

Amendments to LD 1232: **An Act to Require Radon Testing for Certain Commercial and Residential Construction**

Possible New Title (not sure that's allowed) An Act to Amend Radon Mitigation and Testing Requirements for New Commercial and Residential Construction.

1) Improve radon data tracking:

Radon testing and mitigation data reported to the Maine CDC for purposes of health data tracking must include the following additional information (fields):

- New residential construction
- New commercial construction
- Residential property testing as part of a real estate transfer
- Commercial property as part of a real estate transfer

Are there other fields we could track here that would be helpful to CDC?

2) All new residential and commercial construction must install radon preventive features which are designed and installed by a Registered Radon Mitigator registered with the Maine State Radon Section at the Maine CDC.

- Residential mitigators must follow the design and installation standards already adopted as code in the MUBEC (ASTM E-1465-08) for new residential construction
- Large building mitigators must follow the design and installation standards approved/recommended by the Maine State Radon Section within the Maine CDC

Exemptions: Use of a registered radon mitigator to design and install radon preventive features in new residential and commercial construction does not apply if:

- a) There is no registered radon mitigator within 90 miles of the new building construction site, in which case the contractor or their designee may design and install the radon preventive features as long as they follow applicable standards: the MUBEC for residential construction (ASTM E-1465-08), and the ANSI/AARST standard CC-1000: Soil Gas Control System in New Construction of Multi-Family, School, Commercial, and Mixed Use Buildings *(alternatively say a design/install standard adopted by the Maine State Radon Section of the Maine CDC – this way the CDC has control over which standard applies and we don't have to keep coming back to the legislature each time the standard*

gets updated)

b) New residential construction that is performed by a homeowner acting as the general contractor and who provides more than 50% of the labor for framing and finishing the structure.

c) (should there be an exemption for large unoccupied spaces (warehouses, potato barns, etc.?)

3) All newly constructed buildings must have radon levels of less than 4.0 picocuries per liter before a certificate of occupancy can be issued.

- Per existing state law, only registered radon testers may conduct the radon assessments for newly constructed residential and commercial buildings.

Radon Permits

All new residential and commercial construction requiring a building permit must also receive a radon permit. Municipalities may choose whether to incorporate the radon permitting language into an existing permit, or create a new permit process. The radon permit must include compliance with the requirements for design, construction, and testing of radon preventive systems by registered radon professionals in accordance with state-adopted standards and this section.

Violations

Municipalities shall be given the authority to set and collect penalties for violations of this section.

Revised Summary:

This bill amends state laws around radon system design and installation:

- 1) All new residential and commercial construction in Maine must incorporate radon preventive construction features;

- 2) Only Maine registered mitigators may design and install radon preventive construction features in accordance with standards already in code (MUBEC) or standards adopted by the Maine State Radon Section at the Maine CDC.
- 3) All newly constructed buildings must have a radon level of less than 4.0 picocuries per liter before a certificate of occupancy can be issued
- 4) All new residential and commercial construction requiring a building permit must also receive a radon permit