

April 8, 2019

The Honourable Patricia A. Hajdu
Minister of Employment, Workforce Development and Labour
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Honourable Minister,

Re: *Canada Labour Code Reference Level for Radon*

We write concerning the long overdue revision for the radon reference level in the *Canada Labour Code* (CLC). As you will know, the previous federal government and your government have repeatedly promised, since at least 2013, to make this revision to the CLC but no action has yet been taken.

The Canadian Environmental Law Association (CELA) has extensive background in the scientific and policy issues related to radon. In a report published in 2014,¹ and updated work finalized last year,² CELA has canvassed policy and law concerning radon across Canada and in the European Union.

Updating the CLC Reference Level for Radon

As we noted three years ago with your predecessor, the Honourable MaryAnn Mihychuk, the current reference level, applicable to federal government employees and federally regulated workplaces, is 800 Becquerels per cubic metre (Bq/m³). This level is woefully out of date and four times higher than Health Canada's Radon Guideline reference level of 200 Bq/m³ for taking steps to mitigate radon exposure in indoor environments.

The CLC Reference Level for Radon is also out of step with the level of 200 Bq/m³ in the workplace-focused Naturally Occurring Radioactive Materials (NORM) Guidelines prepared by a Working Group of the Federal-Provincial-Territorial Radiation Protection Committee.

While the federal government has demonstrated important leadership on radon in multiple areas, public uptake of radon awareness messages remains a significant challenge and an ongoing priority for Health Canada. **The credibility of the federal government's work on radon is undermined by lack of action on the CLC Radon Reference Level.**

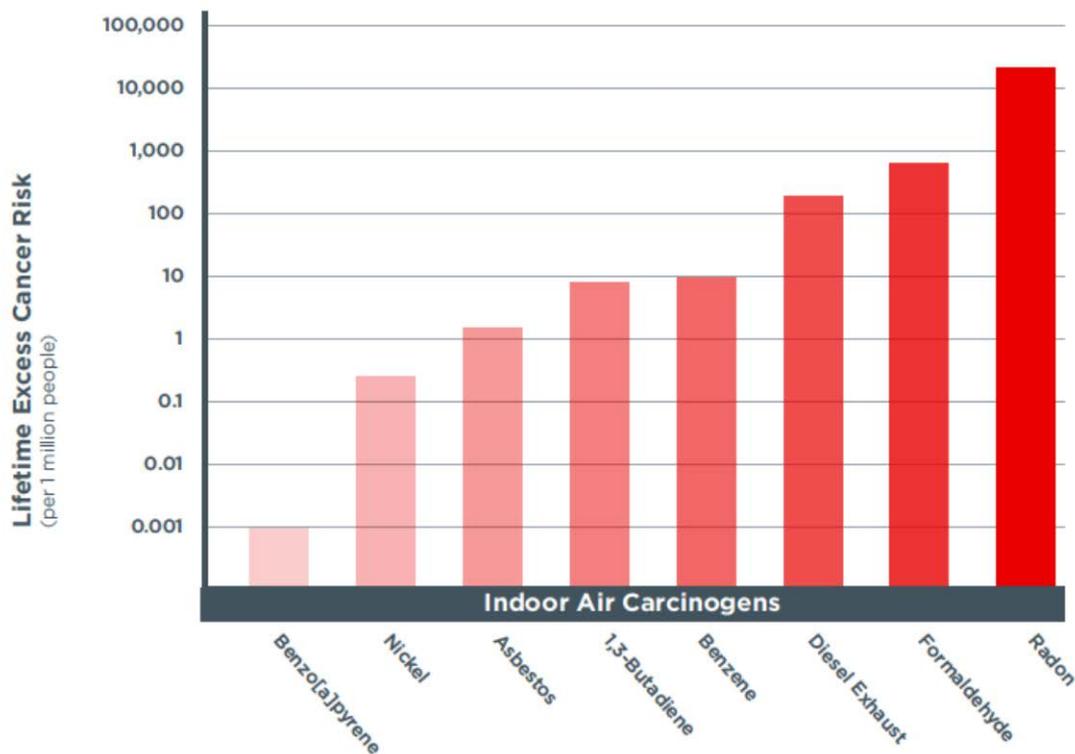
¹ Dunn B and K Cooper, 2014. Radon in Indoor Air: A Review of Policy and Law in Canada. Canadian Environmental Law Association. <http://www.cela.ca/publications/radon-indoor-air-review-policy-and-law-canada>

² Quastel, N., Siersbaek, M., Cooper, K. and Nicol A-M. 2018. Environmental Scan of Radon Law and Policy: Best Practices in Canada and the European Union. Toronto and Burnaby: Canadian Environmental Law Association and CAREX Canada. <https://www.cela.ca/publications/environmental-scan-radon-law-and-policy-best-practices-canada-and-european-union>

Radon Risk is Undeniable

Strong scientific evidence confirms that, after smoking, indoor radon exposure is the leading cause of lung cancer in Canada and lung cancer remains the leading cause of death from cancer for both men and women.

Health Canada's longstanding attention to radon is entirely appropriate given the relative importance of radon as a public health risk. As an environmental cancer agent radon is in a league of its own. When compared to four other carcinogens with the highest "lifetime excess cancer risk" in Canada, the cancer risk from radon is orders of magnitude greater than the next four including formaldehyde, diesel exhaust, and benzene (see graph below).



CAREX Canada risk estimates for indoor air carcinogens show that radon gas is the highest priority exposure in Canadian settings.

Setton E, et al. "Risk-based indicators of Canadians' exposures to environmental carcinogens." *Environ Health* 2013;12(1):15.



This evidence is as relevant to workplaces as it is to all other indoor environments. It is particularly relevant to federal workplaces and federally-regulated workplaces that are also located in areas of Canada known for high radon levels.

We urge you to immediately address this longstanding delay and revise the radon exposure limits in the Canada Occupational Health and Safety Regulation from 800 Bq/m³ to 200 Bq/m³, in line

with current scientific evidence and more up-to-date guidance provided in Health Canada's Radon Guideline reference level and the workplace-focused NORM Guidelines.

Yours very truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION



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About CELA

The Canadian Environmental Law Association is a public interest organization founded in 1970 for the purposes of using and improving laws to protect public health and the environment. Funded as a legal aid clinic specializing in environmental law, CELA represents individuals and groups in the courts and before administrative tribunals on a wide variety of environmental and public health matters. In addition, CELA staff members are involved in various initiatives related to law reform, public education, and community organization.