

# Rhode Island "Radon Control" proposed legislation

11 SECTION 35. Sections 23-61-4 and 23-61-8 of the General Laws in Chapter 23-61  
12 entitled "Radon Control" are hereby amended to read as follows:

13 23-61-4 Authority of the director. – The director is authorized to:

14 (1) Designate a unit within the department to administer the provisions of this chapter and  
15 provide that unit with the necessary staff, equipment, and operating funds.

16 (2) Receive and administer funding allocated for radon control programs by the state,  
17 agencies of the federal government and other appropriate funding sources.

18 (3) Require the owner of any public or high priority building to perform such tests for  
19 radon as he or she may determine to be necessary to characterize the exposure of occupants to  
20 radon/radon progeny in the air of the building and/or in the building water supply.

21 ~~(4) Require the owner of any residential property to perform tests for radon during real~~  
22 ~~estate transactions.~~

23 ~~(4)(5) Conduct a voluntary radon/radon progeny testing program for residents of owner~~  
24 ~~occupied residential dwellings in the state.~~

25 ~~(5)(6) Enter any public or high priority building in the state in accordance with §§ 23-61-~~  
26 ~~7(a)(1) and 23-61-7(b)(4) to perform such tests for radon as he or she may determine to be~~  
27 ~~necessary to evaluate the exposure of occupants to radon/radon progeny in the air of the building~~  
28 ~~and/or in the building water supply.~~

29 ~~(6)(7) Institute a public information program to include a telephone information service,~~  
30 ~~written materials, and media advertisements with the purpose of informing the public regarding~~  
31 ~~radon/radon progeny health effects, the necessity for testing of homes and other buildings, the~~  
32 ~~recommended practices for reducing elevated levels of radon and related issues.~~

33 ~~(7)(8) Develop and forward for adoption by the state building code commission~~  
34 ~~recommendations for standards of new construction designed to prevent or more easily mitigate~~

1 elevated radon/radon progeny levels.

2 ~~(8)~~(9) Issue regulations for the following purposes:

3 (i) To establish indoor environmental air exposure standards and guidelines for radon and  
4 radon progeny;

5 (ii) To establish a drinking water standard for radon;

6 (iii) To establish criteria for air and water sampling, and testing for radon and radon  
7 progeny;

8 (iv) To establish criteria for notification of the department of mitigation activities to  
9 reduce radon/radon progeny exposures in high priority buildings and public water supplies;

10 (v) To establish criteria for licensure and certification of persons involved in radon/radon  
11 progeny testing and mitigation services;

12 (vi) To require radon/radon progeny testing by appropriate school officials of each area  
13 within public and private schools occupied by children in pre-kindergarten through 12th grade;

14 ~~(vii) To require radon/radon progeny testing of residential properties, taking into~~  
15 ~~consideration health risk and previous test results, as an element of real estate transactions.~~

16 ~~(viii)~~(viii) To establish work practices and procedures for mitigation of radon/radon  
17 progeny in buildings;

18 ~~(ix)~~(ix) To establish procedures for notifications required by § 23-61-6;

19 ~~(x)~~ (x) To assess fees for activities authorized by this chapter.

20 ~~(9)~~(10) In promulgating standards, guidelines and regulations and in setting fees  
21 authorized by this chapter, the director shall:

22 (i) Give due consideration to recommendations, standards, guidelines and definitions of  
23 other states and the United States;

24 (ii) Shall follow the provisions of chapter 35 of title 42.

25 23-61-8 Establishment of fees. – A one-time surcharge shall be assessed on new  
26 residential construction, excluding renovations, at the rate of ~~one cent (\$0.01)~~ two cents (\$0.02)  
27 per square foot under roof floor space. This surcharge shall be collected by the local building  
28 official at the time an application for a building permit is submitted. The local building official  
29 shall collect the surcharge and remit the funds collected to the department on a quarterly calendar  
30 basis beginning no later than ~~October 31, 1992~~ October 31, 2007 for the preceding quarter, and  
31 continuing each third month thereafter. The local building official shall also submit, on the same  
32 calendar basis, documentation of all building permits for new residential construction issued  
33 during the previous calendar quarter. The unit of municipal government issuing the new  
34 residential construction building permits may retain five percent (5%) of the surcharge collected

1 to cover costs associated with the collection and remittance of the surcharge. All funds remitted to  
2 the department pursuant to this section shall be deposited in the general fund as general revenues.

3 SECTION 36. This article shall take effect as of July 1, 2007.