

FILED APR 13 1989

Environmental Energy Utilities

DO PASS 4-20-89

SENATE FILE 522

House energy + (P. 584)
environmental protection

BY HUTCHINS AND HULTMAN

DO PASS 5-3-89 (P. 239W)

Passed Senate, Date 4-24-89

Passed House, Date 5-4-89 (P. 245)

Vote: Ayes 48 Nays 0

Vote: Ayes 88 Nays 5

Approved May 26, 1989

A BILL FOR

1 An Act relating to radon testing and abatement, and making a
2 penalty applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 522

1 Section 1. Section 136B.1, Code 1989, is amended to read
2 as follows:

3 136B.1 RADON TESTING AND ABATEMENT PROGRAM.

4 1. As used in this chapter, unless the context otherwise
5 requires, "department" means the Iowa department of public
6 health.

7 2. The department shall establish ~~a program~~ programs and
8 adopt rules for the certification of persons who test for the
9 presence of radon gas and radon progeny in buildings and for
10 the credentialing of persons abating the level of radon in
11 buildings.

12 3. Following the establishment of the certification
13 ~~program~~ and credentialing programs by the department, a person
14 who is not certified, as appropriate, shall not test for the
15 presence of radon gas and radon progeny, and a person who is
16 not credentialed, as required, shall not perform abatement
17 measures. This section does not apply to a person performing
18 the testing or abatement on a building which the person owns,
19 or to a person performing testing or abatement without
20 compensation.

21 4. For the purposes of this section, radon abatement
22 systems shall be classified as mechanical ventilation systems.

23 Sec. 2. Section 136B.2, subsection 2, Code 1989, is
24 amended to read as follows:

25 2. A person certified or credentialed pursuant to section
26 136B.1 shall, within thirty days of the provision of any radon
27 testing services or abatement measures or at the request of
28 the department prior to testing or abatement, disclose to the
29 department the address or location of the building, the name
30 of the owner of the building where the services or measures
31 were or will be provided, and the results of any tests or
32 abatement measures performed.

33 Sec. 3. Section 136B.3, Code 1989, is amended to read as
34 follows:

35 136B.3 TESTING AND REPORTING OF RADON LEVEL.

1 The department shall from time to time perform inspections
2 and testing of the premises of a property to determine the
3 level at which it is contaminated with radon gas or radon
4 progeny as a spot-check of the validity of measurements or the
5 adequacy of abatement measures performed by persons certified
6 or credentialed under section 136B.1. Following testing the
7 department shall provide the owner of the property with a
8 written report of its results including the concentration of
9 radon gas or radon progeny contamination present, an
10 interpretation of the results, and recommendation of
11 appropriate action. A person certified or credentialed under
12 section 136B.1 shall also be advised of the department's
13 results, discrepancies revealed by the spot-check, actions
14 required of the person, and actions the department intends to
15 take with respect to the person's continued certification or
16 credentialing.

17 Sec. 4. Section 136B.4, unnumbered paragraph 1, Code 1989,
18 is amended to read as follows:

19 The department shall establish a fee schedule to defray the
20 costs of the certification program and credentialing programs
21 established pursuant to section 136B.1 and the testing
22 conducted and the written reports provided pursuant to section
23 136B.3.

24 EXPLANATION

25 This bill requires the credentialing of persons who provide
26 services to abate the level of radon in buildings. A person
27 providing abatement measures is required to disclose actions
28 taken within thirty days of the performance of the abatement
29 measures. The bill allows for spot-checking by the Iowa
30 department of public health of abatement measures taken. The
31 bill also makes existing penalties applicable.

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SENATE FILE 522
FISCAL NOTE

A fiscal note for SENATE FILE 522 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 522 requires the credentialing of persons who provide services to abate the level of radon in buildings. The bill allows spot-checking by the Department of Public Health of those performing radon abatement and allows the Department to establish a fee schedule for credentialing radon abaters.

ASSUMPTIONS:

1. Revenues will be generated by inspection fees, certification fees, and charges on radon abatement systems installed.

Certification Fee:	100 persons	X	\$ 50	=	\$ 5,000
Inspection Fee:	750 inspections	X	\$ 100	=	\$ 75,000
Surcharge fee:	4,500 systems	X	\$ 20	=	\$ 90,000
					=====
					\$170,000

2. Five FTE positions will be necessary for program operation.

SCAL EFFECT:

	<u>FY 1990</u>	<u>FY 1991</u>
<u>REVENUE</u>		
Fees	\$ 170,000	\$ 170,000
<u>EXPENDITURES</u>		
Salaries	\$ 133,500	\$ 140,175
Support	\$ 24,600	\$ 26,120
(FTE's)	(5.0)	(5.0)
Other - Equipment	32,000	550
Total	\$ 190,100	\$ 166,845
 <u>NET EFFECT</u>	 \$ <u>(20,100)</u>	 \$ <u>3,155</u>

Source: Department of Public Health

(LSB 4217xs, RRS)

FILED APRIL 24, 1989

BY DENNIS PROUTY, FISCAL DIRECTOR