

SECOND REGULAR SESSION

# HOUSE BILL NO. 2730

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE APPELBAUM.

4387H.01I

JOSEPH ENGLER, Chief Clerk

## AN ACT

To amend chapter 324, RSMo, by adding thereto fourteen new sections relating to the licensing of radon industry professionals and businesses.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 324, RSMo, is amended by adding thereto fourteen new sections, to be known as sections 324.2000, 324.2005, 324.2010, 324.2015, 324.2020, 324.2025, 324.2030, 324.2035, 324.2040, 324.2045, 324.2047, 324.2050, 324.2055, and 324.2060, to read as follows:

**324.2000. As used in sections 324.2000 to 324.2060, unless the context requires otherwise, the following terms mean:**

**(1) "Alter", to change or modify a building or building design, or to revise, rather than repair, a mitigation system or mitigation system design;**

**(2) "Board of radon safety" or "board", the group of radon professionals representing radon business entities as well as nonradon professionals acting on behalf of the board to establish and implement standards, policies, protocols, and procedures in accordance with sections 324.2000 to 324.2060;**

**(3) "Building", any structure used or intended to be used for supporting or sheltering any use or occupancy;**

**(4) "Certified", meeting the certification requirements of a radon proficiency program for radon measurement or radon mitigation that is recognized by the United States Environmental Protection Agency;**

**(5) "Compensation", something of value given or received in exchange for radon measurement, mitigation, inspection, or laboratory analysis;**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 16           (6) "Direct supervision", on-site supervision by a certified person who accepts  
17 responsibility for ensuring compliance by his or her employees, subcontractors, or other  
18 designated agents with all applicable requirements under sections 324.2000 to 324.2060;
- 19           (7) "Division", the division of professional registration;
- 20           (8) "Laboratory analysis", the act of analyzing radon or radon progeny  
21 concentrations with passive measurement devices, the act of calibrating radon or radon  
22 progeny measurement devices, or the act of exposing radon or radon progeny  
23 measurement devices to controlled concentrations of radon or radon progeny;
- 24           (9) "Licensee", a person or business entity licensed by the board as a  
25 measurement professional, mitigation professional, radon mitigation inspection  
26 professional, or radon laboratory;
- 27           (10) "Measurement", the act of testing the air, water, or soil using an active or  
28 passive measurement device for the presence of radon or radon progeny in the indoor  
29 environment of a building;
- 30           (11) "Measurement device", any active or passive device approved by a radon  
31 proficiency program and used for the measurement of radon or radon progeny in air or  
32 water in the indoor environment of a building;
- 33           (12) "Measurement professional", a person certified by a radon proficiency  
34 program who provides radon measurement for compensation and who meets the  
35 requirements of section 324.2010;
- 36           (13) "Mitigation", the act of installing, repairing, or altering an active or passive  
37 system for the purpose, in whole or in part, of reducing the concentration of radon or  
38 radon progeny in the indoor environment of a building;
- 39           (14) "Mitigation professional", a person certified by a radon proficiency  
40 program who provides radon mitigation for compensation and who meets the  
41 requirements of section 324.2015;
- 42           (15) "Mitigation system", any active or passive system designed to reduce radon  
43 concentrations in the indoor environment of a building;
- 44           (16) "Person", an individual, corporation, association, or other legal entity;
- 45           (17) "Prescribed", promulgated by administrative regulation by the board;
- 46           (18) "Proficiency program", a national radon credentialing body that is  
47 currently recognized by the United States Environmental Protection Agency;
- 48           (19) "Radon", a naturally occurring radioactive element that is produced by the  
49 breakdown of uranium and exists as a colorless, odorless, and tasteless inert gas;
- 50           (20) "Radon laboratory", a business entity approved by a laboratory  
51 accreditation program recognized by the National Environmental Laboratory

52 Accreditation Program that provides laboratory analysis for compensation and meets  
53 the requirements of section 324.2025;

54 (21) "Radon mitigation inspection professional", a person certified by a radon  
55 proficiency program who provides inspection of radon systems for compensation and  
56 who meets the requirements of section 324.2020;

57 (22) "Radon progeny", any combination of the radioactive decay products of  
58 radon;

59 (23) "Research", board-approved scientific investigation that includes radon  
60 measurement, mitigation, inspection, or laboratory analysis;

61 (24) "Standard", a current written document developed and continuously  
62 maintained by a standards development organization accredited by the American  
63 National Standards Institute that describes in detail commonly accepted methods for  
64 the performance of certain tasks.

324.2005. 1. No person or business entity shall conduct radon measurement,  
2 mitigation, inspection, or laboratory analysis in this state after December 31, 2026, for  
3 compensation without the appropriate private certification and state licensing required  
4 under sections 324.2000 to 324.2060. The certification and licensing requirements of  
5 sections 324.2000 to 324.2060 shall not apply to any person or business entity before  
6 January 1, 2027.

7 2. No person or business entity shall advertise or claim to be a radon  
8 measurement professional, radon mitigation professional, radon mitigation inspection  
9 professional, or radon laboratory unless certified and licensed under sections 324.2000  
10 to 324.2060.

11 3. A radon business entity may engage in radon measurement, mitigation,  
12 inspection, or laboratory analysis if the owner or an employee associated with the radon  
13 business entity is a measurement or mitigation professional, radon mitigation inspection  
14 professional, or radon laboratory, as applicable, and performs or supervises the radon  
15 measurement, mitigation, inspection, or laboratory analysis work as applicable. Any  
16 business entity that employs these persons shall have a radon business entity license.

17 4. A measurement or mitigation professional directly in charge of measurement  
18 or mitigation activities within a radon business entity shall notify the board in writing  
19 immediately upon conclusion of the relationship with the radon business entity.

20 5. A person who owns or rents a single-family home and occupies it may test the  
21 home and install a radon mitigation system if such installation is in accordance with the  
22 applicable standard and the person certifies to the board that the use of a nonlicensed  
23 person will be disclosed upon the sale of the home.

24           **6. Any homeowner who receives a radon test kit from the state of Missouri or**  
25 **any nonprofit health-related organization or who purchases a radon test kit from any**  
26 **business in this state or online by mail order shall be exempt from the requirements of**  
27 **sections 324.2000 to 324.2060 as long as the test kit is for the homeowner's personal**  
28 **home only.**

29           **7. The board may authorize by regulation subcategories of measurement,**  
30 **mitigation, and inspection licensure to align with credentials that may be established by**  
31 **a proficiency program and specify related requirements and limitations.**

32           **8. The board may establish reciprocity arrangements with bordering states.**

**324.2010. 1. The board shall issue a measurement professional license, effective**  
2 **for a period of two years, to any person certified for measurement who:**

- 3           **(1) Completes an application and pays a fee prescribed by the board by rule;**  
4           **(2) Presents current proof of certification by a radon proficiency program; and**  
5           **(3) Furnishes evidence of a general liability insurance policy that satisfies the**  
6 **requirements of section 324.2035.**

7           **2. The board shall renew the measurement professional license, effective for a**  
8 **period of two years, of any person who:**

- 9           **(1) Completes a licensure renewal process and pays a fee prescribed by the**  
10 **board by rule;**  
11           **(2) Presents current proof of certification by a radon proficiency program; and**  
12           **(3) Furnishes evidence of a general liability insurance policy that satisfies the**  
13 **requirements of section 324.2035.**

14           **3. A measurement professional shall:**

- 15           **(1) Maintain certification by a radon proficiency program;**  
16           **(2) Ensure measurements are conducted in accordance with the applicable**  
17 **standard and administrative regulations;**  
18           **(3) Maintain a quality assurance plan in accordance with the standard for**  
19 **measurement systems quality assurance;**  
20           **(4) Ensure measurements are conducted by or under the direct supervision of a**  
21 **measurement professional;**  
22           **(5) Use or sell only measurement devices approved by the radon proficiency**  
23 **program that certifies the person;**  
24           **(6) Report all measurements as prescribed by the board; and**  
25           **(7) Ensure all laboratory analysis is conducted by a radon laboratory.**

**324.2015. 1. The board shall issue a mitigation professional license, effective for**  
2 **a period of two years, to any person certified for mitigation who:**

3           (1) Completes an application process and pays a fee prescribed by the board by  
4 rule;

5           (2) Presents proof of certification by a radon proficiency program; and

6           (3) Furnishes evidence of a general liability insurance policy that satisfies the  
7 requirements of section 324.2035.

8           2. The board shall renew the mitigation professional license, effective for a  
9 period of two years, of any person who:

10          (1) Completes a license renewal process and pays a fee prescribed by the board  
11 by rule;

12          (2) Presents current proof of certification by a radon proficiency program; and

13          (3) Furnishes evidence of a general liability insurance policy that satisfies the  
14 requirements of section 324.2035.

15          3. A mitigation professional shall:

16          (1) Maintain certification by a radon proficiency program;

17          (2) Ensure mitigations are conducted in accordance with the applicable  
18 mitigation standard and administrative regulations;

19          (3) Maintain a quality management plan in accordance with the applicable  
20 standard for mitigation quality assurance and control;

21          (4) Ensure all mitigation is conducted by or under the direct supervision of a  
22 mitigation professional;

23          (5) Report all mitigations as prescribed by the board; and

24          (6) Ensure all radon mitigation systems repaired or altered after December 31,  
25 2026, meet the applicable mitigation standard.

          324.2020. 1. The board shall issue a radon mitigation inspection professional  
2 license, effective for a period of two years, to any person certified for radon mitigation  
3 inspection who:

4           (1) Completes an application and pays a fee prescribed by the board by rule;

5           (2) Presents current proof of certification by a radon proficiency program; and

6           (3) Furnishes evidence of a general liability insurance policy that satisfies the  
7 requirements of section 324.2035.

8           2. The board shall renew the radon mitigation inspection professional license,  
9 effective for a period of two years, of any person who:

10          (1) Completes a licensure renewal process and pays a fee prescribed by the  
11 board by rule;

12          (2) Presents current proof of certification by a radon proficiency program; and

13          (3) Furnishes evidence of a general liability insurance policy that satisfies the  
14 requirements of section 324.2035.

15           **3. A radon mitigation inspection professional shall:**

16           **(1) Maintain certification by a radon proficiency program;**

17           **(2) Ensure inspections are conducted in accordance with the applicable standard**  
18 **and administrative regulations; and**

19           **(3) Report all inspections as prescribed by the board.**

**324.2025. 1. The board shall issue a radon laboratory license to any business**  
2 **entity approved for radon laboratory analysis that:**

3           **(1) Completes an application process and pays a fee prescribed by the board by**  
4 **rule;**

5           **(2) Presents proof of independent third-party accreditation; and**

6           **(3) Furnishes evidence of a general liability insurance policy that satisfies the**  
7 **requirements of section 324.2035.**

8           **2. The board shall renew the radon laboratory license of any business entity**  
9 **that:**

10           **(1) Completes a license renewal process and pays a fee prescribed by the board**  
11 **by rule;**

12           **(2) Presents current proof of approval by a radon proficiency program; and**

13           **(3) Furnishes evidence of a general liability insurance policy that satisfies the**  
14 **requirements of section 324.2035.**

15           **3. A radon laboratory shall:**

16           **(1) Maintain proof of accreditation by a laboratory accreditation program**  
17 **recognized by the National Environmental Laboratory Accreditation Program;**

18           **(2) Ensure all laboratory analysis is conducted in accordance with the applicable**  
19 **laboratory analysis standard;**

20           **(3) Maintain a quality control program plan in accordance with the applicable**  
21 **standard for performance criteria for measurement systems; and**

22           **(4) Report all laboratory analyses as prescribed by the board.**

**324.2030. 1. The board shall issue a radon business entity license, effective for a**  
2 **period of two years, to any business for which the application designates a responsible**  
3 **person and a licensed radon professional and for which a fee is paid.**

4           **2. The radon business entity shall notify the board of the transfer of the radon**  
5 **business entity license to another business entity within thirty days.**

**324.2035. 1. Each radon measurement professional, radon mitigation**  
2 **professional, radon mitigation inspection professional, and radon laboratory shall**  
3 **maintain an insurance policy in effect at all times during the licensure period that:**

4           **(1) Is issued by an insurance company or other legal entity permitted to transact**  
5 **insurance business in this state;**

6           (2) Provides for applicable liability coverage for measurement professionals,  
7 mitigation professionals, radon mitigation inspection professionals, and radon  
8 laboratories in an amount of at least five hundred thousand dollars per occurrence;

9           (3) Lists the board as a certificate holder of any insurance policy issued under  
10 this section; and

11           (4) States that cancellation or nonrenewal of the underlying liability insurance  
12 policy is not effective until the board receives written notice of the cancellation or  
13 nonrenewal.

14           2. A business entity may meet the requirements of this section on behalf of its  
15 employees.

          324.2040. 1. Licenses not renewed within thirty days after the renewal date shall  
2 lapse and shall be reinstated only upon the completion of the application process as  
3 prescribed by the board by rule.

4           2. A licensee shall report any change of information submitted during the  
5 application or renewal process in writing to the board within ten days of such change  
6 taking place. The board shall not be responsible for a licensee not receiving notices,  
7 communications, or other correspondence caused by a failure of the licensee to report  
8 changes.

          324.2045. 1. There is hereby established in the division the "Board of Radon  
2 Safety". The board shall:

3           (1) Promote testing for and mitigation of radon in this state;

4           (2) Develop and conduct programs for evaluation and control of activities  
5 related to radon, including laboratory analyses, inspection, measurement, and  
6 mitigation;

7           (3) Issue licenses to eligible certified persons or business entities;

8           (4) Maintain a public list of all persons or business entities licensed by the board;

9           (5) Design and administer, or participate in the design and administration of,  
10 educational and research programs to ensure citizens are informed about the health  
11 risks associated with radon;

12           (6) Enter into agreements with any federal or state agency, political subdivision,  
13 postsecondary education institution, nonprofit organization, or other person or entity to  
14 assist with and administer grants received by the board including, but not limited to, the  
15 Environmental Protection Agency's State and Tribal Indoor Radon Grants (SIRG)  
16 program;

17           (7) Prepare an annual budget for the use of moneys received by the board from  
18 the collection of fees, receipt of grants, and all other radon-related activities;

19           **(8) Collect or receive all fees and other moneys owed under sections 324.2000 to**  
20 **324.2060 and deposit all those moneys into the radon control fund established in section**  
21 **324.2047;**

22           **(9) Issue subpoenas only through the board's attorney and only under the**  
23 **authority of the board's general counsel;**

24           **(10) Record minutes of board meetings and proceedings, which shall be**  
25 **documented and made available for public inspection;**

26           **(11) Perform other duties and responsibilities relating to the topic of radon;**

27           **(12) Promulgate administrative regulations to administer, coordinate, and**  
28 **enforce sections 324.2000 to 324.2060;**

29           **(13) Establish and maintain personnel and information and communication**  
30 **systems, as necessary, to administer, coordinate, and enforce sections 324.2000 to**  
31 **324.2060; and**

32           **(14) Ensure compliance with sections 324.2000 to 324.2060 and initiate**  
33 **enforcement action.**

34           **2. Each member of the board shall be a citizen, a resident of this state or a**  
35 **resident of a state adjacent to this state, and a radon measurement professional or radon**  
36 **mitigation professional, except that licensure as such a professional shall be required**  
37 **only as described in this section.**

38           **3. The board shall consist of seven members as follows:**

39           **(1) Four members, who shall include two radon measurement professionals and**  
40 **two radon mitigation professionals, shall be appointed by the governor from a list of six**  
41 **names submitted to the governor by the Heartland Chapter of the Indoor Environments**  
42 **Association;**

43           **(2) One member shall be a representative of a public health organization and**  
44 **shall be appointed by the governor from a list of three names submitted to the governor**  
45 **by the Missouri Cancer Consortium;**

46           **(3) One nonvoting member shall be a representative of the home building**  
47 **industry and shall be appointed by the governor from a list of three names submitted to**  
48 **the governor by the Home Builders Association; and**

49           **(4) One nonvoting member shall be a real estate salesperson or broker licensed**  
50 **under chapter 339 and shall be appointed by the governor from a list of three names**  
51 **submitted to the governor by the Association of Realtors.**

52           **4. No business entity shall be represented by more than one professional on the**  
53 **board.**

54           **5. To be eligible for initial appointment as a member of the board under**  
55 **subsection 2 of this section, a person shall have been actively engaged in the practice of**



56 radon measurement, mitigation, inspection, or laboratory analysis for not less than  
57 three years immediately preceding the date of appointment to the board.

58       6. Upon expiration of the initial appointments, to be eligible for appointment as a  
59 member of the board under subsection 2 of this section, a person shall have been  
60 actively engaged in performing or managing the practice of radon measurement,  
61 mitigation, inspection, or laboratory analysis for not less than three years in this state  
62 immediately preceding the date of the appointment to the board and:

63       (1) Hold a valid license as a radon measurement professional or radon  
64 mitigation professional in this state; or

65       (2) Be associated with a licensed radon laboratory.

66       7. The governor shall initially appoint two voting members for a term of four  
67 years, two voting members for a term of three years, and one voting member for a term  
68 of two years. All appointments shall expire on June thirtieth of the last year of the  
69 appointee's term. Thereafter, voting members shall be appointed for terms of four  
70 years.

71       8. No person shall serve more than four consecutive terms. Members shall serve  
72 until their successors are appointed.

73       9. Upon recommendation of the board, the governor may remove any member of  
74 the board for poor attendance, neglect of duty, misfeasance, or malfeasance in office.

75       10. Vacancies in the membership of the board for any cause shall be filled by  
76 appointment by the governor for the balance of the unexpired term.

77       11. A majority of the voting members shall constitute a quorum to do business.  
78 The board shall meet at least once each calendar quarter and at other times deemed  
79 necessary by the chair or a quorum of the board after a minimum of ten days' notice at  
80 a location or teleconference designated by the chair or a quorum of the board.

81       12. The board shall elect a chair and a vice chair. The chair shall preside at all  
82 meetings at which the chair is present. The vice chair shall preside at all meetings in the  
83 absence of the chair. If the chair and vice chair are absent from a meeting of the board  
84 when a quorum exists, the members who are present may elect a presiding officer to  
85 serve as acting chair until the conclusion of the meeting or until the arrival of the chair  
86 or vice chair.

87       13. Members of the board shall be immune from suit for any discretionary act  
88 performed in good faith.

89       14. Each member of the board shall be reimbursed for costs for actual travel and  
90 other actual and necessary expenses incurred in the discharge of official duties  
91 associated with the board, as prescribed by the board by rule.

92           **15. Any rule or portion of a rule, as that term is defined in section 536.010, that**  
93 **is created under the authority delegated in this section shall become effective only if it**  
94 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
95 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
96 **vested with the general assembly pursuant to chapter 536 to review, to delay the**  
97 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**  
98 **then the grant of rulemaking authority and any rule proposed or adopted after August**  
99 **28, 2026, shall be invalid and void.**

**324.2047. 1. There is hereby created in the state treasury the "Radon Control**  
2 **Fund". All fees authorized to be charged by the board shall be collected by the director**  
3 **of the division and shall be transmitted to the department of revenue for deposit in the**  
4 **state treasury for credit to this fund. The state treasurer shall be custodian of the fund.**  
5 **In accordance with sections 30.170 and 30.180, the state treasurer may approve**  
6 **disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in**  
7 **this fund shall be used solely for the administration and enforcement of sections**  
8 **324.2000 to 324.2060.**

9           **2. Notwithstanding the provisions of section 33.080 to the contrary, moneys in**  
10 **this fund shall not be transferred and placed to the credit of general revenue until the**  
11 **amount in the fund at the end of the biennium exceeds three times the amount of the**  
12 **appropriation from the fund for the preceding fiscal year. The amount, if any, in the**  
13 **fund that shall lapse is that amount in the fund that exceeds the appropriate multiple of**  
14 **the appropriations from the fund for the preceding fiscal year.**

15           **3. The state treasurer shall invest moneys in the fund in the same manner as**  
16 **other funds are invested. Any interest and moneys earned on such investments shall be**  
17 **credited to the fund.**

**324.2050. 1. The board may refuse to issue, renew, or reinstate any license**  
2 **required by sections 324.2000 to 324.2060 for one or any combination of causes stated in**  
3 **subsection 2 of this section. The board shall notify the applicant in writing of the**  
4 **reasons for the refusal and shall advise the applicant of his or her right to file a**  
5 **complaint with the administrative hearing commission as provided in chapter 621.**

6           **2. The board may cause a complaint to be filed with the administrative hearing**  
7 **commission as provided by chapter 621 against any holder of any license issued under**  
8 **sections 324.2000 to 324.2060 or any person who has failed to renew or has surrendered**  
9 **his or her license for any one or any combination of the following causes:**

10           **(1) The person has been finally adjudicated and found guilty, or entered a plea of**  
11 **guilty or nolo contendere, in a criminal prosecution under the laws of any state, of the**  
12 **United States, or of any country for any offense directly related to the duties and**

13 responsibilities of the occupation, as set forth in section 324.012, regardless of whether a  
14 sentence is imposed;

15 (2) Fraudulently or deceptively using a license issued under sections 324.2000 to  
16 324.2060;

17 (3) Use of fraud or deception in obtaining or attempting to obtain a certification,  
18 a license, or a contract to conduct radon measurement, mitigation, inspection, or  
19 laboratory analysis for the applicant or licensee or for another;

20 (4) Attempting to transfer the authority granted by a license issued under  
21 sections 324.2000 to 324.2060 to another person or business entity except as specifically  
22 allowed under section 324.2030;

23 (5) Use of unfair or deceptive trade practices;

24 (6) Making any false statement as to a material matter in any application or  
25 other statement or certificate required by sections 324.2000 to 324.2060;

26 (7) Incompetency, misconduct, or gross negligence in the performance of  
27 providing radon services or assisting in providing radon services;

28 (8) Revocation of a professional license, certification, registration, or permit  
29 granted by another state following disciplinary proceedings in that state;

30 (9) Failure to display a license issued under sections 324.2000 to 324.2060 as  
31 prescribed by rule of the board;

32 (10) Disregarding or violating the standards, building codes, electrical codes, or  
33 related laws of this state or ordinances of any municipality, city, or county;

34 (11) Failing to adequately train and supervise any person working under the  
35 direction and control of the measurement professional, mitigation professional, radon  
36 mitigation inspection professional, or radon laboratory;

37 (12) Failing to maintain the liability insurance required under section 324.2035;

38 (13) Violating any provision of sections 324.2000 to 324.2060, any regulation  
39 promulgated by the board, or any standard, code, rule, or regulation adopted in  
40 accordance with sections 324.2000 to 324.2060; or

41 (14) Attempting to evade, or aiding or abetting any person attempting to evade,  
42 the provisions of sections 324.2000 to 324.2060 or the administrative regulations  
43 promulgated thereunder by the board.

44 3. After the filing of a complaint under subsection 2 of this section, the  
45 proceedings shall be conducted in accordance with the provisions of chapter 621. Upon  
46 a finding by the administrative hearing commission that one or more of the grounds for  
47 disciplinary action provided in subsection 2 of this section are met, the board may,  
48 singly or in combination, censure or place the person named in the complaint on

49 probation or suspension or revoke the license of the person on such terms and  
50 conditions as the board deems appropriate.

324.2055. 1. The board or its agent or inspector may examine records of licensed  
2 mitigation professionals, measurement professionals, radon mitigation inspection  
3 professionals, radon business entities, radon laboratories, unlicensed persons, and  
4 unlicensed business entities that perform, offer, or claim to perform activities regulated  
5 by sections 324.2000 to 324.2060 including, but not limited to, conducting inspections of  
6 mitigation system installations and measurement locations in order to ensure that radon  
7 measurement, mitigation, and laboratory analysis are conducted in accordance with the  
8 applicable standard and administrative regulations.

9 2. For purposes of enforcing sections 324.2000 to 324.2060, the board or its agent  
10 or inspector may inspect or test any equipment used for measurement, mitigation, or  
11 laboratory analysis or photograph or sketch any portion of a site, building, or  
12 equipment involved in measurement, mitigation, or laboratory analysis.

13 3. In accordance with sections 324.2000 to 324.2060 or any administrative  
14 regulation promulgated by the board pertaining to radon measurement, mitigation, or  
15 laboratory analysis, based on a complaint or report, an agent or inspector of the board  
16 shall have the power to seek to enter upon premises at all reasonable times to make an  
17 inspection and question persons.

18 4. In accordance with sections 324.2000 to 324.2060 or any administrative  
19 regulation promulgated by the board pertaining to radon measurement, mitigation, or  
20 laboratory analysis, an agent or inspector of the board shall have the power to:

21 (1) Question licensed mitigation professionals, measurement professionals,  
22 radon mitigation inspection professionals, radon business entities, radon laboratories,  
23 unlicensed persons, and unlicensed business entities that perform, offer, or claim to  
24 perform activities regulated by sections 324.2000 to 324.2060; and

25 (2) Require the production of radon mitigation system plans, sketches,  
26 diagnostic information, test reports, quality control plans, quality management plans,  
27 and other evidence.

28 5. Agents and inspectors of the board shall be empowered to issue a stop order to  
29 any owner, agent, or occupant of real property requiring that the radon mitigation  
30 system thereon cease operation if that system has been found to be in violation of  
31 sections 324.2000 to 324.2060 or any administrative regulation promulgated thereunder  
32 by the board or if the radon mitigation system was not constructed, installed, or altered  
33 in accordance with the applicable standard.

34 6. A person shall not interfere with an inspection conducted by an agent or  
35 inspector of the board.

2       **324.2060. 1. Measurement professionals, mitigation professionals, and radon**  
3       **mitigation inspection professionals shall report the address, results, and other records**  
4       **about services performed in a manner prescribed by the board by rule.**

5       **2. Records required by sections 324.2000 to 324.2060, administrative regulations**  
6       **promulgated thereunder, or the applicable standard, including, but not limited to,**  
7       **records of radon measurement, mitigation, quality control program plans, calibration**  
8       **certifications, laboratory analysis activities, worker health and safety plans, and**  
9       **equipment repairs, shall be retained by licensees, as applicable, for a minimum period of**  
10       **five years or the length of time of any warranty or guarantee, whichever is greater.**

11       **3. The board shall make the records available upon request:**

12       **(1) To the owner or occupant of a building;**

13       **(2) To the board's staff, counsel, and contractors involved in compliance and**  
14       **enforcement;**

15       **(3) To the public aggregated at the census tract or zip code level without**  
16       **identifying individual homeowners or individual property locations; and**

17       **(4) To a state or federal agency that provides aggregated data to the public.**

18       **4. Any measurement professional, mitigation professional, or radon mitigation**  
19       **inspection professional applying for a license or renewal of a license shall specify, for**  
20       **approval by the board, the physical or electronic location where records required under**  
      **sections 324.2000 to 324.2060 shall be maintained for inspection by the board.**

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