

RADON REGULATIONS IN KENTUCKY 2002 - 2005

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OUTLINE

- Kentucky Statutes of importance
- Timeline of events before 2005 legislative session
- Current strategy

KRS 211.855

- **211.855 Cabinet's role as radon control agency for Commonwealth.**
- **(1) The Cabinet for Health and Family Services shall be the regulatory agency for the control of radon in the Commonwealth of Kentucky.**
- (2) The Cabinet for Health and Family Services shall develop and conduct programs for evaluation and control of activities related to radon including laboratory analyses, mitigation, and measurements.
- **Effective:** June 20, 2005
- **History:** Amended 2005 Ky. Acts ch. 99, sec. 381, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 322, effective July 15, 1998. -- Created 1992 Ky. Acts ch. 328, sec. 1, effective July 14, 1992.

TIMELINE

- **1992** - KRS 211-855 thru 211-858 were enacted. KRS requires CHFS to promulgate KAR's to certify radon testers, mitigators, and laboratories; to conduct inspections and environmental surveillance activities; and to collect fees.

TIMELINE

- **Oct 02** – Radon Coordinator was assigned to resurrect the development of radon regulations and assume program guidance.
- **Jan-Mar 03** – Radon coordinator drafted radon regulations.
- **Apr 03** - Submitted to Division of Public Health– no comments or action taken.

TIMELINE

- **Nov 03** – Met with Representative Hoffman on proposed radon legislation (HB 145 and HB 197) for upcoming session. HB 145 required the regulations KRS 811.856 mandated.

TIMELINE

- **Nov 03** - Taskforce authorized by Acting Director.
- **Jan – July 04** - Taskforce met 8 times. Members included:
 - Carl M. Tackett – Kentucky Association of Realtors
 - Juva Barber – Kentucky Home Builders Association
 - Kenny McLaughlin – Radon Solutions (Tester, Mitigator, Home Inspector)
 - Terry Flynn – Barren River District Health Department
 - Annie Britt – Lexington/Fayette County Health Department
 - Terry Slade – Department of Housing, Building, and Construction
 - Ed Lohr – Department for Public Health
- **Aug 04** – Taskforce completed work. All participating groups concur with final draft.
- **Sept 04** – Branch Manager completed review and forwarded draft to Division Director.

TIMELINE

- **Aug 05** – 902 KAR Chapter 95, Radon Definitions and Radon Certification regulation posted in the Administrative Register
- **Aug 05** – Public Hearing for comments on proposed regulation, Cabinet for Health and Family Service, Frankfort, KY
- **Oct 05** – Statement of conditions (notes and comments from public hearing) submitted to LRC.

TIMELINE

- **December 05** – Hearing by Administrative Regulatory Review Subcommittee (ARRC) A Senator motioned for regulations to be found deficient. It was seconded by a representative. The Representative was recorded in the minutes as “did not believe the state should establish this certification process”
- **January 06** - Regulation was withdrawn. Decision was made to withdraw regulation, as this would best avoid the possibility for KRS 211.855 – 211.858 (statutes) being removed.

STRATEGY AND FOCUS

- Putting more focus towards
 - Getting regulations in place
 - Identifying key leaders to communicate radon issues
 - Increasing RRNC
 - Targeting realtors, builders, and mitigators
 - Build local coalitions
 - Better data collection methods

RADON LUNG CANCER OVERLAY

