

CHAPTER 240. RADON CERTIFICATION

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Authority

The provisions of this Chapter 240 issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20), unless otherwise noted.

Source

The provisions of this Chapter 240 adopted January 18, 1991, effective January 19, 1991, 21 Pa.B. 317, unless otherwise noted.

Cross References

This chapter cited in 25 Pa. Code § 215.32 (relating to exemption qualifications).

Subchapter A. GENERAL PROVISIONS

GENERAL

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GENERAL

§ 240.1. Description of regulatory structure.

(a) The act directs the Department to establish a Radon Certification Program. This chapter specifies the requirements to certify a person to test for and mitigate radon contamination of occupied buildings and to analyze radon samples. Persons exempt from certification are specified in § 240.2 (relating to scope).

(b) Subchapter B (relating to certification) specifies the requirement that a person shall be certified to conduct radon testing, and the requirements for obtaining certification. Subchapter B also contains the requirements for certification in mitigation and laboratory analysis.

(c) Subchapter C (relating to certification review procedures and standards) provides the standards and procedures for review of applications, renewal and modification of certification.

(d) Subchapter D (relating to operation requirements) contains operation requirements for certified persons who conduct radon-related activities. Subchap-

ter D includes the requirements concerning advertising, notice to clients and disclosure of radon information to the Department. These operation requirements are in addition to specific requirements contained in a certification.

(e) Subchapter E (relating to enforcement and decertification) contains the enforcement provisions, including inspection, decertification and assessment of civil penalties. Other enforcement actions are available under sections 308 and 309 of the Radiation Protection Act (35 P.S. §§ 7110.308 and 7110.309) and section 14 of the act (63 P.S. § 2014).

(f) This section is for descriptive purposes only. This section does not limit the authority of the Department under the acts or this chapter.

Authority

The provisions of this § 240.1 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.1 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (304601) to (304602).

§ 240.2. Scope.

(a) This chapter applies to a person except when the person is:

(1) Testing for or mitigating against radon contamination in a building that the person owns or in which the person resides.

(2) Using measures designed to prevent radon contamination in newly constructed buildings. This exemption does not apply to radon testing or installation of radon mitigating devices in these buildings following occupancy.

(3) Performing testing or mitigation in the course of the person's normal duties as an employee or contractor of the Department or the Federal government.

(4) Performing scientific research if the person discloses the information obtained to the Department under § 240.303 (relating to reporting of information) and the person informs the owner or occupant of the affected building of all of the following:

(i) That the person is not certified by the Department to test for or mitigate against radon contamination.

(ii) That the test results are not valid.

(iii) That the mitigation methods are for experimental purposes and may be unsuccessful.

(5) Purveying secondary devices supplied by a certified laboratory, if radon concentrations determined by the laboratory are only reported directly to the owner or resident of the building tested.

(i) Test results may also be reported to the certified mitigator who installed a mitigation system at the property.

- (ii) Purveying does not include the activities of either placing or retrieving activated charcoal, liquid scintillation, or alpha track radon testing devices.
- (6) Employed by a local government or a school and performing testing for that local government or school if all of the following criteria are met:
 - (i) The practice is limited to the employee's official duties and no fee is charged for the testing except for the employee's salary.
 - (ii) Radon testing is limited to the buildings owned or occupied by the local government or school.
 - (iii) The radon testing is performed in accordance with the device manufacturer's instructions.
- (b) This chapter is in addition to, and not in substitution for, other applicable provisions of this article.

Authority

The provisions of this § 240.2 amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); and section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013).

Source

The provisions of this § 240.2 amended July 16, 2004, effective July 17, 2004, 34 Pa.B. 3823; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (304602) and (388451).

Cross References

This section cited in 25 Pa. Code § 240.1 (relating to description of regulatory structure).

§ 240.3. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

AC—Activated charcoal—A device used to measure radon by exposing activated charcoal to air in the area to be tested and analyzed by gamma ray spectroscopy.

AT—Alpha track—A device used to measure radon by recording alpha particle tracks on a plastic chip.

Act—The Radon Certification Act (63 P.S. §§ 2001—2014).

Active radon mitigation system—A radon mitigation system with an electric vent fan.

Acts—The Radon Certification Act and the Radiation Protection Act (35 P.S. §§ 7110.101—7110.703).

Alteration—A change to the original mitigation system design, including fan size, number or placement of suction points, or pipe diameter.

CRM—Continuous radon monitor—An active device used to measure radon with solid state silicon surface barrier detectors, scintillation cells or ion chambers, usually on an hourly basis.

CWLM—Continuous working level monitor—An active device used to measure radon decay products, usually on an hourly basis.

Calibration—The process of determining the response of an instrument (or measurement system) to a series of known values over the range of the instrument (or measurement system).

Certification year—Each 12-month period beginning with the most recent certification date of the certified individual.

Certified individual—An individual with a Department certification to perform radon testing, mitigation or laboratory analysis in this Commonwealth.

Client—A receiver of services that are regulated under the Act or this chapter.

Control limit—A QC value set at ± 3 sigma.

Diagnostic test—A test performed to determine specific radon entry points and sources, the result of which is not reported to the Department or in writing to the client.

Duplicate measurements—Two measurements made concurrently, for the same time period and in the same location, approximately 4 inches from one another.

Electret ion chamber—A radon measurement device that consists of a small plastic container with an electrostatically charged disk inside to serve as a detector.

Electret reader—A radon measurement device that consists of a voltmeter used to measure the voltage on the electrostatically charged disk of an electret ion chamber testing device at the beginning and end of a test period.

Electret voltage drift—A QC process which evaluates the voltage drift of each new batch of electrets received from the manufacturer of the electrets.

Field blank—A QC measurement made by analyzing unexposed (closed) detectors that have been maintained in a low-radon environment to assess radon exposure to the detector from a source other than the concentration in the environment to be measured.

Firm—A Department-certified entity that has at least one certified individual in responsible charge of the entity's testing, mitigation or laboratory radon activities. A business, such as a corporation or limited liability company, may contain more than one firm.

Firm employee—A Department-listed radon testing, mitigation or laboratory employee under the responsible charge of a certified individual.

Firm owner—A person or business entity which owns and is responsible for the radon firm.

LS—Liquid scintillation—A device used to measure radon by exposing a small amount of activated charcoal contained within a small vial and placed in the area to be sampled and analyzed in a liquid scintillation counter.

Laboratory—A Department-certified individual or firm.

Laboratory analysis—The act of analyzing a radon test device and calculating a radon concentration in air or water.

Lowest livable level—The lowest level of a building that may be used as a living space without requiring any major structural changes.

MV—Measured value—The radon concentration reported by the analyst, in units of picocuries per liter or WLs.

Measurement—A radon or radon decay product test result used for the performance of quality assurance, including a spike, blank, duplicate, intercomparison or cross check.

Mitigate—To repair or alter a building or building design for the purpose in whole or in part of reducing the concentration of radon in the indoor atmosphere.

Mitigator—A Department-certified individual or a Department-listed mitigation employee of a Department-certified mitigation firm.

Multifamily building—A building with more than three attached dwellings.

Nonreported test—A test conducted for reasons other than reporting valid, written results to the client, such as a diagnostic test.

pCi/L—Picocurie per liter—2.22 disintegrations per minute of radioactive material per liter of air.

Passive radon mitigation system—A radon mitigation system without an electric vent fan.

Person—An individual, corporation, partnership, business entity, association, trust, estate, public or private institution, group, agency or political subdivision of this Commonwealth, another state or political subdivision or agency thereof, and a legal successor, representative, agency or agency of the entities in this definition.

Primary device—Continuous monitors or electret ion chambers, or both, read or analyzed, or both, by a primary tester.

Primary tester—A tester who reads or analyzes, or both, a primary device that the tester places or retrieves, or both.

QA—Quality assurance—The activities required to provide the evidences needed to establish confidence that radon test data are of the required precision and accuracy.

QC—Quality control—The process through which a person measures performance, compares performance with standards and acts on any differences.

RPD—Relative percent difference—The absolute value of the difference between two measurements divided by their average, multiplied by 100. The equation is:

$$RPD = \{ (MV_1 - MV_2) / (MV_1 + MV_2) / 2 \} \times 100.$$

RPE—Relative percent error—The measured value (pCi/L) minus the RV (pCi/L), divided by the RV, multiplied by 100. The equation is:

$$RPE = \{ (MV - RV) / RV \} \times 100.$$

RV—Reference value—The known radon concentration value, in units of picocuries per liter or WL, to which a test device is exposed.

Radon—The radioactive noble gas radon-222 and the short-lived radionuclides which are products of radon-222 decay, including polonium-218, lead-214, bismuth-214 and polonium-214.

Secondary device—A radon test device that is analyzed by a Department-certified laboratory.

Secondary tester—A tester who places or retrieves, or both, a radon test device that is analyzed by a Department-certified laboratory.

Sigma level—A sample standard deviation around a mean, which is a measure of the scatter of data around a mean. The term is often described as 1, 2 or 3 sigma, corresponding to one, two or three standard deviations around the mean.

Spiked measurement or spike—A quality control measurement conducted in an approved chamber to evaluate accuracy by exposing the detector or device to a known concentration and submitted for analysis.

Test—The act of measuring for the presence of radon in a building's air or water supply.

Tester—A Department-certified individual or a Department-listed testing employee of a Department-certified testing firm.

WL—Working level—Any combination of short-lived radon progeny (for radon-222: polonium-218, lead-214, bismuth-214 and polonium-214; and for radon-220: polonium-216, lead-212, bismuth-212 and polonium-212) in 1 liter of air that will result in the ultimate emission of 1.3×10^5 MeV of alpha particle energy.

WLM—Working level month—The cumulative exposure from breathing in an atmosphere at a concentration of 1 WL for a working month of 170 hours.

WLM/yr—Working level month per year—The cumulative exposure incurred over 1 year (2,040 hours) from breathing in an atmosphere at a concentration of 1 WL for a working month of 170 hours.

Warning level—A QC value set at ± 2 sigma.

Authority

The provisions of this § 240.3 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301, 7110.302 and 7110.401); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-10); and sections 8, 12 and 13 of the Radon Certification Act (63 P.S. §§ 2008, 2012 and 2013).

Source

The provisions of this § 240.3 amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 20, 2017, effective October 21, 2017, 47 Pa.B. 6482; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (388451) to (388452).

Subchapter B. CERTIFICATION**CERTIFICATION FOR RADON TESTING**

Sec.

- 240.101. Requirements for radon testing certification.
- 240.102. Prerequisites for radon testing certification.
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CERTIFICATION FOR RADON MITIGATION

- 240.111. Requirements for radon mitigation certification.
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- 240.121. Requirements for radon laboratory certification.
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**CERTIFICATION FOR PERSONS CERTIFIED IN
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- 240.142. Testing and mitigation identification cards.
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Cross References

This subchapter cited in 25 Pa. Code § 240.1 (relating to description of regulatory structure).

CERTIFICATION FOR RADON TESTING**§ 240.101. Requirements for radon testing certification.**

(a) A person may not test for radon or represent or advertise that he may so test in a building in this Commonwealth unless the person has first applied for and obtained certification from the Department to test or is a firm employee of a certified testing firm.

(b) For a firm to perform radon testing it shall employ at least one individual certified to test who is in responsible charge of the firm's testing activities, and the firm shall submit an application for certification and receive certification from the Department.

(c) A certified primary tester does not also have to be certified in radon laboratory analysis to read or analyze continuous monitors or electret ion chambers that he places and retrieves.

(d) A person using secondary radon testing devices, such as AC, from a certified radon laboratory does not also have to be certified in radon laboratory analysis.

Authority

The provisions of this § 240.101 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.101 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (388452) and (346789).

§ 240.102. Prerequisites for radon testing certification.

(a) *Individual certification for radon testing.* An individual will not be certified to test unless the individual has:

- (1) Completed a Department-approved course on radon.
- (2) Passed a Department-approved written exam on radon testing within 2 years before the postmark date of the individual's application submittal. The applicant shall forward a copy of exam results to the Department.
- (3) Submitted a complete and accurate application to the Department, including applicable fees.

(b) *Firm certification for radon testing.* If the applicant for testing certification is a firm, it shall employ at least one individual who is certified to test and who is in responsible charge of the firm's testing activities.

(1) If the firm loses its certified individual, all of the following apply:

(i) The firm owner shall notify the Department in writing within 5 business days of losing that individual.

(ii) The firm's certification automatically lapses and is void until the Department approves in writing the firm owner's written and signed request for a certified individual to be in responsible charge of that firm's radon testing activities.

(2) If a testing firm employee is no longer under the responsible charge of the firm's certified individual, all of the following apply:

(i) The firm's certified individual shall notify the Department within 10 business days of this change.

(ii) The firm employee's Department listing becomes invalid.

(3) Each testing firm employee shall conduct activities in accordance with the signed testing firm employee application.

(4) Each testing firm employee applicant shall submit all of the following:

(i) A nonrefundable fee as set forth in Appendix A (relating to radon certification fee schedule).

(ii) A completed firm employee application as provided by the Department within 10 business days of performing radon testing activities.

(iii) For firm employees hired after January 24, 2019, a certification that the firm employee received initial training pursuant to subsection (b)(6).

(iv) A document signed by the certified individual that the firm employee completed continuing education as required by subsection (b)(7), if applicable.

(v) The applicant's current photograph, in a format specified by the Department, to be used on the identification card as required under § 240.142 (relating to testing and mitigation identification cards).

(5) The firm's certified individual shall receive written approval from the Department of a testing firm employee.

(6) For firm employees hired after January 24, 2019, the firm's certified individual shall ensure that each firm employee receives initial training before participating in radon testing activities. Initial training may be given by the firm's certified individual or through a Department-approved training program. The firm's certified individual shall document that each firm employee has received initial training that includes, at a minimum, the following:

(i) General information regarding radon and the risks associated with radon exposure.

(ii) A tutorial on how to properly use the testing device(s) employed by the certified firm including:

(A) The strengths and weaknesses of the specific device(s) including any limitations of the device(s).

(B) Device handling precautions, if any.

(C) Short-term versus long-term testing.

(D) Device sampling times.

(E) When to invalidate a measurement.

(iii) Information regarding the appropriate radon testing protocol(s) including:

(A) Closed building conditions.

(B) Heating and air conditioning system considerations.

(C) Unusual weather conditions.

(D) Tampering precautions.

(E) Measurement documentation.

(F) Brief QA/QC overview.

(G) Real estate and non-real estate testing.

(H) Device placement locations within the building.

(7) The firm's certified individual shall ensure that each firm employee receives continuing education every two years. Continuing education may be given by the firm's certified individual or through a Department-approved training program. The firm's certified individual shall document that each firm employee has received continuing education. Continuing education records shall be retained for 5 years. Continuing education shall include, at a minimum, the requirements set forth in subsection (b)(6)(ii) and (iii).

(c) *Additional requirements.* If the applicant for testing certification is a firm, or an individual performing testing and not working for a certified radon testing firm, the applicant shall also have a QA program and a continuing education program as required under §§ 240.306 and 240.604 (relating to continuing education program; and QA requirements for testing using primary devices). In addition, the applicant shall be successfully enrolled in a Department-approved radon measurement proficiency program as required under § 240.307 (relating to radon measurement proficiency program).

Authority

The provisions of this § 240.102 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301, 7110.302 and 7110.401); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013).

Source

The provisions of this § 240.102 amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (346789).

Cross References

This section cited in 25 Pa. Code § 240.103 (relating to radon testing application contents).

§ 240.103. Radon testing application contents.

(a) An application for radon testing certification, by an individual or a firm, shall be submitted to the Department in writing on forms provided by the Department and must contain all of the following:

(1) Evidence that the applicant has the certification prerequisites in § 240.102 (relating to prerequisites for radon testing certification). The application must include the duties assigned to the certified individual in responsible charge of the testing activities.

(2) A nonrefundable fee as set forth in Appendix A (relating to radon certification fee schedule).

(3) The applicant's name, address, and telephone number. It must also indicate if the applicant is an individual, partnership, limited partnership, corporation or other entity. The application must include, when appropriate, the name and address of every officer, general and limited partner, director, principal shareholder, parent corporation and certified person within the applicant's organization.

(4) Compliance information, including descriptions of notices of violation, administrative orders, civil penalty assessments and actions for violations of the act, this chapter or a term or condition of a certification.

(5) Copies of reporting forms, information distributed to potential clients and recent or proposed advertisements.

(6) The applicant's current photograph, in a format specified by the Department, to be used on the identification card as required under § 240.142 (relating to testing and mitigation identification cards).

(7) Other information the Department may require related to an applicant's qualifications or technical or administrative information related to radon testing.

(8) A verification by the applicant that the information contained in the application is correct to the best of the applicant's information and belief. This verification is subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

(9) If the applicant for testing certification is a firm, the application shall include a demonstration that the firm's certified individual will maintain adequate span of control over the firm's employees. This demonstration shall include, at a minimum, the following:

(i) Information regarding the initial training and continuing education given to firm employees that is required by § 240.102(b)(6) and (b)(7) (relating to prerequisites for radon testing certification).

(ii) The firm's protocol for ensuring that firm employees are adequately supervised by the firm's certified individual.

(b) Within 10 business days of a change to the information submitted in the certified individual application or firm certification application, the certified individual shall submit to the Department a written and signed notification listing each change. The change will not take effect until the Department provides written approval of the change.

Authority

The provisions of this § 240.103 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.103 amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (346790).

§ 240.104. Application filing deadline.

(a) A person who expects to conduct radon testing shall file a complete application for certification a minimum of 30 days prior to the anticipated starting date of testing activity.

(b) A testing individual certification renewal application postmarked after the previous testing individual certification expiration date will be charged a late application fee as set forth in Appendix A (relating to radon certification fee schedule).

Authority

The provisions of this § 240.104 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.104 amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (346790) and (341755).

CERTIFICATION FOR RADON MITIGATION**§ 240.111. Requirements for radon mitigation certification.**

(a) A person may not mitigate radon contamination in a building or represent or advertise that he may so mitigate in a building in this Commonwealth unless the person has first applied for and obtained certification from the Department to mitigate or is a firm employee of a certified mitigation firm.

(b) For a firm to perform radon mitigation it shall employ at least one individual certified to mitigate who is in responsible charge of the firm's mitigation activities, and the firm shall submit an application for certification and receive certification from the Department prior to performing mitigation of radon contamination.

Authority

The provisions of this § 240.111 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.111 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341755).

§ 240.112. Prerequisites for radon mitigation certification.

(a) *Individual certification for radon mitigation.* An individual will not be certified to mitigate unless the individual has:

- (1) Completed a Department-approved course on radon mitigation.
- (2) Passed a Department-approved written exam on radon mitigation within 2 years before the postmark date of the individual's application submittal. The applicant shall forward a copy of exam results to the Department.
- (3) Had 1 year professional experience in radon mitigation system installation or 3 years experience in architecture, engineering, electrical contracting, plumbing, carpentry, masonry or related trades.
- (4) Submitted a complete and accurate application to the Department including applicable fees.

(b) *Firm certification for radon mitigation.* If the applicant for mitigation certification is a firm, it shall employ at least one individual who is certified to mitigate and who is in responsible charge of the firm's mitigation activities.

(1) If the firm loses its certified mitigation individual, all of the following apply:

(i) The mitigation firm owner shall notify the Department in writing within 5 business days of losing that individual.

(ii) The firm's certification automatically lapses and is void until the Department approves in writing the mitigation firm owner's written and signed request for a certified individual to be in responsible charge of that firm's radon mitigation activities.

(2) If the mitigation firm employee is no longer under the responsible charge of the firm's certified individual, all of the following apply:

(i) The firm's certified individual shall notify the Department within 10 business days of this change.

(ii) The firm employee's Department listing becomes invalid.

(3) The mitigation firm employee shall conduct activities in accordance with the signed mitigation firm employee application.

(4) Each mitigation firm employee applicant shall submit all of the following:

(i) A completed firm employee application as provided by the Department within 10 business days of performing radon mitigation activities.

(ii) The applicant's current photograph, in a format specified by the Department, to be used on the identification card as required under § 240.142 (relating to testing and mitigation identification cards).

(iii) For firm employees hired after January 24, 2019, a certification that the firm employee received initial training pursuant to subsection (b)(6).

(iv) A document signed by the certified individual that the firm employee completed continuing education as required by subsection (b)(7), if applicable.

(5) The firm's certified individual shall receive written approval from the Department of a mitigation firm employee.

(6) For firm employees hired after January 24, 2019, the firm's certified individual shall ensure that each firm employee receives initial training before participating in radon mitigation activities. Initial training may be given by the firm's certified individual or through a Department-approved training program. The firm's certified individual shall document that each firm employee has received initial training that includes, at a minimum, the following:

(i) Information regarding radon and the risks associated with radon exposure.

(ii) Information regarding radon mitigation health and safety topics such as fall protection, mold hazards, and ventilation.

(iii) Information regarding radon mitigation protocols and standards.

(iv) Information regarding electrical wiring and electrical issues as they relate to radon mitigation installations.

(7) The firm's certified individual shall ensure that each firm employee receives continuing education every two years. Continuing education may be given by the firm's certified individual or through a Department-approved training program. The firm's certified individual shall document that each firm employee has received continuing education. Continuing education records shall be retained for 5 years. Continuing education shall include at least the requirements set forth in subsection (b)(6)(ii)-(iv).

(c) *Additional requirements.* If the applicant for mitigation certification is a firm, or an individual performing mitigation and not working for a certified mitigation firm, he shall also have a health and safety program, and a continuing education program, as required in §§ 240.305 and 240.306 (relating to health and safety program; and continuing education program).

Authority

The provisions of this § 240.112 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.112 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (341755) to (341756).

Cross References

This section cited in 25 Pa. Code § 240.113 (relating to radon mitigation application contents).

§ 240.113. Radon mitigation application contents.

(a) An application for radon mitigation certification, by an individual or a firm, shall be submitted to the Department in writing on forms provided by the Department and must contain all of the following:

(1) Evidence that the applicant has the certification prerequisites contained in § 240.112 (relating to prerequisites for radon mitigation certification). The application must include the duties assigned to the certified individual in responsible charge of the mitigation activities.

(2) A nonrefundable fee as set forth in Appendix A (relating to radon certification fee schedule).

(3) The applicant's name, address, and telephone number. It must also indicate if the applicant is an individual, partnership, limited partnership, corporation or other entity. The application must include, when appropriate, the name and address of every officer, general and limited partner, director, principal shareholder, parent corporation and certified person within the applicant's organization.

(4) Compliance information, including descriptions of notices of violation, administrative orders, civil penalty assessments and actions for violations of the act, this chapter or a term or condition of a certification.

(5) Copies of reporting forms, information distributed to potential clients and recent or proposed advertisements.

(6) The applicant's current photograph, in a format specified by the Department, to be used on the identification card as required under § 240.142 (relating to testing and mitigation identification cards).

(7) Other information the Department may require related to an applicant's qualifications or technical or administrative information related to radon mitigation.

(8) A verification by the applicant that the information contained in the application is correct to the best of the applicant's information and belief. This verification is subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

(9) If the applicant for mitigation certification is a firm, the application shall include a demonstration that the firm's certified individual will maintain adequate span of control over the firm's employees. This demonstration shall at least include:

(i) Information regarding the initial training and continuing education given to firm employees that is required by § 240.112(b)(6) and (b)(7).

(ii) The firm's protocol for ensuring that firm employees are adequately supervised by the firm's certified individual.

(b) Within 10 business days of a change to the information submitted in the mitigation certification application, the certified individual shall submit to the Department a written and signed notification listing each change. The change will not take effect until the Department provides written approval of the change.

Authority

The provisions of this § 240.113 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.113 amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341756).

§ 240.114. Application filing deadline.

(a) A person who anticipates conducting radon mitigation services shall file a complete application for certification a minimum of 30 days prior to the anticipated starting date of mitigation activities.

(b) A certified individual renewal application postmarked after the previous certified individual certification expiration date will be charged a late application fee as set forth in Appendix A (relating to radon certification fee schedule).

Authority

The provisions of this § 240.114 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.114 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341756).

CERTIFICATION FOR RADON LABORATORY

§ 240.121. Requirements for radon laboratory certification.

(a) A person in this Commonwealth or a person analyzing devices placed or retrieved in this Commonwealth may not perform laboratory analysis or represent or advertise that the person may perform laboratory analysis of radon testing devices supplied to the public or of samples or devices received from the public or from other certified persons, unless that person has first applied for and obtained radon laboratory analysis certification from the Department or is a firm employee of a certified laboratory firm.

(b) For a firm to perform radon laboratory analysis it shall employ at least one individual certified to perform laboratory analysis who is in responsible charge of the firm's laboratory radon analytical activities, and the firm shall submit an application for certification and receive certification from the Department.

Authority

The provisions of this § 240.121 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.121 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341757).

§ 240.122. Prerequisites for radon laboratory certification.

(a) *Individual certification for laboratory analysis.* A person will not be certified to perform radon laboratory analysis unless the person has:

- (1) Completed a Department-approved course on radon.
- (2) Had 1 year professional experience in performing laboratory analysis of radon measurement devices or samples or is certified in Health Physics by the American Board of Health Physics, or equivalent certification or professional work experience, or both, as determined by the Department.

(3) Received a bachelors degree in the physical sciences or engineering or related fields as approved by the Department, or the education or professional work experience equivalent to a degree, as determined by the Department.

(4) Submitted a complete and accurate application to the Department, including applicable fees.

(b) *Firm certification for laboratory analysis.* If the applicant for radon laboratory certification is a firm, it shall employ at least one individual who is certified to perform radon laboratory analysis and who is in responsible charge of the laboratory radon analytical activities.

(1) If the firm loses its certified individual, all of the following apply:

(i) The firm owner shall notify the Department in writing within 5 business days of losing its certified individual.

(ii) The firm's certification automatically lapses and is void until the Department approves in writing the firm owner's written and signed request for a certified individual to be in responsible charge of that firm's radon laboratory activities.

(2) If a laboratory firm employee is no longer under the responsible charge of the firm's certified individual, the following apply:

(i) The firm's certified individual shall notify the Department within 10 business days of this change.

(ii) The firm employee's Department listing becomes invalid.

(3) Activities of the laboratory firm employee shall be conducted in accordance with the signed laboratory firm employee application.

(4) Each laboratory firm employee applicant shall submit all of the following:

(i) A completed and signed laboratory firm employee application as provided by the Department.

(ii) For firm employees hired after January 24, 2019, a document signed by the certified individual that the firm employee received initial training pursuant to subsection (b)(6).

(5) Each laboratory firm employee shall receive written approval from the Department prior to conducting radon laboratory activities as a laboratory firm employee.

(6) For firm employees hired after January 24, 2019, the firm's certified individual shall ensure that each firm employee receives initial training before participating in radon laboratory activities. Initial training may be given by the firm's certified individual or through a Department-approved training program. The firm's certified individual shall document that each firm employee has received initial training that includes, at a minimum, the following:

(i) General information regarding radon and the risks associated with radon exposure.

(ii) Information regarding radon laboratory analysis methods, protocols and standards.

(iii) Information regarding QA/QC for the laboratory device(s).

(iv) Information regarding necessary record keeping.

(7) The firm's certified individual shall ensure that each firm employee receives continuing education every two years. Continuing education may be given by the firm's certified individual or through a Department-approved training program. The firm's certified individual shall document that each firm employee has received continuing education. Continuing education records shall be retained for 5 years and include, at a minimum, the requirements set forth in subsection (b)(6)(ii)—(iv).

(c) *Additional requirements.* If the applicant for radon laboratory certification is a firm, or an individual performing laboratory analysis and not working for a certified laboratory, the applicant shall also have a QA program and a continuing education program as required under §§ 240.306 and 240.604 (relating to continuing education program; and QA requirements for testing using primary devices). In addition, the applicant shall be successfully enrolled in a Department-approved radon measurement proficiency program as required under § 240.307 (relating to radon measurement proficiency program).

Authority

The provisions of this § 240.122 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.122 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341757).

Cross References

This section cited in 25 Pa. Code § 240.123 (relating to radon laboratory application contents).

§ 240.123. Radon laboratory application contents.

(a) An application for radon laboratory certification, by an individual or a firm, shall be submitted to the Department in writing on forms provided by the Department and must contain all of the following:

(1) Evidence that the applicant has the certification prerequisites contained in § 240.122 (relating to prerequisites for radon laboratory certification). The application must include the duties assigned to the certified individual in responsible charge of the laboratory analysis activities.

(2) A nonrefundable fee as set forth in Appendix A (relating to radon certification fee schedule).

(3) The applicant's name, address, and telephone number. It must also indicate if the applicant is an individual, partnership, limited partnership, corporation or other entity. The application must include, when appropriate, the

name and address of every officer, general and limited partner, director, principal shareholder, parent corporation and certified person within the applicant's organization.

(4) Compliance information, including descriptions of notices of violation, administrative orders, civil penalty assessments and actions for violations of the act, this chapter or a term or condition of a certification.

(5) Other information the Department may require related to an applicant's qualifications or technical or administrative information related to laboratory analysis of radon samples.

(6) A verification by the applicant that the information contained in the application is correct to the best of the applicant's information and belief. This verification is subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

(7) If the applicant for laboratory certification is a firm, the application shall include a demonstration that the firm's certified individual will maintain adequate span of control over the firm's employees. This demonstration shall at least include:

(i) Information regarding the initial training and continuing education given to firm employees that is required by § 240.122(b)(6) and (b)(7) (relating to prerequisites for radon laboratory certification).

(ii) The firm's protocol for ensuring that firm employees are adequately supervised by the firm's certified individual.

(b) Within 10 business days of a change to the information submitted in the laboratory certification application, the laboratory certified individual shall submit to the Department a written and signed notification listing each change.

Authority

The provisions of this § 240.123 amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014); amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301, 7110.302 and 7110.401).

Source

The provisions of this § 240.123 amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (341757) to (341758).

§ 240.124. Application filing deadline.

(a) A person who anticipates performing laboratory analysis of samples to determine radon concentrations shall file a complete application for laboratory analysis certification a minimum of 30 days prior to the anticipated starting date of laboratory analysis.

(b) A laboratory individual certification application postmarked after the previous laboratory individual certification expiration date will be charged a late application fee as set forth in Appendix A (relating to radon certification fee schedule).

Authority

The provisions of this § 240.124 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20) and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.124 amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341758).

**CERTIFICATION FOR PERSONS CERTIFIED IN
ANOTHER STATE**

§ 240.131. States with reciprocal agreements with the Commonwealth.

The Department may enter into a reciprocal agreement with another state recognizing each state's radon certification program. The Department will not recognize another state's program unless the program's certification is compatible with the one established under the act and this chapter. The Department will publish a notice in the *Pennsylvania Bulletin* listing the state programs it has recognized.

§ 240.132. Limited radon practice in this Commonwealth.

A person may test, mitigate or perform laboratory analysis without first obtaining certification from the Department if the person does all of the following:

- (1) Obtains certification to do so from a state with which the Department has entered into a reciprocal agreement.
- (2) Conducts that activity in this Commonwealth fewer than 90 days each calendar year.

Authority

The provisions of this § 240.132 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.132 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341759).

§ 240.133. Certification application contents.

(a) A person who has a certification from a state with which the Department has entered into a reciprocal agreement, and who intends to conduct the radon-related activity in this Commonwealth for 90 days or more a year, shall first obtain certification from the Department. The application must be in writing and contain all of the following:

(1) A copy of the certification from the foreign state.

(2) A nonrefundable fee as set forth in Appendix A (relating to radon certification fee schedule).

(3) The applicant's name, address, and telephone number. It must also indicate if the applicant is an individual, partnership, limited partnership, corporation or other entity. The application must include, when appropriate, the name and address of every officer, general and limited partner, director, principal shareholder, parent corporation and certified person within the applicant's organization.

(4) Compliance information, including descriptions of notices of violation, administrative orders, civil penalty assessments and actions for violations of the act, this chapter or a term or condition of a certification.

(5) Other information the Department may require related to an applicant's qualifications, or technical or administrative information related to radon testing, mitigation of radon contamination or laboratory analysis of radon samples.

(6) A verification by the applicant that the information contained in the application is correct to the best of the applicant's information and belief.

(b) Within 10 business days of a change to the information submitted in the certification application, the certified individual shall submit to the Department a written and signed notification listing each change.

Authority

The provisions of this § 240.133 amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.133 amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (341759) to (341760).

OTHER CERTIFICATION PROCEDURES**§ 240.141. Withdrawal of applications and certifications.**

(a) *Withdrawal of applications.*

(1) An application may be withdrawn before Department approval is granted.

(2) Fees will not be refunded.

(3) After an application for certification is withdrawn, a person may request to have the application reinstated prior to expiration of current certification.

(4) The withdrawal is complete when all of the following conditions have been met:

(i) The request for an application withdrawal has been submitted to the Department in writing and signed by the applicant.

(ii) The Department has confirmed the withdrawal in writing.

(b) *Withdrawal of certifications.*

(1) A certified testing, mitigation or laboratory individual may request that the Department withdraw the individual's own certification or a firm certification. The withdrawal is complete when the request has been submitted in writing, signed by the certified individual and the Department has provided written confirmation of the withdrawal.

(2) A firm owner may request that the Department withdraw the firm's certification. The withdrawal is complete when the request has been submitted in writing, signed by the firm owner and the Department has provided written confirmation of the withdrawal.

(c) *Withdrawal of a testing or laboratory individual certification by the Department.*

(1) The Department may withdraw a testing or laboratory individual certification when that individual no longer has Department-listed testing devices.

(2) The Department will confirm the withdrawal in writing.

(d) *Reinstatement of withdrawn certifications.*

(1) The previously certified individual may submit a written, signed request to reinstate the individual's testing, mitigation or laboratory individual certification or the firm owner may request to reinstate the testing, mitigation or laboratory firm certification prior to the withdrawn certification's expiration date.

(2) The Department will approve or disapprove this request in writing.

(3) A person who wishes to reapply for certification after the expiration of the person's previous certification shall submit a new application along with appropriate fees as set forth in Appendix A.

Authority

The provisions of this § 240.141 issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.141 adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

§ 240.142. Testing and mitigation identification cards.

- (a) All of the following persons shall obtain Department identification cards:
 - (1) Individuals for testing certification.
 - (2) Individuals for mitigation certification.
 - (3) Each testing firm employee.
 - (4) Each mitigation firm employee.
- (b) Each applicant referenced in subsection (a) shall submit the applicant's current photograph, in a format specified by the Department, to the Department with the application.
- (c) Each person listed in subsection (a) shall present the Department-issued identification card to a client upon request.

Authority

The provisions of this § 240.142 issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.142 adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

Cross References

This section cited in 25 Pa. Code § 240.102 (relating to prerequisites for radon testing certification); 25 Pa. Code § 240.103 (relating to radon testing application contents); 25 Pa. Code § 240.112 (relating to prerequisites for radon mitigation certification); and 25 Pa. Code § 240.113 (relating to radon mitigation application contents).

§ 240.143. Adding or removing devices from certification.

- (a) To add or remove a device from laboratory or testing certification, the certified individual shall submit a written and signed request to the Department.
- (b) The certified individual who analyzes each continuous monitor and electret reader shall provide in the request the specific serial number and proof of current calibration of each device to be added.
- (c) The certified individual who analyzes each continuous monitor and electret reader shall provide in the request the specific serial number of each device to be removed.
- (d) The device will be considered Department-listed or removed on the effective date stated in the Department's confirmation letter to the certified individual.
- (e) After the effective removal date of the device, the device may no longer be used to conduct radon testing activities or laboratory analysis.
- (f) The certified individual shall receive written approval from the Department to add a specific device prior to performing radon testing activities or laboratory analysis with the device.

Authority

The provisions of this § 240.143 issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.143 adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

**Subchapter C. CERTIFICATION REVIEW PROCEDURES
AND STANDARDS**

Sec.

- 240.201. Criteria for issuance or denial of certifications or course provider applications.
- 240.202. Terms of certification.
- 240.203. Conditions of certification.
- 240.204. Certification renewal.
- 240.205. Certification modification.
- 240.206. Notice of certification.

Cross References

This subchapter cited in 25 Pa. Code § 240.1 (relating to description of regulatory structure).

§ 240.201. Criteria for issuance or denial of certifications or course provider applications.

(a) A certification or course provider application will not be approved unless the applicant affirmatively demonstrates to the Department's satisfaction that all of the following conditions are met:

- (1) Neither the applicant nor a person identified in the application or involved with the course or its development is in violation of the act or this chapter or has been decertified under § 240.403 (relating to decertification).
- (2) The application is accurate and complete and the applicant is in compliance with the requirements of the act and this chapter.
- (3) The applicant has the qualifications required in this chapter and is capable of performing the activities for which he is seeking certification as required by the act and this chapter.

(b) The Department may deny the certification or course provider application of a person who has shown a lack of ability or intention to comply with the acts or this chapter, as indicated by past or continuous conduct. A certification lapse under § 240.203(b) (relating to conditions of certification) may be considered evidence of a lack of ability or intention to comply with the acts or this chapter.

Authority

The provisions of this § 240.201 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.201 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341760).

Cross References

This section cited in 25 Pa. Code § 240.204 (relating to certification renewal).

§ 240.202. Terms of certification.

- (a) A certification will be valid for 2 years following issuance.
- (b) Testing, mitigating or laboratory analysis may not be conducted after the expiration of the term of certification.

Authority

The provisions of this § 240.202 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.202 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (341760).

§ 240.203. Conditions of certification.

- (a) Persons certified under this chapter shall, at a minimum, comply with all of the following conditions:
 - (1) The certified person shall conduct all activities as described in the approved application.
 - (2) The certified person shall allow the Department, its agents and employees, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay, to have access to the person's facilities, offices and files for inspection and examination of records. The certified person shall also allow the Department, its agents and employees to accompany him while performing radon-related activities for the purpose of inspection of those activities.
 - (3) The certified person shall remain in compliance with the acts and this chapter.
 - (4) For certification of a firm, the certified individual shall remain in responsible charge of the radon-related activities. The certified individual shall have his duties and responsibilities listed in the firm's certification application.
 - (5) Certified testing and laboratory individuals shall pass blind studies conducted by the Department. The individual measurement results of the blind study must achieve an individual relative percent error of less than or equal to $\pm 25\%$ of the reference value. The blind study is conducted without the knowledge of the certified individual so that no special precaution is taken during the

measurement device analysis. Blind studies are designed to assess the performance of the measurement device to ensure that clients are receiving accurate and precise results.

(b) The Department may suspend certification if a condition of certification is violated. The Department will publish notice of the suspension in the *Pennsylvania Bulletin*.

Authority

The provisions of this § 240.203 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.203 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (341760) and (388453).

Cross References

This section cited in 25 Pa. Code § 240.201 (relating to criteria for issuance or denial of certifications or course provider applications).

§ 240.204. Certification renewal.

(a) An application for certification renewal must contain the contents required in an initial certification application, except that the Department may permit an applicant to rely on information previously submitted if the information remains the same. A certification renewal application shall be issued or denied according to the criteria in § 240.201 (relating to criteria for issuance or denial of certifications or course provider applications).

(b) Prior to the expiration of radon certification, a person who intends to continue to provide radon-related services in this Commonwealth shall submit an application for certification renewal. To avoid a lapse in certification, an applicant for certification renewal shall file an application at least 30 days prior to the expiration of the current certification. Submitting a renewal application does not extend the previous certification period. The certified person is responsible to make a timely application for certification renewal.

(c) For an application from a radon service provider postmarked after the expiration of the certification, the following criteria will determine application requirements:

(1) An individual certification application postmarked prior to 1 year after the expiration of the certification is a renewal application subject to the late application fee in Appendix A (relating to radon certification fee schedule).

(2) An individual certification application postmarked 1 year or more after expiration of certification is an initial application subject to the initial application fee in Appendix A. The application is not subject to the late application fee set forth in Appendix A.

Authority

The provisions of this § 240.204 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.204 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388453).

§ 240.205. Certification modification.

The terms and conditions of a certification are subject to amendment, revision or modification by the Department for a violation of the acts, this chapter or a term or condition of the certification, or for a false statement made to the Department by the certified party, or for a change of condition which would warrant the issuance or denial of a certification on the basis of an original application.

Authority

The provisions of this § 240.205 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.205 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388453).

§ 240.206. Notice of certification.

The Department will publish as a notice in the *Pennsylvania Bulletin* the name and address of each person certified under this chapter.

Subchapter D. OPERATION REQUIREMENTS

Sec.

- 240.301. Advertising.
- 240.302. Required client information.
- 240.303. Reporting of information.
- 240.304. [Reserved].
- 240.305. Health and safety program.
- 240.306. Continuing education program.
- 240.307. Radon measurement proficiency program.
- 240.308. Radon mitigation standards for detached and attached residential buildings three stories or less in height.
- 240.309. Radon mitigation system fee.
- 240.310. Testing protocols.

Cross References

This subchapter cited in 25 Pa. Code § 240.1 (relating to description of regulatory structure).

§ 240.301. Advertising.

A person may not advertise a radon-related service or product with false or misleading statements regarding the services or products offered, health effects or property value. A person required to obtain certification may not advertise a service or product unless the person currently holds a valid certification from the Department to perform that service or provide that product. Advertising for a radon-related service or product must include the valid Department certification number of the certified individual providing that service.

Authority

The provisions of this § 240.301 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.301 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388454).

§ 240.302. Required client information.

(a) A person may not test, mitigate against radon or provide a radon-related service or product without first offering the potential client a price list of services offered, and providing evidence of certification and a notice that only persons certified under the act and this chapter may provide the services or products. For mitigators, a written estimate for services shall constitute a price list. The notice must read substantially as follows:

NOTICE TO CLIENTS:

Pennsylvania law requires that anyone who performs radon testing, mitigation or laboratory analysis activities must be currently certified by the Pennsylvania Department of Environmental Protection (DEP). Any person providing these radon services shall present to the client a current Department-issued photo identification card upon request. If you have questions, you may contact DEP at the Bureau of Radiation Protection, Department of Environmental Protection, P.O. Box 8469, Harrisburg, Pa. 17105-8469, (717) 783-3594.

(b) For a person performing mitigation, warranty information, if offered, and information on the proper method of checking and servicing of mitigation equipment to maintain its function shall be provided in writing to the client.

Authority

The provisions of this § 240.302 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.302 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388454).

Cross References

This section cited in 25 Pa. Code § 240.310 (relating to testing protocols).

§ 240.303. Reporting of information.

This section specifies reporting requirements for testing, mitigation and other radon-related services.

(1) Laboratory reporting and primary tester reporting.

(i) A primary tester performing analyses or a certified individual performing laboratory analyses shall report test results to the Department within 45 days of the analysis date. If a radon-related analysis is not provided during a 45-day period, the certified individual shall inform the Department by the end of that 45-day period in a format approved by the Department. Radon tests used for diagnostic purposes must be identified as “diagnostic” when submitted to the laboratory. The information must include all of the following as available:

(A) The name and certification number of the person certified to provide the testing or laboratory analysis service.

(B) The address of the building tested, including street and number, post office, full zip code and county.

(C) The begin and end date of each measurement, measurement method and locations in the building.

(D) The type of house or building, the types of measurement devices used, the locations within the building of specific measurements and the results in picocuries per liter.

(E) The operational status of the mitigation system at the test site.

(F) The date the analysis was performed.

(G) The serial number of the CRM or electret reader.

(ii) The primary certified individual shall retain for 5 years the test result documentation identified in subparagraph (i).

(iii) The following test results should not be reported to the Department:

(A) An invalid test.

(B) A diagnostic test.

(C) A measurement performed only for QA.

(2) Mitigation reporting.

(i) A mitigation certified individual shall report the mitigation activity results to the Department within 45 days after the mitigation system initial fan activation or the alteration to an existing mitigation system. If mitigation activity is not performed during a 45-day period, the certified individual shall inform the Department by the end of that 45-day period in a format approved by the Department. The reported information must include all of the following:

(A) The name and certification number of the person providing the service.

(B) The address of the building involved, including street and number, post office, full zip code and county.

(C) The date of the initial fan activation or the alteration to an existing mitigation system.

(D) The type of house or building.

(E) The type of mitigation installation or alteration.

(F) The cost to the client.

(G) The postmitigation result.

(ii) The mitigation certified individual shall retain for 5 years the mitigation activity result documentation identified in subparagraph (i).

(3) *Reporting to client.* Within 10 business days after testing or laboratory analysis is provided, the person providing radon-related services shall report in writing to the client and to the owner or occupant the results in picocuries per liter and, when appropriate, in WLs of radon measurements taken in the building. If a certified tester provides the service through a certified laboratory, it is the responsibility of the certified laboratory to report the results to the client and to the owner or occupant of the building.

(4) *Postmitigation testing and reporting.* For a person performing mitigation, each building shall be tested for radon levels after the mitigation is performed. Each test must be at least 48 hours in duration and follow Department-approved protocols in § 240.310 (relating to testing protocols). The postmitigation test shall be conducted no sooner than 24 hours after completion of the mitigation. The results of the postmitigation test shall be reported in accordance with this section unless the postmitigation test is performed by someone other than the mitigator and the client does not provide the postmitigation test results to the mitigator.

Authority

The provisions of this § 240.303 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.303 amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (388454) to (388455).

Cross References

This section cited in 25 Pa. Code § 240.2 (relating to scope); and 25 Pa. Code § 240.310 (relating to testing protocols).

§ 240.304. [Reserved].**Authority**

The provisions of this § 240.304 reserved under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.304 reserved October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial pages (388455) to (388456).

§ 240.305. Health and safety program.

A certified individual shall have a radon health and safety program to protect himself and firm employees from exposure to radon that, at a minimum, includes minimizing one's time in the building and providing fresh air intake from outside air, when appropriate. The program must include records of each mitigator's exposure to radon during the course of employment. The certified individual shall record the items on the form in Appendix C (relating to radon exposure tracking record) and retain the records for a period of 5 years. Testers and mitigators may not exceed 4 WLM/yr in radon exposure.

Authority

The provisions of this § 240.305 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.305 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388456).

Cross References

This section cited in 25 Pa. Code § 240.112 (relating to prerequisites for radon mitigation certification).

§ 240.306. Continuing education program.

Upon certification renewal, the certified individual shall submit to the Department proof of having satisfactorily completed 16 credit hours of Department-approved continuing education courses or Department-approved equivalent.

Authority

The provisions of this § 240.306 amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administration Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.306 amended March 30, 2001, effective March 31, 2001, 31 Pa.B. 1742; amended November 14, 2008, effective January 1, 2009, 38 Pa.B. 6275; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388456).

Cross References

This section cited in 25 Pa. Code § 240.102 (relating to prerequisites for radon testing certification); 25 Pa. Code § 240.112 (relating to prerequisites for radon mitigation certification); and 25 Pa. Code § 240.122 (relating to prerequisites for radon laboratory certification).

§ 240.307. Radon measurement proficiency program.

An initial laboratory individual applicant, initial primary testing individual applicant, or an applicant applying to add a new primary testing or laboratory device shall provide written evidence of successful participation in a Department-approved radon measurement proficiency program for each model type.

Authority

The provisions of this § 240.307 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.307 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388456).

Cross References

This section cited in 25 Pa. Code § 240.102 (relating to prerequisites for radon testing certification); and 25 Pa. Code § 240.122 (relating to prerequisites for radon laboratory certification).

§ 240.308. Radon mitigation standards for detached and attached residential buildings three stories or less in height.

(a) The certified individual shall conduct a thorough visual inspection of the building prior to initiating any radon mitigation work.

(b) *Terminal discharge.* To prevent re-entrainment of radon, discharges of depressurization systems, whether fan-powered or passive, must meet all of the following requirements:

(1) The termination point shall be above the immediate edge of the roof for vent pipes attached to the side of the building.

(2) The termination point must be vertical, upward, outside the structure and discharging to the atmosphere. A 45-degree elbow is permitted. Rain caps may not be used.

(3) The termination point must be 10 feet or more above the ground level nearest to the point of discharge.

(4) The termination point must be 10 feet or more from an operable window unit, door or other opening into conditioned spaces unless it is 2 feet above the top of the openings. The 10-foot distance may be measured directly between the opening and the exhaust point or with a flexible tape following the shortest path possible around intervening solid objects. A chimney is not considered an opening into conditioned spaces.

(5) The termination point must be at least 5 feet horizontally from a vertical wall that extends above the roof or higher than the vertical wall.

(6) The termination point must be 10 feet or more from an opening into an adjacent structure and be:

(i) At least 12 inches above the surface of the roof for vent pipes that penetrate the roof.

- (ii) At least 10 feet from any openings of conditioned spaces in the structure.
- (c) *Fan location.* A radon fan used in active soil depressurization or a block wall depressurization system may not be installed:
 - (1) Below grade, in a window well or egress window well, or in the conditioned space of a building.
 - (2) In a basement, crawl space or other interior location directly beneath the heated or cooled spaces of a building.
- (d) *Sealing.*
 - (1) When accessible, the following are required to be adequately sealed with urethane caulk or equivalent material using methods and materials that are permanent and durable when installing a mitigation system:
 - (i) Perimeter channel drains.
 - (ii) Cracks that exist where the slab meets the foundation wall (floor wall joint).
 - (iii) Expansion or control joints.
 - (iv) Openings around utility penetrations of the foundation walls.
 - (v) Sump pits that allow entry of soil gas or that allow conditioned air to be drawn into a sub-slab depressurization system.
 - (2) When the opening or channel is greater than 1/2 inch in width, a foam backer rod or other equivalent filler material shall be inserted into the channel before application of the sealant. Materials inserted into the channel must leave adequate space below the filler material to allow subsurface drainage from the channel into the subslab material.
 - (3) If the mitigator and homeowner determine that the perimeter channel drain cannot be sealed for water control reasons, then the mitigator may leave those areas unsealed and shall provide the following written statements to the homeowner:
 - (i) This technique may contribute to increased heating and cooling costs.
 - (ii) This technique may reduce the effectiveness of the radon mitigation system.
 - (iii) This technique may increase the potential for backdrafting natural draft combustion appliances.
- (e) *Labeling.*
 - (1) If the mitigation system is accessible and visible, a system description label shall be prominently and permanently affixed to the mitigation system piping. If the mitigation system is concealed or not accessible, then the label shall be placed in another prominent location. The label must be legible from a distance of at least 3 feet and include all of the following information:
 - (i) "Radon Reduction System."
 - (ii) The name and certification number of the mitigation certified individual or firm.
 - (iii) The contact telephone number of the mitigation certified individual or firm.
 - (iv) The date of installation.

- (v) “Building should be tested for radon at least every two years.”
- (2) Each exposed and visible interior radon mitigation system vent pipe section shall be identified with at least one label on each floor level. The label must read “Radon Reduction System.”
- (f) *Required client information.* Upon completion of the mitigation project, the mitigator shall attach an information package to the mitigation system in a secure and permanent manner, visible location and labeled “Radon Mitigation Information.” The information package must include all of the following:
- (1) A copy of contracts and warranties for the mitigation system.
 - (2) A description of the installed mitigation system and its basic operating principles.
 - (3) A description of the proper operating procedures of installed mechanical or electrical systems, including the manufacturer’s operation and maintenance instructions, drain-filling instructions and warning device interpretations.
 - (4) A list of appropriate actions for the client to take if the system failure warning device indicates system degradation or failure.
 - (5) A recommendation to retest at least every 2 years.
 - (6) A recommendation to have an electrical inspection performed on the applicable components of the installed system.
- (g) *Compliance.* A person conducting radon mitigation activities shall conduct the mitigation in accordance with Department-approved mitigation standards and shall comply with applicable statutes, regulations, ordinances and building codes. The following protocols, “Protocols for Radon and Radon Decay Product Measurements in Homes,” “Indoor Radon and Radon Decay Product Measurement Device Protocols” and “Pennsylvania Radon Mitigation Standards” are available upon request from the following source:
- Department of Environmental Protection
Bureau of Radiation Protection
Rachel Carson State Office Building, 13th Floor
400 Market Street
Post Office Box 8469
Harrisburg, Pennsylvania 17105-8469

Authority

The provisions of this § 240.308 amended under sections 301 and 302 of the Radiation Protection Act (35 P.S. §§ 7110.301 and 7110.302); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and the Radon Certification Act (63 P.S. §§ 2001—2014).

Source

The provisions of this § 240.308 amended May 16, 2008, effective May 17, 2008, 38 Pa.B. 2243; amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388457).

§ 240.309. Radon mitigation system fee.

- (a) The radon mitigation system fee in Appendix A with a Department-approved radon mitigation system fee form shall be submitted to the Department by:
- (1) A person who installs or is in responsible charge of employees who install an active radon mitigation system in this Commonwealth.

- (2) A person who converts or is in responsible charge of employees who convert a passive radon mitigation system to an active radon mitigation system in this Commonwealth.
- (b) The fee for each radon mitigation system installed or activated must be received by the Department no later than 10 business days after the end of the quarter in which the installation or activation was performed.

Authority

The provisions of this § 240.309 issued under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301, 7110.302 and 7110.401); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and sections 8, 12 and 13 of the Radon Certification Act (63 P.S. §§ 2008, 2012 and 2013).

Source

The provisions of this § 240.309 adopted October 20, 2017, effective October 21, 2017, 47 Pa.B. 6482.

§ 240.310. Testing protocols.

(a) *Radon testing protocols.* The certified individual shall ensure that the requirements in this section are completed. For testing that is required to be reported to the Department under § 240.303 (relating to reporting of information), radon testing shall be performed in accordance with all of the following testing protocols:

- (1) *Placement of testing devices.* Testing devices shall be placed as follows:
- (i) At least 3 feet from exterior doors, windows or ventilation ducts.
 - (ii) Out of the direct flow of air.
 - (iii) At least 1 foot from ceilings and exterior walls.
 - (iv) At least 20 inches but not more than 6 feet from the floor.
 - (v) At least 4 inches from other objects horizontally or vertically above the detector.
 - (vi) At least 4 feet from heat sources including fireplaces, furnaces and direct sunlight.
 - (vii) At least 7 feet from sump pits.
 - (viii) Where the device will remain undisturbed during the test period.
- (2) *Improper placement of testing devices.* Testing devices may not be placed in the following locations:
- (i) Bathrooms.
 - (ii) Kitchens.
 - (iii) Within 10 feet of washer/dryer unit.
 - (iv) Spa rooms or other areas of high humidity.
 - (v) Closets.
 - (vi) Cupboards.
 - (vii) Sump pits.

- (viii) Crawlspace or nooks within the foundation.
- (3) *Short-term tests.* Short-term tests shall be taken in the lowest livable level of each structural zone that contacts the soil.
- (4) *Conditions of testing.* Testing shall be conducted under the following conditions:
 - (i) Testing devices must remain undisturbed during the testing period.
 - (ii) A short-term test must range in duration from 48 hours to 90 days.
 - (iii) Short-term tests must be conducted under closed-building conditions.
 - (iv) Closed-building conditions must begin at least 12 hours prior to the beginning of the test period for tests lasting less than 96 hours.
 - (v) Closed-building conditions consist of all of the following criteria:
 - (A) All windows must be closed.
 - (B) All external doors must be closed except for normal entry and exit. Structural openings due to disrepair or structural defects shall be repaired to correct their condition prior to initiation of testing.
 - (C) Normal operation of permanently installed HVAC systems must continue during closed-building conditions.
 - (D) Fireplaces, wood stoves and coal stoves may not be operated unless they are normal sources of heat for the building.
 - (E) Air conditioning systems that recycle interior air may be operated during closed-building conditions.
 - (F) Whole-house fans may not be operated during the test period. Portable window fans shall be removed from windows or sealed in place. Window air conditioning units may only be operated in a recirculation mode. If the building contains an air handling system, the air handling system may not be set for continuous operation unless the air handling equipment is specifically used for radon control and is labeled accordingly.
 - (G) In buildings with permanently installed radon mitigation systems, the mitigation system must be functioning during the test period. If the system is not functioning, the client must be notified immediately.
 - (H) Operation of fans, portable dehumidifiers, portable humidifiers, portable air filters and window air conditioners may not create a direct flow of air on the radon testing device.
 - (vi) All closed-building conditions shall be inspected and documented at the time of placement and retrieval of the detectors.
 - (vii) Short-term tests of fewer than 96 hours may not be conducted during unusually severe storms or periods of high winds of 30 miles per hour or greater. Local weather forecasts shall be checked and documented prior to placing short-term test devices when the test period is less than 96 hours.
 - (viii) Instructions describing closed-building conditions required in this section shall be provided to the persons who control the building.
 - (ix) Only co-located duplicate tests may be averaged.

- (5) *Minimum requirements for short-term testing.*
- (i) *Simultaneous testing using short-term passive devices.*
 - (A) Simultaneous testing must comprise at least two short-term indoor radon tests conducted simultaneously with identical test devices.
 - (B) Simultaneous testing devices shall be:
 - (I) Co-located and the near edges spaced 4 to 5 inches apart.
 - (II) Exposed for the same test period.
 - (C) Both tests and the average of the simultaneous tests shall be reported to the client, except as indicated in subclause (II):
 - (I) If the RPD is greater than 67% for simultaneous test results that are both between 2.0 and 3.9 pCi/L, the tests shall be reported to the client and the cause investigated, documented and corrected.
 - (II) If the RPD is greater than 36% for simultaneous test results that are both equal to or greater than 4.0 pCi/L, the tests may not be reported to the client, and the cause shall be investigated, documented and corrected.
 - (D) If one test is equal to or greater than 4.0 pCi/L and one test is less than 4.0 pCi/L, and the higher test is more than twice the amount of the lower test, the tests may not be reported to the client.
 - (ii) *CRM testing.*
 - (A) A CRM must have the capability to integrate and record a new result at least hourly.
 - (B) The minimum test period is 48 hours, with 44 contiguous hours of usable data to produce a valid average. The first 4 hours of data from a CRM may be discarded.
 - (C) The contiguous results shall be averaged to produce a result that is reported to the client.
 - (D) A copy of the hourly printout shall be provided to the client as part of the test results.
- (6) *Real estate testing.* Real estate testing shall be conducted using all of the following anti-tampering procedures:
- (i) Anti-tampering devices shall be employed to indicate if a test device was moved during the testing period.
 - (ii) The buyer, seller, occupant, real estate professional or other individual in control of the property shall sign a Conditions for Short-Term Radon Testing Agreement, which must contain the information in Appendix B (relating to non-interference agreement for real estate radon testing).
 - (iii) If the Conditions for Short-Term Radon Testing Agreement cannot be signed by the buyer, seller, occupant, real estate professional or other individual in control of the property, the reason shall be documented on the completed agreement.

(iv) A Radon Testing in Progress Notice shall be posted and in a conspicuous indoor location. The notice shall be posted upon initiation of a radon test and include all of the following statements:

- (A) “Radon Testing in Progress.”
- (B) “Keep all windows closed.”
- (C) “Keep all exterior doors closed, except for normal entry and exit.”
- (D) “Do not move or touch the radon testing device.”

(7) *Multifamily building tests.* Multifamily building tests shall be performed in accordance with ANSI/AARST MAMF-2017, “Protocol for Conducting Radon and Radon Decay Product Measurements in Multifamily Buildings,” or its equivalent as determined by the Department.

(8) *Multifamily building mitigation.* Multifamily building mitigation shall be performed in accordance with ANSI/AARST RMS-MF 2014, “Radon Mitigation Standards for Multifamily Buildings,” or its equivalent as determined by the Department.

(9) *School and commercial building tests.* School and commercial building tests shall be performed in accordance with *Radon Measurement in Schools* (EPA 402-R-92-014) or its equivalent as determined by the Department.

(10) *New construction and buildings under renovation.* This paragraph provides the testing requirements for new construction and buildings under renovation. A newly constructed building or existing building under renovation may not be tested for radon or radon progeny unless all of the following items have been installed:

- (i) Insulation.
- (ii) Exterior doors with associated hardware.
- (iii) Windows.
- (iv) Fireplaces and fireplace dampers, if they are or will be installed.
- (v) Heating, air conditioning and plumbing appliances.
- (vi) Ceilings.
- (vii) Interior trim and coverings for the exterior walls.
- (viii) Exterior siding, weatherproofing and caulking.
- (ix) Interior and exterior structural components.
- (x) Interior or exterior work that may adversely affect the test validity.

(11) *Postmitigation testing.*

(i) Testing conducted while temporary radon reduction systems are in use may not be used as the postmitigation test.

(ii) The mitigation system must be operated continuously during the entire test period. If the system is not functioning, the client must be notified immediately.

(iii) The postmitigation test may not be performed sooner than 24 hours or later than 30 days following the completion and activation of the mitigation system or an alteration to an existing system unless unforeseen circum-

stances prohibit the testing being performed within this timeframe, such as the owner or occupier refusing or ignoring requests to complete the postmitigation test.

(iv) Postmitigation testing shall be conducted in accordance with this subsection.

(b) *Result Report Form.*

(1) A tester shall have a Department-approved Result Report Form. Testers shall provide the client with a completed Result Report Form within 10 business days from the completion of the test or the receipt of the test results from the laboratory. The Result Report Form must contain all of the following as available:

(i) Each test result in pCi/L and rounded to one decimal place. Standard mathematical rules for rounding shall be followed.

(ii) Notification of an invalid radon test with an explanation and without a test result given.

(iii) The average of co-located test device results as well as the individual results.

(iv) The exact start and stop dates and times of the test period.

(v) The complete street address of the test location, including, when applicable, the apartment, suite or building number.

(vi) The test device used and its manufacturer, model and serial number.

(vii) The complete name, street address and telephone number of the tester.

(viii) The name and Department certification number of each tester placing and retrieving each testing device.

(ix) The name and certification number of the laboratory analyzing the testing device, if applicable.

(x) A statement whether a mitigation system was observed in the building during placement or retrieval of the testing device, including whether the mitigation system was operating.

(xi) A statement describing if tampering, interference or deviations from the required test conditions was observed.

(xii) A description of the condition (open, closed or not applicable) of permanent vents that allow outdoor air into the building, such as crawlspace vents or combustion air supply to combustive appliances.

(xiii) A description of unusually severe storms or periods of high winds during the test period.

(xiv) The location within the building of each testing device.

(xv) The Pennsylvania "Notice to Clients" statement as indicated in § 240.302 (relating to required client information).

(xvi) If using a CRM, a copy of the device printout.

(xvii) If using a CRM or electret reader, the calibration expiration date.

(xviii) If using a CRM or electret reader, the device serial number.

(xix) The following radon health risk information:

Radon is the second leading cause of lung cancer, after smoking. The U.S. Environmental Protection Agency (EPA) and the Surgeon General strongly recommend taking further action when the home's radon test results are 4.0 pCi/L or greater. The National average indoor radon level is about 1.3 pCi/L. The higher the home's radon level the greater the health risk to you and your family. Reducing your radon levels can be done easily, effectively and fairly inexpensively. Even homes with very high radon levels can be reduced below 4.0 pCi/L. For further information about reducing elevated radon levels, please refer to the "Pennsylvania Consumers Guide to Radon Reduction."

(2) A laboratory shall use a Department-approved Result Report Form. Laboratories shall provide the client with a completed Result Report Form within 10 business days after completion of test analysis. The Result Report Form must contain all of the following as available:

- (i) Each test result in pCi/L and rounded to one decimal place. Standard mathematical rules for rounding shall be followed.
- (ii) Notification of invalid radon tests with an explanation and without a test result given.
- (iii) The average of co-located testing devices as well as the individual results.
- (iv) The exact start and stop dates and times of the test period.
- (v) The complete street address of the test location, including, when applicable, the apartment, suite or building number, as available.
- (vi) The test device used and its manufacturer, model and serial numbers.
- (vii) The name and certification number of the laboratory analyzing the testing device.
- (viii) The location within the building of each test device, as available.
- (ix) The Pennsylvania "Notice to Clients" statement as indicated in § 240.302.
- (x) If using a CRM, a copy of the device printout.
- (xi) The calibration expiration date of the electret reader or continuous monitor.
- (xii) The following radon health risk information:

Radon is the second leading cause of lung cancer, after smoking. The U.S. Environmental Protection Agency (EPA) and the Surgeon General strongly recommend taking further action when the home's radon test results are 4.0 pCi/L or greater. The national average indoor radon level is about 1.3 pCi/L. The higher the home's radon level the greater the health risk to you and your family. Reducing your radon levels can be done easily, effectively and fairly inexpensively. Even homes with very high radon levels can be reduced below 4.0 pCi/L. For further information about reducing elevated radon levels, please refer to the "Pennsylvania Consumers Guide to Radon Reduction."

Authority

The provisions of this § 240.310 issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.310 adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

Cross References

This section cited in 25 Pa. Code § 240.303 (relating to reporting of information).

**Subchapter E. ENFORCEMENT AND
DECERTIFICATION**

Sec.

240.401. Inspection.

240.402. Civil penalties.

240.403. Decertification.

Cross References

This subchapter cited in 25 Pa. Code § 240.1 (relating to description of regulatory structure).

§ 240.401. Inspection.

(a) The Department and its agents and employees will:

(1) At all reasonable times, have access to, and require the production of, books and papers, documents and physical evidence pertinent to a matter under investigation related to radon testing, mitigation of radon contamination or radon laboratory analysis.

(2) At all reasonable times, enter a building, property, premises or place of a person who conducts radon-related activities for the purpose of making an investigation or inspection necessary to ascertain the compliance or noncompliance with the act and this chapter.

(b) The Department, its agents and employees may conduct inspections of a building, property, premises or place of business of a person who conducts radon-related activities if a person presents information to the Department or the Department has access to information which gives it reason to believe that one of the following exists:

(1) A person may have violated the act or this chapter.

(2) A person is not in compliance with the terms or conditions of the person's certification.

(3) A condition or practice exists which may pose a threat to public health, safety, welfare or the environment.

(c) An agent or employee of the Department may not enter a private residence for the purpose of conducting an inspection under this section without a search warrant or without the consent of the occupant.

(d) Inspections made under this section are subject to Chapter 220 (relating to notices, instructions and reports to workers; inspections and investigations).

Authority

The provisions of this § 240.401 amended under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this § 240.401 amended October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388458).

§ 240.402. Civil penalties.

(a) The Department may assess a civil penalty for a violation of the acts or this chapter.

(b) A civil penalty may be assessed or increased, based upon:

- (1) The seriousness of the violation.
- (2) The monetary loss of an owner or occupier, including the cost to the owner or occupier to remedy the violation.
- (3) The risks to health and safety.
- (4) The cost to the Commonwealth in administration, inspection and enforcement, to remedy the violation.
- (5) The costs avoided by the violator by the violation.
- (6) The culpability of the violator.
- (7) The frequency of the violation.

(c) Each day of a continuing violation is considered a separate violation for purposes of this chapter.

§ 240.403. Decertification.

(a) The Department may decertify a person who has violated the acts, this chapter or a term or condition of certification.

(b) The Department may hold a public hearing or informal conference prior to decertifying a person.

(c) The Department will publish in the *Pennsylvania Bulletin* a notice of decertification.

Cross References

This section cited in 25 Pa. Code § 240.201 (relating to criteria for issuance or denial of certifications or course provider applications).

Subchapter F. [Reserved]**§§ 240.501 and 240.502. [Reserved].****Authority**

The provisions of these §§ 240.501 and 240.502 reserved under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of these §§ 240.501 and 240.502 reserved October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791. Immediately preceding text appears at serial page (388459).

Subchapter G. QA REQUIREMENTS

Sec.

240.601. Scope.

240.602. General requirements.

240.603. QA program.

240.604. QA requirements for testing using primary devices.

240.605. QA requirements for testing using secondary devices.

240.606. QA requirements for laboratories.

Authority

The provisions of this Subchapter G issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this Subchapter G adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

§ 240.601. Scope.

(a) This subchapter applies to QA requirements for:

(1) Persons conducting radon testing and radon laboratory analysis activities.

- (2) Testing devices listed with the Department on the individual's certification.
- (b) The subchapter does not apply to tests performed for the sole purpose of diagnostic testing.

§ 240.602. General requirements.

- (a) The certified individual is responsible for all requirements in this subchapter, including when QA activities are performed by others.
- (b) QA requirements and corrective actions in this section shall be documented and the records retained for a minimum of 5 years.

§ 240.603. QA program.

A person conducting radon testing or radon laboratory analysis activities shall have a QA program to ensure the measurements are accurate and errors are controlled. The program must ensure that testing devices are routinely and properly calibrated. The program shall provide the information related to all of the following activities:

- (1) Organization and responsibilities.
- (2) Sampling procedures.
- (3) Detector custody.
- (4) Analytical procedures.
- (5) Data reduction, validation and reporting.
- (6) Corrective action.
- (7) QA reports to management.

§ 240.604. QA requirements for testing using primary devices.

- (a) *CRMs for primary testers.*
 - (1) *Calibration.* Each Department-listed CRM must have a current calibration. To have a current calibration, the CRM shall be calibrated in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the CRM.
 - (2) *Background measurements.* Background measurements shall be performed and documented after every 1,000 hours of operation of scintillation cell-type CRM. These background measurements shall be checked by purging the unit with clean, aged air or nitrogen in accordance with the manufacturer's instructions. For all CRMs, the background shall be monitored in accordance with the manufacturer's instructions.
 - (3) *Check source counting.* For a CRM with a check source, check source counting shall be documented and completed with that check source prior to each test.
 - (4) *Routine instrument checks.* Before and after each measurement, the CRM shall be checked according to the manufacturer's instructions. For each check, all of the following shall be verified:

- (i) The correct input parameters and the unit's clock or timer are set properly.
 - (ii) The pump's flow rates are within the range of the manufacturer's specifications.
- (5) *Data collection log.*
- (i) CRM data shall be tracked on a form that contains all of the following:
 - (A) The CRM serial number.
 - (B) The exposure dates and times.
 - (C) The test result.
 - (D) The address of the building tested.
 - (E) The test location in the building.
 - (F) The name of the tester who placed the CRM.
 - (G) The name of the tester who retrieved the CRM.
 - (H) The calibration, repair and Department listing dates.
 - (ii) For a CRM without a check source, the data collection log must also contain all of the following intercomparison measurement information:
 - (A) The intercomparison devices' serial numbers.
 - (B) The RPD value.
 - (C) The intercomparison measurements results.
- (6) *Intercomparison measurements.* An intercomparison measurement shall be performed for each CRM without a check source.
- (i) Intercomparison measurements shall be made at least every tenth test with another Department-listed passive device that is analyzed by a Department-certified laboratory or with another CRM with a hard copy print-out. The intercomparison measurements shall be distributed systematically throughout the entire population of test locations. Original printouts or Department-certified laboratory results, or both, shall be kept for each intercomparison. Each intercomparison measurement must be performed with the devices side by side for the measurement for at least 48 hours.
 - (ii) For intercomparison measurements, the RPD shall be used to track performance. The RPD value shall be tracked using control charts from "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.
 - (iii) If the RPD value exceeds the control limit, the CRM may not be used for radon measurements until the problem is identified and corrected. If the RPD value exceeds the warning level, the criteria in "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be followed.
 - (iv) In addition to the control charts, intercomparison measurements shall be documented on the CRM data collection log.

(b) *CWLMs for primary testers.*

(1) *Calibration.* Each Department-listed CWLM must have a current calibration. To have a current calibration, the CWLM shall be calibrated in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the CWLM.

(2) *Background measurements.* CWLM background measurements shall be performed and documented at least every 168 hours of operation and when the unit is calibrated.

(3) *Routine instrument checks.* Routine instrument checks for each CWLM shall be documented and performed before and after each test by using an Am-241 or similar energy check source. Pumps and flow meters shall be checked in accordance with the manufacturer's instructions and documented. The pump and flow meter check shall be performed with a dry-gas meter or other flow measurement device of traceable accuracy.

(4) *Data collection log.*

(i) CWLM data shall be tracked on a form that contains all of the following:

- (A) The CWLM serial number.
- (B) The exposure dates and times.
- (C) The test result.
- (D) The address of the building tested.
- (E) The test location in the building.
- (F) The name of the tester who placed the CWLM.
- (G) The name of the tester who retrieved the CWLM.
- (H) The calibration, repair and Department listing dates.

(ii) For CWLMs without a check source, the data collection log must also contain all of the following intercomparison measurement information:

- (A) The intercomparison devices' serial numbers.
- (B) The RPE value or RPD value.
- (C) The intercomparison measurement results.

(5) *Intercomparison measurements.* An intercomparison measurement shall be performed for each CWLM monitor without a check source.

(i) A CWLM without check source capability must have an informal intercomparison measurement made with another CWLM with a hard copy printout at least every tenth test. This printout shall be retained for each intercomparison. The intercomparison measurements shall be distributed systematically throughout the entire population of test locations. Each intercomparison measurement must be performed with the devices side by side for the measurement for at least 48 hours.

(ii) Each intercomparison shall be documented on the data collection log.

(iii) For intercomparison measurements the RPD shall be used to track performance. The RPD value shall be tracked using control charts from

“Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.

(iv) If the RPD value exceeds the control limit, the CWLM may not be used for radon measurements until the problem is identified and corrected. If the RPD value exceeds the warning level, the criteria in “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be followed.

(c) *Electret ion chambers for primary testers.*

(1) *Calibration.* Each Department-listed electret reader must have a current calibration. To have a current calibration, the electret reader shall be calibrated in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the electret reader. Each electret reader shall be calibrated simultaneously with its corresponding reference electret’s recertification.

(2) *Data collection log.* Electret custody shall be tracked on a form that contains all of the following:

- (i) The electret serial number.
- (ii) The initial voltage reading.
- (iii) The final voltage reading.
- (iv) The exposure dates and times.
- (v) The test result.
- (vi) The serial number of duplicate electret.
- (vii) The RPD value.
- (viii) The address of the building tested.
- (ix) The test location in the building.
- (x) The name of the tester who placed the electret.
- (xi) The name of the tester who retrieved the electret.

(3) *Known exposure measurements (spikes).*

(i) Spikes shall be conducted at a rate of 3 for each 100 test devices deployed, with a minimum of 3 spikes for each certification year when tests were conducted in the certification year, and with a maximum of 6 spikes each month.

(ii) Spikes shall be analyzed in the same manner as all other testing.

(iii) Spikes shall be monitored using a means control chart. The means control chart must be established as follows:

(A) Using an RPE value of plus and minus 10%, which corresponds to the 1 sigma level.

(B) A warning level of the RPE of plus and minus 20%, which corresponds to the 2 sigma warning level.

(C) Control limits of the RPE of plus and minus 30%, which corresponds to the 3 sigma control level.

(iv) Each RPE value shall be plotted on the means control chart within 1 week of return of the device from the chamber. If the RPE value is outside

the 3 sigma control level, all measurements shall cease until the problem is evaluated and corrected. All evaluations shall be documented.

(v) In addition to the means control chart, all spikes shall be documented on a form that contains all of the following:

- (A) The radon chamber name.
- (B) The electret serial numbers.
- (C) The RV from radon chamber.
- (D) The measured spike value or values.
- (E) The individual RPE results.
- (F) The certification year beginning date and end date.
- (G) The exposure dates.

(4) *Duplicate measurements.*

(i) Duplicates shall be made in at least 10% of the total number of test devices deployed each month, or 50 each month, whichever is smaller.

(ii) The RPD shall be calculated for all duplicate results with an average of greater than or equal to 2.0 pCi/L. Two control charts shall be constructed to monitor duplicate precision:

(A) One for duplicates when the average is greater than or equal to 4.0 pCi/L.

(B) One for duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L.

(iii) Each RPD value shall be plotted on the control chart within 1 week of performing the duplicate measurement.

(iv) The RPD shall be tracked using control charts from "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.

(v) For duplicates when the average is greater than or equal to 4.0 pCi/L, all of the following apply:

(A) The control level shall be set at an RPD of 14%.

(B) The warning level shall be set at an RPD of 28%.

(C) The control limit shall be set at an RPD of 36%.

(vi) For duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L, all of the following apply:

(A) The control level shall be set at an RPD of 25%.

(B) The warning level shall be set at an RPD of 50%.

(C) The control limit shall be set at an RPD of 67%.

(vii) If the plotted RPD result falls outside of the control limit, the measurements shall cease until the problem is identified and corrected.

(viii) If the plotted RPD result falls outside of the warning level, "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be used to determine the action to be taken.

(ix) Documentation of duplicates must include all of the following:

- (A) The device serial numbers.
 - (B) The exposure dates.
 - (C) Each duplicate measurement result.
 - (D) The RPD results.
- (5) *Voltmeter routine instrument checks.*
- (i) Proper operation of the surface voltmeter shall be monitored following the manufacturer's procedures for analyzing the reference electrets and zeroing the voltmeter.
 - (ii) A voltage reading of a reference electret difference of more than 2 volts from the reference electret specified value shall be considered a wrong reading. The second reference electret in the set shall be read to determine whether the wrong reading is in the first reference electret or in the reader. Corrective action shall be taken in consultation with the manufacturer.
 - (iii) When zeroing the reader, if the voltmeter displays more than (\pm) 3 volts, corrective action shall be taken in consultation with the manufacturer.
 - (iv) Voltmeter checks shall be conducted at least once each week while the voltmeter is in use and shall be documented. Documentation of routine instrument checks must include all of the following:
 - (A) The reader serial number.
 - (B) The date of analysis.
 - (C) Zero value.
 - (D) The reference electret values.
 - (E) Corrective actions performed.

Cross References

This section cited in 25 Pa. Code § 240.102 (relating to prerequisites for radon testing certification); and 25 Pa. Code § 240.122 (relating to prerequisites for radon laboratory certification).

§ 240.605. QA requirements for testing using secondary devices.

- (a) *CRMs for secondary testers.*
- (1) *Calibration.* Each Department-listed CRM must have a current calibration. To have a current calibration, the CRM shall be calibrated in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the CRM. A current calibration certificate shall be retained for each monitor.
 - (2) *Check source counting.* For a CRM with a check source, check source counting shall be documented and completed with that check source prior to each test.
 - (3) *Routine instrument checks.* Before and after each measurement, the CRM shall be checked according to the manufacturer's instructions. For each check, all of the following shall be verified:
 - (i) The correct input parameters and the unit's clock or timer are set properly.

(ii) The pump's flow rates are within the range of the manufacturer's specifications.

(4) *Data collection log.*

(i) CRM data shall be tracked on a form that contains all of the following:

- (A) The CRM serial number.
- (B) The exposure dates and times.
- (C) The test result.
- (D) The address of the building tested.
- (E) The test location in the building.
- (F) The name of the tester who placed the CRM.
- (G) The name of the tester who retrieved the CRM.
- (H) The calibration, repair and Department listing dates.

(ii) For a CRM without a check source, the data collection log must also contain all of the following intercomparison measurement information:

- (A) The intercomparison device serial number.
- (B) The RPE value or RPD value.
- (C) The intercomparison measurement result.

(5) *Intercomparison measurements.* An intercomparison measurement shall be performed for each CRM without a check source.

(i) Intercomparison measurements shall be made at least every tenth test with another Department-listed passive device that is analyzed by a Department-certified laboratory or with another CRM with a hard copy printout. The intercomparison measurements shall be distributed systematically throughout the entire population of test locations. Original printouts or Department-certified laboratory results, or both, shall be kept for each intercomparison. Each intercomparison measurement must be performed with the devices side by side for the measurement for at least 48 hours.

(ii) When performing intercomparison measurements, the RPD shall be used to track performance. The RPD value shall be tracked using control charts from "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.

(iii) If the RPD value exceeds the control limit, the CRM may not be used for radon measurements until the problem is identified and corrected. If the RPD value exceeds the warning level, the criteria in the "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be followed.

(iv) In addition to the control charts, intercomparison measurements shall be documented on the CRM data collection log.

(b) *CWLM for secondary testers.*

(1) *Calibration.* Each Department-listed CWLM must have a current calibration. To have a current calibration, the CWLM shall be calibrated in a

Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the CWLM. A current calibration certificate shall be retained for each monitor.

(2) *Data collection log.*

(i) CWLM data shall be tracked on a form that contains all of the following:

- (A) The CWLM serial number.
- (B) The exposure dates and times.
- (C) The test result.
- (D) The address of the building tested.
- (E) The test location in the building.
- (F) The name of the tester who placed the CWLM.
- (G) The name of the tester who retrieved the CWLM.
- (H) The calibration, repair and Department listing dates.

(ii) For CWLMs without a check source, the data collection log must also contain all of the following intercomparison measurement information:

- (A) The intercomparison device serial number.
- (B) The RPD value.
- (C) The intercomparison measurement result.

(3) *Intercomparison measurements.* An intercomparison measurement shall be performed for all CWLM monitors without a check source.

(i) A CWLM without check source capability shall have an informal intercomparison measurement made with another CWLM with a hard copy printout at least every tenth test. This printout shall be retained for each intercomparison. The intercomparison measurements shall be distributed systematically throughout the entire population of test locations. Each intercomparison measurement must be performed with the devices side by side for the measurement for at least 48 hours.

(ii) Each intercomparison shall be documented on the data collection log.

(iii) When performing intercomparison measurements, the RPD shall be used to track performance. The RPD value shall be tracked using control charts from "Protocols for Radon and Radon Decay product measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.

(iv) If the RPD value exceeds the control limit, the CWLM may not be used for radon measurements until the problem is identified and corrected. If the RPD value exceeds the warning level, the criteria in the "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be followed.

(c) *Electret ion chambers for secondary testers.*

(1) *Data collection log.* Electret data shall be tracked on a form that contains all of the following:

- (i) The electret serial number.
 - (ii) The initial voltage reading.
 - (iii) The final voltage reading.
 - (iv) The exposure dates and times.
 - (v) The test results.
 - (vi) The serial number of duplicate electret.
 - (vii) The RPD value.
 - (viii) The address of the building tested.
 - (ix) The test location in the building.
 - (x) The name of the tester who placed the electret.
 - (xi) The name of the tester who retrieved the electret.
- (2) *Known exposure measurements (spikes).*
- (i) Spikes shall be conducted at a rate of 3 for each 100 test devices deployed, with a minimum of 3 spikes for each certification year when tests were conducted in the certification year, and with a maximum of 6 spikes each month.
 - (ii) Spikes shall be submitted to a Department-certified laboratory labeled as QA. The RV of the spiked device may not be revealed to the laboratory prior to analysis.
 - (iii) Spikes shall be monitored using a means control chart. The means control chart must be established as follows:
 - (A) Using an RPE value of plus and minus 10%, which corresponds to the 1 sigma level.
 - (B) A warning level of the RPE of plus and minus 20%, which corresponds to the 2 sigma warning level.
 - (C) Control limits of the RPE of plus and minus 30%, which correspond to the 3 sigma control level.
 - (iv) Each RPE value shall be plotted on the means control chart within 1 week of return of the device from the chamber. If the RPE value is outside the 3 sigma control level, all measurements shall cease until the problem is evaluated and corrected. All evaluations shall be documented.
 - (v) In addition to the means control chart, all spikes shall be documented on a form that contains all of the following:
 - (A) The radon chamber name.
 - (B) The electret serial numbers.
 - (C) The RV from radon chamber.
 - (D) The measured spike value or values.
 - (E) The individual RPE results.
 - (F) The certification year beginning date and end date.
 - (G) The exposure dates.
- (3) *Duplicate measurements.*
- (i) Duplicates shall be made in at least 10% of the total number of test devices deployed each month, or 50 each month, whichever is smaller.

- (ii) The RPD shall be calculated for all duplicate results with an average of greater than or equal to 2.0 pCi/L. Two control charts shall be constructed to monitor duplicate precision:
 - (A) One for duplicates when the average is greater than or equal to 4.0 pCi/L.
 - (B) One for duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L.
 - (iii) Each RPD value shall be plotted on the control chart within 1 week of performing the duplicate measurement.
 - (iv) The RPD shall be tracked using control charts from “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.
 - (v) For duplicates when the average is greater than or equal to 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 14%.
 - (B) The warning level shall be set at an RPD of 28%.
 - (C) The control limit shall be set at an RPD of 36%.
 - (vi) For duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 25%.
 - (B) The warning level shall be set at an RPD of 50%.
 - (C) The control limit shall be set at an RPD of 67%.
 - (vii) If the plotted RPD result falls outside of the control limit, the measurements shall cease until the problem is identified and corrected.
 - (viii) If the plotted RPD result falls outside of the warning level, “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be used to determine the action to be taken.
 - (ix) Documentation of duplicates must include all of the following:
 - (A) The device serial numbers.
 - (B) The exposure dates.
 - (C) Each duplicate measurement result.
 - (D) The RPD results.
- (d) *LS, AC and ATs for secondary testers.*
- (1) *Data collection log.* Detector data shall be tracked on a form that contains all of the following:
 - (i) The device serial number.
 - (ii) The serial number of duplicate devices.
 - (iii) The serial number of spiked devices.
 - (iv) The exposure dates and times.
 - (v) The test results.
 - (vi) The RPE value or RPD value.
 - (vii) The address of the building tested.

- (viii) The test location in the building.
 - (ix) The name of the tester who placed the device.
 - (x) The name of the tester who retrieved the device.
 - (xi) The name of the laboratory to which device was sent.
- (2) *Known exposure measurements (spikes).*
- (i) Spikes shall be conducted at a rate of 3 for each 100 test devices deployed, with a minimum of 3 spikes for each certification year when tests were conducted in the certification year, and with a maximum of 6 spikes each month.
 - (ii) Spikes shall be submitted to a Department-certified laboratory labeled as QA. The RV of the spiked device may not be revealed to the laboratory prior to analysis.
 - (iii) Spikes shall be monitored using a means control chart. The means control chart must be established as follows:
 - (A) Using an RPE value of plus and minus 10%, which corresponds to the 1 sigma level.
 - (B) A warning level of the RPE of plus and minus 20%, which corresponds to the 2 sigma warning level.
 - (C) Control limits of the RPE of plus and minus 30%, which correspond to the 3 sigma control level.
 - (iv) Each RPE value shall be plotted on the means control chart within 1 week of receiving the result from the laboratory. If the RPE value is outside the 3 sigma control level, all measurements shall cease until the problem is evaluated and corrected. All evaluations shall be documented.
 - (v) In addition to the means control chart, all spikes shall be documented on a form that contains all of the following:
 - (A) The radon chamber name.
 - (B) The device serial numbers.
 - (C) The RV from radon chamber.
 - (D) The measured spike value or values.
 - (E) The individual RPE results.
 - (F) The certification year beginning date and end date.
 - (G) The exposure dates.
- (3) *Duplicate measurements.*
- (i) Duplicates shall be made in at least 10% of the total number of test devices deployed each month, or 50 each month, whichever is smaller.
 - (ii) The RPD shall be calculated for all duplicate results with an average of greater than or equal to 2.0 pCi/L. Two control charts shall be constructed to monitor duplicate precision:
 - (A) One for duplicates when the average is greater than or equal to 4.0 pCi/L.
 - (B) One for duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L.

(iii) Each RPD value shall be plotted on the control chart within 1 week of performing the duplicate measurement.

(iv) The RPD shall be tracked using control charts from "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.

(v) For duplicates when the average is greater than or equal to 4.0 pCi/L, all of the following apply:

(A) The control level shall be set at an RPD of 14%.

(B) The warning level shall be set at an RPD of 28%.

(C) The control limit shall be set at an RPD of 36%.

(vi) For duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L, all of the following apply:

(A) The control level shall be set at an RPD of 25%.

(B) The warning level shall be set at an RPD of 50%.

(C) The control limit shall be set at an RPD of 67%.

(vii) If the plotted RPD result falls outside of the control limit, the measurements shall cease until the problem is identified and corrected.

(viii) If the plotted RPD result falls outside of the warning level, "Protocols for Radon and Radon Decay Product Measurements in Homes," EPA 402-R-92-003, May 1993, Appendix B, shall be used to determine the action to be taken.

(ix) Documentation of duplicates must include all of the following:

(A) The device serial numbers.

(B) The exposure dates.

(C) Each duplicate measurement result.

(D) The RPD results.

(4) *Field blanks.*

(i) Field blank results shall be monitored and recorded. Field blanks shall be performed at a rate of 5% of the devices that are deployed each month, or 25 each month, whichever is smaller, or a minimum of 1 per certification year, unless tests are not performed. These devices shall be set aside, kept in a low-radon environment and labeled as QA when submitted to the laboratory.

(ii) If a field blank has a concentration greater than the lowest level of detection (LLD) as established by the laboratory, all of the following shall occur:

(A) The occurrence shall be documented and reported to the laboratory.

(B) The cause shall be investigated in conjunction with the laboratory and documented.

(iii) Documentation of field blanks must include all of the following:

(A) The device serial numbers.

(B) The date submitted to laboratory.

- (C) The measurement results.
- (D) The laboratory's reported LLD.

§ 240.606. QA requirements for laboratories.

(a) *CRMs for laboratories.*

(1) *Calibration.* Each Department-listed CRM must have a current calibration. To have a current calibration, the CRM shall be calibrated in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the CRM. A current calibration certificate shall be retained for each monitor. Analysis may not be performed on a monitor that was not calibrated during any portion of the testing period.

(2) *Data collection log.* CRM data shall be tracked on a form that contains all of the following:

- (i) The CRM serial number.
- (ii) The exposure dates and times.
- (iii) The test result.
- (iv) The address of the building tested.
- (v) The test location in the building.
- (vi) The name of the tester who placed the CRM.
- (vii) The name of the tester who retrieved the CRM.
- (viii) The calibration, repair and Department listing dates.

(b) *CWLM for laboratories.*

(1) *Calibration.* Each Department-listed CWLM must have a current calibration. To have a current calibration, the CWLM shall be calibrated in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the CWLM. A current calibration certificate shall be retained for each monitor. Analysis may not be performed on a monitor that was not calibrated during any portion of the testing period.

(2) *Data collection log.* CWLM data shall be tracked on a form that contains all of the following:

- (i) The CWLM serial number.
- (ii) The exposure dates and times.
- (iii) The test result.
- (iv) The address of the building tested.
- (v) The test location in the building.
- (vi) The name of the tester who placed the CWLM.
- (vii) The name of the tester who retrieved the CWLM.
- (viii) The calibration, repair and Department listing dates.

(c) *Electret ion chamber for laboratory analysis.*

(1) *Calibration.* Each Department-listed electret reader shall have a current calibration. To have a current calibration, the electret reader shall be calibrated

in a Department-approved calibration facility within 1 year from the date of the previous calibration and when alterations or repairs are made to the electret reader. Each electret reader shall be calibrated simultaneously with its corresponding reference electret's recertification.

(2) *Voltmeter routine instrument checks.*

(i) Proper operation of the surface voltmeter shall be monitored following the manufacturer's procedures for zeroing the voltmeter and analyzing the reference electrets.

(ii) A voltage reading of a reference electret difference of more than 2 volts from its specified value shall be considered a wrong reading and corrective action shall be taken.

(iii) If the voltmeter displays more than (\pm) 3 volts, corrective action shall be taken.

(iv) Voltmeter checks shall be conducted at least once each week while the voltmeter is in use and shall be documented. Documentation of routine instrument checks must include all of the following:

- (A) The reader serial number.
- (B) The date of analysis.
- (C) Zero value.
- (D) The reference electret values.
- (E) Corrective actions performed.

(3) *Known exposure measurements (spikes).*

(i) Spikes shall be conducted at a rate of 3 for each 100 test devices deployed, with a minimum of 3 spikes for each certification year when tests were conducted in the certification year, and with a maximum of 6 spikes each month.

(ii) Spikes shall be analyzed in the same manner as all other testing.

(iii) Spikes shall be monitored using a means control chart. The means control chart must be established as follows:

(A) Using an RPE value of plus and minus 10%, which corresponds to the 1 sigma level.

(B) A warning level of the RPE of plus and minus 20%, which corresponds to the 2 sigma warning level.

(C) Control limits of the RPE of plus and minus 30%, which correspond to the 3 sigma control level.

(iv) Each RPE value shall be plotted on the means control chart within 1 week of return of the device from the radon chamber. If the RPE value is outside the 3 sigma control level, all measurements shall cease until the problem is evaluated and corrected. All evaluations shall be documented.

(v) In addition to the means control chart, all spikes shall be documented on a form that contains all of the following:

- (A) The radon chamber name.
- (B) The electret serial numbers.

- (C) The RV from the radon chamber.
 - (D) The measured spike value or values.
 - (E) The individual RPE results.
 - (F) The certification year beginning date and end date.
 - (G) The exposure dates.
- (4) *Duplicate measurements.*
- (i) Duplicates shall be made in at least 10% of the total number of test devices deployed each month, or 50 each month, whichever is smaller.
 - (ii) The RPD shall be calculated for all duplicate results with an average of greater than or equal to 2.0 pCi/L. Two control charts shall be constructed to monitor duplicate precision:
 - (A) One for duplicates when the average is greater than or equal to 4.0 pCi/L.
 - (B) One for duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L.
 - (iii) Each RPD value shall be plotted on the control chart within 1 week of performing the duplicate measurement.
 - (iv) The RPD shall be tracked using control charts from “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.
 - (v) For duplicates when the average is greater than or equal to 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 14%.
 - (B) The warning level shall be set at an RPD of 28%.
 - (C) The control limit shall be set at an RPD of 36%.
 - (vi) For duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 25%.
 - (B) The warning level shall be set at an RPD of 50%.
 - (C) The control limit shall be set at an RPD of 67%.
 - (vii) If the plotted RPD result falls outside of the control limit, the measurements shall cease until the problem is identified and corrected.
 - (viii) If the plotted RPD result falls outside of the warning level, “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be used to determine the action to be taken.
 - (ix) Documentation of duplicates must include all of the following:
 - (A) The device serial numbers.
 - (B) The exposure dates.
 - (C) Each duplicate measurement result.
 - (D) The RPD results.

(d) *AC and LS.*

(1) *Calibration.* All AC or LS laboratory systems shall be calibrated at least once every 12 months, when alterations or repairs are made to the system, or when a new batch of charcoal is received. This requires a determination of calibration factors for AC and LS devices by the exposure of these devices to a known concentration of radon in a Department-approved radon chamber. Calibration factors shall be determined for a range of exposure times and humidity levels.

(2) *Laboratory control devices.* The laboratory background level for each batch of AC and LS devices shall be established by each laboratory. Laboratories shall measure the background of at least 5% of unexposed AC and LS devices that have been processed according to their standard operating procedures (laboratory blanks).

(3) *Routine counting system checks.* Daily counting of a reference source shall be performed and documented. The characteristics of the check source (geometry, type of radiation emitted, and the like) must be similar to the samples to be analyzed. The count rate of the check sources must be high enough to yield reliable counting statistics in a short period of time, such as 1,000 to 10,000 counts per minute, to provide a maximum random uncertainty of 5%.

(4) *Known exposure measurements (spikes).*

(i) Spikes shall be conducted at a rate of 3 for each 100 test devices deployed, with a minimum of 3 spikes for each certification year when tests were conducted in the certification year, and with a maximum of 6 spikes each month.

(ii) Spikes shall be analyzed in the same manner as all other testing.

(iii) Spikes shall be monitored using a means control chart. The means control chart must be established as follows:

(A) Using an RPE value of plus and minus 10%, which corresponds to the 1 sigma level.

(B) A warning level of the RPE of plus and minus 20%, which corresponds to the 2 sigma warning level.

(C) Control limits of the RPE of plus and minus 30%, which correspond to the 3 sigma control level.

(iv) Each RPE value shall be plotted on the means control chart within 1 week of receiving the result from the laboratory. If the RPE value is outside the 3 sigma control level, all measurements shall cease until the problem is evaluated and corrected. All evaluations shall be documented.

(v) In addition to the means control chart, all spikes shall be documented on a form that contains all of the following:

(A) The radon chamber name.

(B) The device serial numbers.

(C) The RV from the radon chamber.

- (D) The measured spike value or values.
 - (E) The individual RPE results.
 - (F) The certification year beginning date and end date.
 - (G) The exposure dates.
- (5) *Duplicate measurements.*
- (i) Duplicates shall be made in at least 10% of the total number of test devices deployed each month, or 50 each month, whichever is smaller.
 - (ii) The RPD shall be calculated for all duplicate results with an average of greater than or equal to 2.0 pCi/L. Two control charts shall be constructed to monitor duplicate precision:
 - (A) One for duplicates when the average is greater than or equal to 4.0 pCi/L.
 - (B) One for duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L.
 - (iii) Each RPD value shall be plotted on the control chart within 1 week of performing the duplicate measurement.
 - (iv) The RPD shall be tracked using control charts from “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.
 - (v) For duplicates when the average is greater than or equal to 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 14%.
 - (B) The warning level shall be set at an RPD of 28%.
 - (C) The control limit shall be set at an RPD of 36%.
 - (vi) For duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 25%.
 - (B) The warning level shall be set at an RPD of 50%.
 - (C) The control limit shall be set at an RPD of 67%.
 - (vii) If the plotted RPD result falls outside of the control limit, the measurements shall cease until the problem is identified and corrected.
 - (viii) If the plotted RPD result falls outside of the warning level, “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, shall be used to determine the action to be taken.
 - (ix) Documentation of duplicates must include all of the following:
 - (A) The device serial numbers.
 - (B) The exposure dates.
 - (C) Each duplicate measurement result.
 - (D) The RPD results.
- (e) *ATs.*
- (1) *Calibration.* All AT laboratory systems shall be calibrated at least once every 12 months, when alterations or repairs are made to the system, or when

each new batch or sheet of detector material is received. This requires a determination of calibration factors for AT devices by the exposure of these devices to different concentrations of radon in a Department-approved radon chamber.

(2) *Laboratory control detectors.* Laboratory control detectors for each batch of ATs shall be established and documented. Each laboratory shall measure the background of a statistically significant number of unexposed ATs. The laboratory control background value shall be subtracted from the field readings to produce a final result.

(3) *Known exposure measurements (spikes).*

(i) Spikes shall be conducted at a rate of 3 for each 100 test devices deployed, with a minimum of 3 spikes for each certification year when tests were conducted in the certification year, and with a maximum of 6 spikes each month.

(ii) Spikes shall be analyzed in the same manner as all other testing. The RV of a spike may not be revealed to the laboratory prior to analysis.

(iii) Spikes shall be monitored using a means control chart. The means control chart must be established as follows:

(A) Using an RPE value of plus and minus 10%, which corresponds to the 1 sigma level.

(B) A warning level of the RPE of plus and minus 20%, which corresponds to the 2 sigma warning level.

(C) Control limits of the RPE of plus and minus 30%, which correspond to the 3 sigma control level.

(iv) Each RPE value shall be plotted on the means control chart within 1 week of receiving the result from the laboratory. If the RPE value is outside the 3 sigma control level, all measurements shall cease until the problem is evaluated and corrected. All evaluations shall be documented.

(v) In addition to the means control chart, all spikes shall be documented on a form that contains all of the following:

(A) The radon chamber name.

(B) The device serial numbers.

(C) The RV from radon chamber.

(D) The measured spike value or values.

(E) The individual RPE results.

(F) The certification year beginning date and end date.

(G) The exposure dates.

(4) *Duplicate measurements.*

(i) Duplicates shall be made in at least 10% of the total number of test devices deployed each month, or 50 each month, whichever is smaller.

(ii) The RPD shall be calculated for all duplicate results with an average of greater than or equal to 2.0 pCi/L. Two control charts shall be constructed to monitor duplicate precision:

- (A) One for duplicates when the average is greater than or equal to 4.0 pCi/L.
- (B) One for duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L.
- (iii) Each RPD value shall be plotted on the control chart within 1 week of performing the duplicate measurement.
- (iv) The RPD shall be tracked using control charts from “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibits B-2 and B-3.
- (v) For duplicates when the average is greater than or equal to 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 14%.
 - (B) The warning level shall be set at an RPD of 28%.
 - (C) The control limit shall be set at an RPD of 36%.
- (vi) For duplicates when the average is greater than or equal to 2.0 pCi/L and less than 4.0 pCi/L, all of the following apply:
 - (A) The control level shall be set at an RPD of 25%.
 - (B) The warning level shall be set at an RPD of 50%.
 - (C) The control limit shall be set at an RPD of 67%.
- (vii) If the plotted RPD result falls outside of the control limit, the measurements shall cease until the problem is identified and corrected.
- (viii) If the plotted RPD result falls outside of the warning level, “Protocols for Radon and Radon Decay Product Measurements in Homes,” EPA 402-R-92-003, May 1993, Appendix B, Exhibit B-5, shall be used to determine the action to be taken.
- (ix) Documentation of duplicates shall include all of the following:
 - (A) The device serial numbers.
 - (B) The exposure dates.
 - (C) Each duplicate measurement result.
 - (D) The RPD results.

APPENDIX A**Radon Certification Fee Schedule**

Testing Individual	\$525 every 2 years
Testing Employee	\$150 every 2 years
Testing Firm	\$1,050 every 2 years
Mitigation Individual	\$450 every 2 years
Mitigation Firm	\$1,050 every 2 years
Laboratory Individual	\$600 every 2 years
Laboratory Firm	\$1,125 every 2 years
Primary Testing Device Listing	\$150 every 2 years (1)
Course Provider	\$565 every 2 years (2)
Late Application Renewal	\$150
Late 45-Day Reporting	\$150 (3)
Radon Mitigation System Fee	\$50 for each radon mitigation system installed or activated (4)

The Department will review the adequacy of the fees established in this schedule at least once every 3 years and provide a written report to the EQB. The report must identify any disparity between the amount of program income generated by the fees and the costs to administer these programs, and must contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

(1) Primary radon testers shall submit the Primary Testing Device Fee as specified in the Radon Certification Fee Schedule for each device they read or analyze, or both.

(2) A person approved by the Department to provide initial or continuing, or both, education courses shall submit the Course Provider Fee as specified in this appendix.

(3) Anyone not submitting the required 45-day testing or mitigation, or both, reporting within 90 days of the completion of the testing or mitigation, or both, activity (or if no activities have been performed during this period of informing the Department of same in writing) will be subject to the Late 45-Day Reporting Fee as specified in this appendix.

(4) The Department will waive the radon mitigation system fee for a local government employee or school employee who installs an active radon mitigation system in a school or local government building or activates a passive radon mitigation system in a school or local government building if the

employee installs or activates the system pursuant to the employee's official duties and the employee is not compensated for this service except through the employee's salary.

Authority

The provisions of this Appendix A amended under sections 301, 302 and 401 of the Radiation Protection Act (35 P.S. §§ 7110.301, 7110.302 and 7110.401); section 1920-A of The Administrative Code of 1929 (71 P.S. § 510-20); and sections 8, 12 and 13 of the Radon Certification Act (63 P.S. §§ 2008, 2012 and 2013).

Source

The provisions of this Appendix A amended October 20, 2017, effective October 21, 2017, 47 Pa.B. 6482. Immediately preceding text appears at serial page (344628).

Cross References

This appendix cited in 25 Pa. Code § 240.102 (relating to prerequisites for radon testing certification); 25 Pa. Code § 240.104 (relating to application filing deadline); 25 Pa. Code § 240.113 (relating to radon mitigation application contents); 25 Pa. Code § 240.114 (relating to application filing deadline); 25 Pa. Code § 240.123 (relating to radon laboratory application contents); 25 Pa. Code § 240.124 (relating to application filing deadline); 25 Pa. Code § 240.133 (relating to certification application contents); 25 Pa. Code § 240.204 (relating to certification renewal); and 25 Pa. Code § 240.309 (relating to radon mitigation system fee).

APPENDIX B

Non-interference Agreement for Real Estate Radon Testing

Property name:

Property address:

Property city, state, zip:

Dates of test:

I hereby agree to abide by the following conditions to ensure a valid radon test result:

1) I will maintain closed-house conditions during the entire test period, and for 12 hours prior to any test of less than 96 hours, by doing the following:

- Continuing normal operation of permanently installed HVAC systems.
- Minimizing operation of dryers, range hoods, bathroom fans and other mechanical systems, understanding that drawing air out of the building may adversely affect the test results.
- In buildings having permanently installed radon mitigation systems, keeping the mitigation system functioning during the testing interval.
- Operating window air conditioning systems if set to recycle interior air.
- Keeping all windows closed.
- Keeping all external doors closed except for normal entry and exit.
- Not operating whole-house fans. Removing portable window fans from the window or covering and sealing the window fan.
- Not operating fireplaces, wood/coal stoves or combustion appliances, except water heaters and cooking appliances, unless they are the primary sources of heat for the building.
- Not operating ceiling fans, portable dehumidifiers, portable humidifiers, portable air filters and window air conditioners within 20 feet of the detector.

2) I will not interfere with or move the radon test device.

If the certified tester determines that these conditions were not maintained, this test will be deemed invalid.

Signature of Person in Control of Property	Printed Name of Person in Control of Property	Date
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Authority

The provisions of this Appendix B issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this Appendix B adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

APPENDIX C

Radon Exposure Tracking Record

Name _____ Month(s) _____
Company Name _____
Employee ID Number _____ Year _____

Table with 7 columns: Date, Job Site, Radon Level (pCi/L), Working Level (WL), Hrs. of Exposure, Working Level Month (WLM), Cumulative Exposure(1) (WLM), Method used to assess Exposure(2). Rows contain placeholder values like '200=', 'x', '170='.

1. Based upon an annual recommended health and safety limit of 4 working level months (4 WLM)

2. Highest Premitigation Level (a) or On-site Measurement (b)
WL = (pCi/L)/200 (assuming 50% ER)

Authority

The provisions of this Appendix C issued under sections 12 and 13 of the Radon Certification Act (63 P.S. §§ 2012 and 2013); section 302 of the Radiation Protection Act (35 P.S. § 7110.302); and section 1920-A of the Administrative Code (71 P.S. § 510.20).

Source

The provisions of this Appendix C adopted October 26, 2018, effective January 24, 2019, 48 Pa.B. 6791.

Cross References

This appendix cited in 25 Pa. Code § 240.305 (relating to health and safety program).

[Next page is 241-1.]