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NOTICE OF STATUTORY AMENDMENTS AND PROPOSED RULE MAKING

As a result of recent legislation (House Bill 77 passed by the 2022 General Assembly and House Bill 420 passed by the 2019 General Assembly), several significant changes to Kentucky laws relating to radon contractors and business entities have been enacted within Kentucky Revised Statutes (KRS) 309.430 through 309.454. The main statutory changes enacted by the recent legislation include the following:

1. Effective July 2022, the Kentucky Board of Radon Safety was created and attached to the Kentucky Cabinet for Public Protection for administrative purposes. The Board is responsible for promoting the control of radon in the Commonwealth of Kentucky, including but not limited to developing and conducting programs for evaluation and control of activities related to radon, including laboratory analyses, measurement, and mitigation; designing and administering, or participating in the design and administration of, educational and research programs to ensure the citizens of the Commonwealth are informed about the health risks associated with radon; entering into agreements with any federal or state agency, political subdivision, postsecondary education institution, nonprofit organization, or other person or entity to assist with and administer grants received by the board; and, promulgating regulations to administer, coordinate, and enforce KRS 309.430 through 309.454.
2. Effective June 2019, radon contractors and business entities are required to be certified through either the National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB) to perform radon measurement, mitigation, or laboratory analysis.
3. Effective June 2019, radon contractors and business entities are required to adopt and follow written standard operating procedures (SOPs) established by a development organization accredited by the American National Standards Institute (ANSI) for radon measurement, mitigation, or laboratory analysis.

The Board anticipates the promulgation of regulations to administer, coordinate, and support KRS 309.430 through 309.454 to be completed in the coming months. **While promulgation of the regulations is being completed, all radon measurement, mitigation, and laboratory analysis are to comply with the revised statutes, including the certifications referenced in item 2 above and the SOPs referenced in line item 3 above.**

Additional information regarding the radon statutes can be found at the Kentucky Board of Radon Safety website: radon.ky.gov. Updates regarding the implementation of the regulations will be posted on the website, as they become available. For those without an internet connection, please contact the Board at 502-782-2782 to request the information that has been made available to all regulated entities.