

SECOND REGULAR SESSION

HOUSE BILL NO. 2995

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CATON.

6158H.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, 324.2050, 324.2055, 324.2060, and 324.2065, to read as follows:

324.2000. As used in sections 324.2000 to 324.2065, 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 324.2065;

(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 an EPA-recognized radon proficiency program for radon measurement or radon mitigation;

(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.

- 15 (6) "Direct supervision", on-site supervision by a certified person who accepts
16 responsibility for ensuring compliance by his or her employees, subcontractors, or other
17 designated agents with all applicable requirements under sections 324.2000 to 324.2065;
- 18 (7) "Division", the division of professional registration;
- 19 (8) "EPA", the United States Environmental Protection Agency;
- 20 (9) "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 (10) "Licensee", a person or business entity licensed by the board as a
25 measurement professional, mitigation professional, radon mitigation inspector, or radon
26 laboratory;
- 27 (11) "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 (12) "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 (13) "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 (14) "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 (15) "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 (16) "Mitigation system", any active or passive system designed to reduce radon
43 concentrations in the indoor environment of a building;
- 44 (17) "Person", an individual, corporation, association, or other legal entity;
- 45 (18) "Prescribed", promulgated by administrative regulation by the board;
- 46 (19) "Proficiency program", a national radon credentialing body that is
47 currently recognized by the United States Environmental Protection Agency;
- 48 (20) "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 (21) "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 (22) "Radon mitigation inspector", a person certified by a radon proficiency
55 program who provides inspection of radon systems for compensation and who meets the
56 requirements of section 324.2020;

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

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

61 (25) "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 324.2065. The certification and licensing requirements of
5 sections 324.2000 to 324.2065 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 inspector, or
9 radon laboratory unless certified and licensed under sections 324.2000 to 324.2065.

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

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

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

24 **6. Any homeowner or renter who receives a radon test kit from the state of**
25 **Missouri or any nonprofit health-related organization or who purchases a radon test kit**
26 **from any business in this state or online by mail order shall be exempt from the**
27 **requirements of sections 324.2000 to 324.2065 as long as the test kit is used in the**
28 **homeowner's or renter's personal 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;

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 inspector license, effective
2 for a period of two years, to any person certified for radon mitigation inspection 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 radon mitigation inspector 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 radon mitigation inspector shall:

- 15 **(1) Maintain certification by a radon proficiency program;**
16 **(2) Ensure inspections are conducted in accordance with the applicable standard**
17 **and administrative regulations; and**
18 **(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 mitigation professional, radon measurement**
2 **professional, radon mitigation inspector, and radon laboratory shall maintain an**
3 **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 as follows:**

7 (a) For measurement professionals and radon mitigation inspectors, liability
8 coverage in an amount of at least two hundred fifty thousand dollars per occurrence;
9 and

10 (b) For mitigation professionals and radon laboratories, liability coverage in an
11 amount of at least five hundred thousand dollars per occurrence;

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

14 (4) States that cancellation or nonrenewal of the underlying liability insurance
15 policy is not effective until the board receives written notice of the cancellation or
16 nonrenewal.

17 2. A business entity may meet the requirements of this section on behalf of its
18 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 in collaboration with
4 the department of health and senior services;

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

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

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

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

14 (6) Enter into agreements with any federal or state agency, political subdivision,
15 postsecondary education institution, nonprofit organization, or other person or entity to
16 assist with and administer funds received by the board including, but not limited to,

17 funds received through the United States Environmental Protection Agency's State and
18 Tribal Indoor Radon Grants (SIRG) program;

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

21 (8) Collect or receive all fees and other moneys owed under sections 324.2000 to
22 324.2065 and deposit all those moneys into the radon control fund established in section
23 324.2050;

24 (9) Issue subpoenas only through the board's attorney and only under the
25 authority of the board's general counsel;

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

28 (11) Perform other duties and responsibilities relating to the topic of radon in
29 collaboration with the department of health and senior services;

30 (12) Promulgate administrative regulations to administer, coordinate, and
31 enforce sections 324.2000 to 324.2065;

32 (13) Establish and maintain personnel and information and communication
33 systems, as necessary, to administer, coordinate, and enforce sections 324.2000 to
34 324.2065; and

35 (14) Ensure compliance with sections 324.2000 to 324.2065 and initiate
36 enforcement action.

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

41 3. The board shall consist of eight members as follows:

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

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

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

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

55 **(5) One nonvoting member from the department of health and senior services**
56 **shall be appointed by the governor.**

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

59 **5. To be eligible for initial appointment as a member of the board under**
60 **subsection 2 of this section, a person shall have been actively engaged in the practice of**
61 **radon measurement, mitigation, inspection, or laboratory analysis for not less than**
62 **three years immediately preceding the date of appointment to the board.**

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

68 **(1) Hold a valid license as a radon measurement professional or radon**
69 **mitigation professional in this state; or**

70 **(2) Be associated with a licensed radon laboratory.**

71 **7. The governor shall initially appoint two voting members for a term of four**
72 **years, two voting members for a term of three years, and one voting member for a term**
73 **of two years. All appointments shall expire on June thirtieth of the last year of the**
74 **appointee's term. Thereafter, voting members shall be appointed for terms of four**
75 **years.**

76 **8. No person shall serve more than four consecutive terms. Members shall serve**
77 **until their successors are appointed.**

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

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

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

86 **12. The board shall elect a chair and a vice chair. The chair shall preside at all**
87 **meetings at which the chair is present. The vice chair shall preside at all meetings in the**
88 **absence of the chair. If the chair and vice chair are absent from a meeting of the board**

89 when a quorum exists, the members who are present may elect a presiding officer to
90 serve as acting chair until the conclusion of the meeting or until the arrival of the chair
91 or vice chair.

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

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

97 15. Any rule or portion of a rule, as that term is defined in section 536.010, that
98 is created under the authority delegated in this section shall become effective only if it
99 complies with and is subject to all of the provisions of chapter 536 and, if applicable,
100 section 536.028. This section and chapter 536 are nonseverable and if any of the powers
101 vested with the general assembly pursuant to chapter 536 to review, to delay the
102 effective date, or to disapprove and annul a rule are subsequently held unconstitutional,
103 then the grant of rulemaking authority and any rule proposed or adopted after August
104 28, 2026, shall be invalid and void.

324.2050. 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 324.2065.

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.

324.2055. 1. The board may refuse to issue, renew, or reinstate any license
2 required by sections 324.2000 to 324.2065 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 324.2065 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
16 324.2065;

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 324.2065 to another person or business entity;

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

23 (6) Making any false statement as to a material matter in any application or
24 other statement or certificate required by sections 324.2000 to 324.2065;

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

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

29 (9) Failure to display a license issued under sections 324.2000 to 324.2065 as
30 prescribed by rule of the board;

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

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

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

37 (13) Violating any provision of sections 324.2000 to 324.2065, any regulation
38 promulgated by the board, or any standard, code, rule, or regulation adopted in
39 accordance with sections 324.2000 to 324.2065; or

40 **(14) Attempting to evade, or aiding or abetting any person attempting to evade,**
41 **the provisions of sections 324.2000 to 324.2065 or the administrative regulations**
42 **promulgated thereunder by the board.**

43 **3. After the filing of a complaint under subsection 2 of this section, the**
44 **proceedings shall be conducted in accordance with the provisions of chapter 621. Upon**
45 **a finding by the administrative hearing commission that one or more of the grounds for**
46 **disciplinary action provided in subsection 2 of this section are met, the board may,**
47 **singly or in combination, censure or place the person named in the complaint on**
48 **probation or suspension or revoke the license of the person on such terms and**
49 **conditions as the board deems appropriate.**

50 **4. To determine the appropriate disciplinary action to impose on a licensee**
51 **under this section, the board shall consider the seriousness of the violation, the harm**
52 **caused by the violation, the good faith of the licensee, and any history of previous**
53 **violations by the licensee.**

54 **5. If a license is revoked or suspended, or an application for a license or renewal**
55 **of a license is denied, the person, business entity, or laboratory shall not conduct radon**
56 **measurement, mitigation, inspection, or laboratory services.**

324.2060. 1. The board or its agent or inspector may examine records of licensed
2 **mitigation professionals, measurement professionals, radon mitigation inspectors, radon**
3 **business entities, radon laboratories, unlicensed persons, and unlicensed business**
4 **entities that perform, offer, or claim to perform activities regulated by sections 324.2000**
5 **to 324.2065 including, but not limited to, conducting inspections of mitigation system**
6 **installations and measurement locations in order to ensure that radon measurement,**
7 **mitigation, and laboratory analysis are conducted in accordance with the applicable**
8 **standard and administrative regulations.**

9 **2. For purposes of enforcing sections 324.2000 to 324.2065, 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 324.2065 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 324.2065 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 inspectors, radon business entities, radon laboratories, unlicensed
23 persons, and unlicensed business entities that perform, offer, or claim to perform
24 activities regulated by sections 324.2000 to 324.2065; 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 324.2065 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.

 324.2065. 1. Measurement professionals, mitigation professionals, and radon
2 mitigation inspectors shall report the address, results, and other records about services
3 performed in a manner prescribed by the board by rule.

4 2. Records required by sections 324.2000 to 324.2065, administrative regulations
5 promulgated thereunder, or the applicable standard, including, but not limited to,
6 records of radon measurement, mitigation, quality control program plans, calibration
7 certifications, laboratory analysis activities, worker health and safety plans, and
8 equipment repairs, shall be retained by licensees, as applicable, for a minimum period of
9 five years or the length of time of any warranty or guarantee, whichever is greater.

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

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

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

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

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

17 4. Any measurement professional, mitigation professional, or radon mitigation
18 inspector applying for a license or renewal of a license shall specify, for approval by the
19 board, the physical or electronic location where records required under sections
20 324.2000 to 324.2065 shall be maintained for inspection by the board.