

Minnesota Department of Health

Division of Environmental Health

REQUEST FOR COMMENTS

Possible Rules Governing Licensing of Radon Professionals, Revisor's ID Number R-4353

Subject of Rules. The Minnesota Department of Health requests comments on its possible rules governing licensing of radon professionals. The Department is considering rules that prescribe:

- Licensing requirements for radon measurement professionals, individual radon mitigators, radon mitigation companies and radon analysis labs;
- Collection of licensing fees for affected radon professionals;
- Appropriate work practices and standards of conduct for radon professionals;
- Tagging of installed radon systems;
- Education requirements for radon professionals;
- Approval of radon education courses and course providers;
- Information that radon professionals will be expected to report to the Department;
- The Departments compliance assurance and rule enforcement procedures; and
- Other details needed to accomplish the items listed above.

Note: The Department published a request for comments on these possible rules in the *State Register* on August 17, 2015. We are publishing this second request because the 2016 Minnesota Legislature amended the Radon Licensing Act, Minnesota Statutes section 144.4961. These statutory revisions will minimally affect the content of rules that the Department will propose.

Persons Affected. The rules would likely affect radon measurement professionals, radon mitigation contractors, radon testing labs, home inspectors, homeowners and local public health agencies.

Statutory Authority. *Minnesota Statutes*, section 144.4961, subdivision 3, requires the Department to “adopt rules establishing licensure requirements and work standards relating to indoor radon in dwellings and other buildings, with the exception of newly constructed Minnesota homes”.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department has convened an advisory committee to comment on the possible rules.

Rules Drafts. The Department has prepared a preliminary draft of the possible rules which is available on the agency's web site at:

<http://www.health.state.mn.us/divs/eh/indoorair/radon/rulemaking/rulesindex.html>

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to: Joshua Kerber at Minnesota Department of Health, Indoor Air Unit, telephone: (651)201-5613, or email: Joshua.kerber@state.mn.us.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: July 5, 2016

Thomas P. Hogan, Director
Environmental Health Division
Minnesota Department of Health