or child care facility,
2 including facilities having undergone renovation or changes to heating, ventilation,
3 and air conditioning (HVAC) systems, should the Agency believe that additional
4 testing may be needed to accurately measure the current amount of radon in the
5 facility.

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6 (b) Each school and child care facility shall maintain files of its radon test
7 results and make such files available for review, and shall report every radon test
8 result to the Guam Environmental Protection Agency within thirty (30) days of
9 conducting said test.

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10 (c) No construction permit shall be issued for the construction of any new
11 school, except after submission to the Department of Public Works of documentation
12 sufficient to establish that the project plan incorporates construction techniques to
13 mitigate radon levels in the air of the facility in accordance with subsection (g).

14 (d) If radon is found in a school or child care facility exceeding four
15 picocuries per liter of air (4 pCi/L) after testing, mitigation techniques shall be used
16 to reduce radon in the facility to a safe level of four picocuries per liter of air (4
17 pCi/L) or lower. The Guam Environmental Protection Agency may require, at its
18 discretion, additional testing to measure whether radon has been mitigated to safe
19 levels.

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20 (e) Beginning three years following enactment of this Act, the Department
21 of Public Health and Social Services shall require each school and child care facility,
22 as part of the sanitary permit issuance or renewal process, to provide adequate
23 documentation that its facilities do not exceed four picocuries per liter of air (4
24 pCi/L). Such documentation shall, at minimum, consist of a recent letter produced
25 by the Guam Environmental Protection Agency that the school or child care facility
26 is in compliance with this Act.

1 (f) The Guam Environmental Protection Agency shall provide free radon
2 testing services to child care facilities, for the purposes of conducting radon testing
3 and reporting on these results.

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4 (g) All testing, mitigation techniques, construction techniques and relevant
5 activities as prescribed by this Act shall be done in accordance with current
6 ANSI/AARST National Consensus Standards or an equivalent publication as
7 determined by Board of Directors of the Guam Environmental Protection Agency.”

8 **Section 3. Collaboration on Federal Funding Opportunities.** The Guam
9 Environmental Protection Agency shall collaborate with the Guam Department of
10 Education to seek federal funding to assist with the aims of this Article. This Section
11 shall not be construed as preventing any entity, either public or private, from seeking
12 federal funding to assist with the aims of this Article.

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- Deleted: in the testing and mitigation of radon
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13 **Section 4. Needs Assessment of Government of Guam Buildings.** The
14 Department of Administration (DOA), in collaboration with the Guam
15 Environmental Protection Agency (GEPA), shall conduct a Needs Assessment of
16 Government of Guam facilities, including leased or owned, to determine which
17 facilities should be prioritized for radon testing and mitigation, based on the risk
18 posed to members of the public and government employees. Such determination may
19 be based on occupancy rate, geographic location, or any factors that DOA and GEPA
20 determine effective. Said Needs Assessment shall include a general estimate of the
21 cost to provide testing for prioritized facilities. DOA and GEPA may conduct the
22 Needs Assessment through a survey distributed to management within the
23 Government of Guam, or through any other means DOA and GEPA determine
24 effective. This Needs Assessment shall be conducted and transmitted to I
25 Liheslaturan Guåhan and I Maga'hågan Guåhan within six (6) months of passage
26 of this Act.

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1 **Section 5. Severability.** If any provision of this Act or its application to
2 any person or circumstance is found to be invalid or contrary to law, such invalidity
3 *shall not* affect other provisions or applications of this Act that can be given effect
4 without the invalid provision or application, and to this end the provisions of this
5 Act are severable.

Senator Régine Biscoe Lee
Chairperson

Senator Amanda L. Shelton
Vice Chairperson

Speaker Tina Rose Muña Barnes
Member

Vice Speaker Telena Cruz Nelson
Member

Senator Kelly Marsh (Taitano), Ph.D.
Member

Senator Sabina Flores Perez
Member



COMMITTEE ON RULES
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
35TH GUAM LEGISLATURE

Senator Clynton E. Ridgell
Member

Senator Joe S. San Agustin
Member

Senator Jose "Pedro" Terlaje
Member

Senator Therese M. Terlaje
Member

Senator James C. Moylan
Member

Senator Mary Camacho Torres
Member and Chair, Subcommittee on Protocol

July 2, 2019

MEMO

To: Rennae Meno
Clerk of the Legislature

From: Senator Régine Biscoe Lee
Chairperson, Committee on Rules

Re: Fiscal Notes

Buenas yan Håfa adai.

Attached, please find the fiscal notes for the following bills:

Bill No. 128-35 (COR)

Bill No. 168-35 (COR)

Please forward the same to Management Information Services (MIS) for posting on our website.

For any questions or concerns, please feel free to contact Mary Maravilla, Committee on Rules Director at 472-2461.

Thank you for your attention to this matter.



**Bureau of Budget & Management Research
Fiscal Note of Bill No. 168-35 (COR)**

AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING REGULAR TESTING AND MITIGATION OF RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND INITIATE A NEEDS ASSESSMENT OF GOVERNMENT OF GUAM BUILDINGS

Department/Agency Appropriation Information	
Dept./Agency Affected: Guam Environmental Protection Agency (GEPA)	Dept./Agency Head: Walter S. Leon Guerrero, Administrator
Dept./Agency Affected: Guam Department of Education (GDOE)	Dept./Agency Head: Jon P. Fernandez, Superintendent
Department's General Fund (GF) appropriation(s) to date: GEPA	-
Department's Other Fund (Specify) appropriation(s) to date: Air Pollution Control Fund - \$230,673, Guam Environmental Trust Fund - \$409,266, Pesticide Management Fund - \$133,038, Water Protection Fund - \$61,844, Water Research and Development Fund - \$67,811, Solid Waste Operation Fund - \$202,992, Tourist Attraction Fund - \$108,289 and Recycling Revolving Fund - \$2,895,965	4,109,878
Total Department/Agency Appropriation(s) to date: GEPA	\$4,109,878
Department's General Fund (GF) appropriation(s) to date: GDOE	201,672,430
Department's Other Fund (Specify) appropriation(s) to date:	28,696,511
Total Department/Agency Appropriation(s) to date: GDOE	\$230,368,941

Fund Source Information of Proposed Appropriation			
	General Fund:	Special Fund (specify)	Total:
FY 2018 Unreserved Fund Balance		\$0	\$0
FY 2019 Adopted Revenues	\$0	\$0	\$0
FY 2019 Appro. (P.L. 34-116 thru P.L. 34-162)	\$0	\$0	\$0
Sub-total:	\$0	\$0	\$0
Less appropriation in Bill	\$0	\$0	\$0
Total:	\$0	\$0	\$0

Estimated Fiscal Impact of Bill						
	One Full Fiscal Year	For Remainder of FY 2019 (if applicable)	FY 2020	FY 2021	FY 2022	FY 2023
General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Special Fund (specify)	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

- Does the bill contain "revenue generating" provisions? // Yes // No
- Is amount appropriated adequate to fund the intent of the appropriation? // N/A // Yes // No
If no, what is the additional amount required? // N/A
- Does the Bill establish a new program/agency? // Yes // No
If yes, will the program duplicate existing programs/agencies? // N/A // Yes // No
Is there a federal mandate to establish the program/agency? // Yes // No
- Will the enactment of this Bill require new physical facilities? // Yes // No
- Was Fiscal Note coordinated with the affected dept/agency? If no, indicate reason: // Yes // No
// Requested agency comments not received by due date // Other:

Analyst: Diana E. Pobre Date: 6/28/19 Director: [Signature] Date: JUL 01 2019
Diana Pobre, BMA III Lester L. Carlson, Jr., Deputy Director

Footnotes: See attached comments.

Bureau of Budget and Management Research
Comments on Bill No. 168-35 (COR)

The intent of Bill 168-35 (COR) is to mandate regular Radon Testing and Mitigation in schools and licensed child care facilities, and initiate a needs assessment of government of Guam buildings. All public and private schools, and licensed child care facilities shall conduct radon testing within two (2) years of passage of this Act or within one (1) year of obtaining an occupancy permit, and at least every five (5) years thereafter.

Bill 168 stipulates that the Guam Environmental Protection Agency (GEPA) provide free radon testing services to properly licensed child care facilities, for the purposes of conducting radon testing and reporting of these results. In addition, GEPA is to collaborate with the Guam Department of Education to seek federal grants to assist in the testing and mitigation of radon. The Bill also requires the Department of Administration (DOA) to collaborate with GEPA to conduct a Needs Assessment of Government of Guam buildings to determine which government of Guam building are to be prioritized for radon testing and mitigation.

The GEPA had announced per a January 2018 Guam Daily Post article, the completion of its radon lab and the goal of conducting an island-wide radon testing. Radon testing kits for residents were being prepared for distribution. GEPA had noted that it had 200 charcoal canisters to absorb the radon for testing but before the agency can distribute the cans, they must be baked for 24 hours. Its current oven can hold up to 50 cans at a time. In the free testing kit, residents will receive the cans, along with instructions sheet on how to deploy the can. Residents must open the can and expose it to the testing area for 48 hours, then close it and return it to GEPA to read the amount of radon decay. If the reading exceeds 4 pCi/L, the agency will recommend mitigation for the home or business. GEPA also stated that the agency provides current monitoring and hopes to expand its current radon program by incorporating a revolving loan fund in the future to receive more funding to defer the cost residents would have to pay to mitigate radon. Lastly, GEPA's radon testing efforts are funded by a \$100,000 grant from U.S. EPA. The funds also support the lab, as well as training for its staff.

If enacted, Bill 168 has a potential for additional funding impact on GEPA, GDOE, and all Department of Defense and private schools in Guam to provide regular radon testing and mitigation services.

The BBMR was not able to receive comments from GEPA on the estimated cost impact and requirements for Bill 168. In an effort to provide an estimate, the BBMR used data available from the internet for the average cost to provide radon testing and mitigation services, and information on the total number of schools and licensed child care facilities in Guam. The Short-Term Home Kits use charcoal for a passive reading and are similar to GEPA's radon testing kit description. These Kits cost between \$10 and \$30 at a hardware or general stores like Home Depot or Amazon. The costs to mitigate average \$800 to \$1,000 and are separate from testing.

The BBMR estimates the cost for providing radon testing to all Guam schools and licensed child care facilities at \$27,000 depending on the actual number of classrooms tested, and if

necessary, for mitigation services at \$25,750 should one-fourth of the number of schools are recommended for mitigation for a total estimated cost of at least \$52,750. See estimated cost impact as illustrated.

Estimated Cost for Radon Testing and Mitigation for Schools and Licensed Child Care Facilities Bill No. 168-35					
Schools / Child Care Facilities	No. of Schools	Estimate No. of Classrooms per School	Total No. Classrooms for Testing	Average Cost for Radon Testing Kits (\$10 - \$30)	Estimated Cost for Radon Testing
Public Schools (GDOE)	37	10	370	\$30.00	\$11,100.00
Public Schools (DOD)	4	10	40	\$30.00	\$1,200.00
Private Schools	36	10	360	\$30.00	\$10,800.00
Licensed Child Care Facilities	26	5	130	\$30.00	\$3,900.00
Subtotal	103	35	900	\$120.00	\$27,000.00
Schools / Child Care Facilities	1/4 No. of Facilities			Average Cost for Mitigation Services (\$800 - \$1000)	Estimated Cost for Mitigation
Public Schools (GDOE)	9			\$1,000.00	\$9,250.00
Public Schools (DOD)	1			\$1,000.00	\$1,000.00
Private Schools	9			\$1,000.00	\$9,000.00
Licensed Child Care Facilities	7			\$1,000.00	\$6,500.00
Subtotal	26			\$4,000.00	\$25,750.00
Total Estimated Cost					\$52,750.00



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÁHAN

35TH GUAM LEGISLATURE

COMMITTEE VOTE SHEET

Bill No. 168-35 (COR), As Amended by the Committee on Environment, Revenue and Taxation, and Procurement – “AN ACT TO ADD A NEW ARTICLE 3 TO CHAPTER 45 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO MANDATING TESTING AND MITIGATING RADON IN SCHOOLS AND CHILD CARE FACILITIES, AND TO CONDUCT A NEEDS ASSESSMENT REGARDING RADON TESTING OF GOVERNMENT OF GUAM FACILITIES.” Introduced by: Sabina Flores Perez, Tina Rose Muna Barnes, Kelly Marsh Taitano, PhD

COMMITTEE MEMBERS	SIGNATURE AND DATE	TO DO PASS	TO NOT PASS	TO REPORT OUT ONLY	TO ABSTAIN	TO PLACE IN INACTIVE FILE
SENATOR SABINA FLORES PEREZ Chairperson	<i>SFP</i> <i>2/21/2020</i>	✓				
SENATOR THERESE M. TERLAJE Vice Chairperson						
VICE SPEAKER TELENA CRUZ NELSON Member	<i>[Signature]</i> <i>2/21/20</i>			✓		
SPEAKER TINA ROSE MUÑA BARNES Member	<i>[Signature]</i> <i>02/21/20</i>	✓				
SENATOR KELLY G. MARSH (TAITANO), Ph.D. Member	<i>[Signature]</i>			✓ <i>2/21/2020</i>		
SENATOR TELO T. TAITAGUE Member						
SENATOR MARY CAMACHO TORRES Member						



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

I MINA TRENDAI SINGKO NA LIHESLATURAN GUÅHAN

35TH GUAM LEGISLATURE

PRESS RELEASE

Senator Perez Introduces Two Bills to Combat Cancer-Causing Radon

Guam, June 24, 2019 – On Friday, Senator Sabina Perez introduced two bills addressing radon-associated cancer risks on Guam. Bill 168-35 aims to protect children by requiring radon testing and mitigation in school and child care facilities, and Bill 169-35 requires information about radon, including testing results, be provided upon the sale of residential real property.

Radon is a naturally occurring radioactive gas and a known carcinogen, considered by United States Environmental Protection Agency (USEPA) as the second leading cause of lung cancer in the United States. A colorless and odorless gas, it is produced through the breakdown of natural elements, such as uranium and radium, present in rocks and soils.

Historically, dangerous levels of radon have been measured on Guam. Some residential properties have recorded levels as high as 143 picocuries per liter of air (pCi/L), far above the USEPA's recommended action level of 4 pCi/L. The accumulation of indoor radon gas is associated with geological formations of karstic limestone, predominant in northern Guam. "Nearly two-thirds of our island's population resides in northern Guam in areas with a higher risk of radon exposure," said Senator Perez.

Buildings that are constructed in these areas are susceptible to increased concentrations of radon, as the gas may enter these dwellings through structural pores and cracks. "According to USEPA, indoor radon ranks among the most serious environmental health problems facing us today," said Senator Perez. In addition to lung cancer, long-term exposure to radon increases the risk of thyroid cancer, which may affect blood pressure, body temperature, metabolism, and weight.

Bill 168-35, co-sponsored with Speaker Muña Barnes and Senator Marsh (Taitano), mandates all schools and childcare facilities to regularly conduct radon testing and mitigate any dangerous results. "The threat of indoor radon on our children is completely preventable," said Senator Perez. "Therefore, it is essential that testing is regularly conducted to ensure that indoor radon levels do not reach hazardous concentrations, and mitigation techniques are utilized when appropriate," she added. The bill also requires the Department of Administration, in collaboration with GEPA, to conduct a needs assessment of all GovGuam buildings with the aim of identifying additional high priority public buildings to test for radon.

Bill 169-35, co-sponsored with Senator Taitague, Speaker Muña Barnes, Senator Marsh (Taitano), and Senator Moylan, requires a selling broker to notify a purchaser of any radon test results upon the sale of residential real property. "By providing access to this information, we can empower families to make an educated decision concerning their health and safety," said Senator Perez. The bill also requires the Guam Environmental Protection Agency to develop



OFFICE OF SENATOR SABINA FLORES PEREZ

Chairperson

Committee on Environment, Revenue and Taxation, and Procurement

I MINA TRENTAI SINGKO NA LIHESLATURAN GUÁHAN

35TH GUAM LEGISLATURE

information regarding potential hazards of radon exposure, as well as radon testing and mitigation techniques, for the selling broker to provide to the purchaser of the property.

Both bills aim to increase community awareness of radon in private homes and public facilities, and strengthen local agencies to protect our community and youth. "The potential health effects of radon poses a major concern for our island. Bills 168-35 and 169-35 will help protect our citizens, especially children, from the consequences of continuous exposure to high levels of radon," said Senator Perez.

Terry Cuabo, Executive Director of Guam Cancer Care stated, "Radon and its ability to cause lung cancer is frightening. As a government and as a community, we need to take a proactive approach in pushing initiatives to curtail environmental issues relating to cancer."

###