

# DRAFT

**Date/Time:** June 30, 2022

**Location:** Webex

## ATTENDEES

Cindy Costello, NYSDOH, Task Force Liason  
Alex Damiani, NYSDOH  
Christine Dobert, NYSDOH  
Gary Ginsburg, NYSDOH Designee.  
Chris Chin, NYSDOH DLA  
Christiner Westerman, NYSDOH  
Selica Grant, NYSDOL Designee  
George G. Schambach, Mitigation Contractor, President of NYSAARST  
Richard "Dick" Kornbluth, Retired Mitigation Contractor  
John Addario, Secretary of State Designee Eric Hausamann, NYSDEC  
Eric Hausamann, NYSDEC

Public Attendees  
Nancy Bredhoff, National Radon Safety Board  
Jane Malone, ARRST

## AGENDA

10:00 AM Welcome & Introductions  
10:15 AM Review/Approval of Minutes  
10:30 AM Review Draft Task Force Report and Draft Legislation  
(Tester & Mitigator Licensing)  
12:00 PM Lunch  
12:30 PM Review/Finalize Task Force Recommendations  
(Interagency Outreach, Appendix F, Daycares, Water Schools, Real Estate, Financial Assistance, Tenant-Occupied Buildings)  
2:15 PM Next Steps  
2:30 PM Adjourn

## Notes:

- Meeting Starting at 10:05 AM
- Comments from previous meeting
  - o Public comment
    - Home inspectors were not being fully represented
- Introductions
- Agenda
- Review previous minutes
  - o Approval due July 1<sup>st</sup>, mid day

- Comments received from State Ed, George & Eric on the proposed law (draft model legislation) on Task Force Draft Legislation
  - o Eric H.
    - Real Property Law? Public Health Law?
      - Leaning toward Real Property Law
    - Home inspection licensing is governed under Dept of State
    - Formatting editing
    - NJ implemented regulations relating to Radon
      - Breaks it down to business, professional techs, homeowners, specialists
    - Adding authorized proficiency test
  - o Jane M.
    - Edit for professional term of Radon Mitigation and Tester
  - o Alex D.
    - Ensure the Legislation language is broad and use regulations to tighten up details.
    - Easier to update regulations than legislation
    - Chris C.- No current concerns
    - Gary G- suggest two drafts a short broad and the long defined
    - John A- Non legal opinion to keep broad
  - o Dick K.
    - Person is not defined enough. Further definition needed
  - o Keep note of provisions will be retained to ensure program function.
    - Special revenue account for program
  - o Section 2.1
    - Exemption clause for homeowners performing testing/mitigation
    - Anyone can place a test kit in their own home.
  - o Section 3.a
    - Interprets that a neighbor cannot assist a homeowner for testing
  - o Replace ANSI with a National Recognized Regulating accreditation body
- For Next meeting
  - o Clean up comments, resize for smaller legislation, etc
  - o Remove overreaching details
- Task force Report
  - o List of recommendations of interagency coordination of public Education and outreach
  - o “Work with” ? Who is the work with
    - Intending for DOH to work with the recommended agency
    - DOS doesn’t license building contractors
  - o Requiring real estate to provide Radon information to their client by law
  - o Testers/mitigators by law provide radon information
- Real Estate
  - o Current guidelines for Radon is approved for CE credits
  - o Current law for homeowner to fill out the real estate disclosure law. Asks if radon testing has been done and if yes, disclose the results.

- Risk- If by chance the realtor does not have the materials in hand, the client can claim they received no information
  - Jane- Illinois provides an 8x11 information sheet that is able to be copied and easily created and not waiting for special materials/ printing
    - Provided at the beginning of the contract
    - Rebuttal is to accept electronic versions to be shared
      - Note accessibility requirements
  - Expand the disclosure form, provide radon information or both recommended to the legislation
- Interagency Outreach
  - Small edits and include realtors
- State Education Department
  - Comments from Office of the Professions
  - Shared to taskforce by email
- Appendix F
  - Adoption of Appendix F if it should be up to the code council or a new legislation
  - Includes cost is cost of materials followed by labor cost for passive system
  - What level of protection do passive systems provide
  - Include language of why adopt Appendix F
- Radon Control methods for New Construction
  - Jane- EPA was primary author to ICC to remove zone 1 Radon map.
    - Will be reflected in new code
  - Zone targeting is not beneficial for targeting due to lack of data in certain areas
  - Recommends not having a zone exemption for any new construction/ building
  - Adoption of the appendix AF of the 2024 International Residential Code into the NYS Residential Code during the next update
- Break for Lunch 12:10 PM
- Return at 12:40 PM
- Radon in Schools
  - NYS Clean Green and Health Schools Program
    - Name changed to School Environmental Health Program
  - Ensure radon tests are done properly by a national standard
- Real Estate Transactions
  - Recommendations for DOS to include radon in home inspections
  - Possibly remove whole sections and place some parts in outreach section
  - Recommend requirement of providing information, not require testing
  - Recommends that the real property law be amended to require real estate agents provide radon information to buyers during real estate transaction
- Financial Assistance
  - Review HAS/FSA
  - Weatherization can do limited sealing work
  - Need to add low in-come, first-time home buyers, disadvantage community
  - NYSERDA programs are for moderate income- different from DOE program
    - Recommendation for NYSERDA projects to provide Radon information, due to weatherization can change radon level
- Radon in Water

- Recommends that NYSDOH consider adopting an MCL for radon in public drinking water
- Tenants
  - Recommendation for Building managers to disclose radon testing results
- Attachments
  - References, bad mitigation examples
- NEXT MEETING
  - Report needs to be submitted Nov 1.
  - Want to give a public comment period
    - Goal posted August 8th
  - Next Meeting Tentative July 21<sup>st</sup> or 22
- Meeting concluded at 2:30PM

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