



**CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR PUBLIC HEALTH**

**Andy Beshear
Governor**

275 East Main Street, HS1GWA
Frankfort, KY 40621
502-564-3970
Fax: 502-564-9377
www.chfs.ky.gov/dph

**Eric C. Friedlander
Acting Secretary**

**Angela T. Dearing, MD
Commissioner**

NOTICE OF STATUTORY AMENDMENTS AND PROPOSED RULE MAKING

Dear Radon Measurement and Mitigation Contractor:

As follow-up to the notice from June 2019, this serves as a reminder that House Bill 420 passed by the 2019 General Assembly, and became effective June 2019. This legislation made several amendments to Kentucky Revised Statutes (KRS) 211.9101 through 211.9135.

The main statutory changes in House Bill 420 include the following:

- 1) Radon contractors and business entities will be required to be certified through either the National Radon Proficiency Program or the National Radon Safety Board to perform radon measurement, mitigation and laboratory analysis.
- 2) Radon contractors and business entities will be required to register biennially with CHFS and meet the requirements detailed in KRS 211.9109 (measurement), KRS 211.9111 (mitigation) and KRS 211.9115 (laboratory), which will include payment of a registration fee. This will replace the requirement that the contractor be certified annually by CHFS. Official guidance related to the application procedures for the registration of a radon contractor and/or business entity will be included in update regulations forthcoming.
- 3) Radon contractors and business entities will be required to adopt and follow written standard operating procedures (SOPs) established by a development organization accredited by the American National Standards Institute (ANSI) which describe in detail commonly accepted methods for the performance of radon measurement, mitigation and laboratory analysis. Effective June 2019, all radon measurement, mitigation and laboratory testing are required to be performed in accordance with the applicable ANSI SOP.

While the regulation associated with these statutes (902 KAR 95:040) is being amended to align with statute changes, the statute changes have been implemented and all radon measurement, mitigation and laboratory testing are to comply with the standards in the revised statutes. The website links to HB 420 and the Kentucky Radon Program's webpage are below. Updates on the implementation of revised regulations (once filed) will be posted on the program's webpage. For those without an internet connection, please contact the Kentucky Radon Program at (502)564-4856 to request the information that has been made available to all regulated entities.

Kentucky Radon Program Webpage: <https://chfs.ky.gov/agencies/dph/dphps/emb/Pages/radon.aspx>

House Bill 420: <https://apps.legislature.ky.gov/recorrdocuments/bill/19RS/hb420/bill.pdf>