

A-Engrossed
Senate Bill 1511

Ordered by the Senate February 13
Including Senate Amendments dated February 13

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Environment and Natural Resources)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Prohibits engaging in business of radon level testing or radon mitigation work without Department of Consumer and Business Services certification. Requires department to adopt rules establishing qualifications for certification. Allows department to accept national association certificate as proof of qualifications.]

[Requires that application for child care facility certification or registration include documentation of radon level testing.]

[Requires school district board to provide State Board of Education with documentation of radon level testing for district schools offering prekindergarten to grade 12 education.]

[Makes design and construction standards for radon mitigation applicable to certain residential buildings and certain public buildings that undergo basement remodeling or construction of additions.]

Requires publicly funded school providing prekindergarten to grade 12 education to conduct radon level testing if school undertakes project involving addition, replacement or other significant alteration of heating, air conditioning or ventilation equipment, rebalancing of air moving system or remodeling, renovation or alteration affecting building envelope or structural components. Creates exception. Requires publicly funded school to undertake radon level mitigation and retesting if measured radon levels meet or exceed federal acceptance level.

Requires publicly funded school performing radon level testing to report test results to Oregon Health Authority. Requires authority to provide guidance to publicly funded schools regarding radon level testing, mitigation and reporting responsibilities. Requires authority to reimburse publicly funded school for cost of radon level testing.

Authorizes authority to solicit or apply for gifts, grants or donations to fund reimbursement of publicly funded schools for radon level testing costs.

A BILL FOR AN ACT

1
2 Relating to radon.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) As used in this section:**

5 (a) **"Federal acceptance level" means 4.0 picocuries per liter or a lower level that the**
6 **Oregon Health Authority recognizes as a federal standard in general use that is suitable for**
7 **triggering radon level mitigation duties under this section.**

8 (b) **"Federal radon level testing recommendations" means the radon level testing pro-**
9 **gram guidance provided in Radon Measurement in Schools--Revised Edition (EPA**
10 **402-R-92-014) published by the United States Environmental Protection Agency, or a succes-**
11 **sor or replacement publication that the Oregon Health Authority recognizes as suitable for**
12 **radon level testing guidance under this section.**

13 (c)(A) **"Publicly funded school" means:**

14 (i) **A building used for educational instruction that is administered or operated by an**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 entity receiving moneys from the State School Fund; or

2 (ii) A building used for instructional programs receiving moneys through the Early
3 Learning Division under ORS 329.175.

4 (B) "Publicly funded school" does not mean a virtual public charter school that does not
5 serve students in a physical location.

6 (2) A publicly funded school shall perform the duties required under subsection (3) of this
7 section if the school undertakes a project on a structure involving:

8 (a)(A) The addition or replacement of heating, air conditioning or ventilation equipment;

9 (B) Energy system upgrades involving the rebalancing of an air moving system; or

10 (C) Other significant alteration to the heating, air conditioning or ventilation system.

11 (b) A remodeling, renovation or alteration that affects the building envelope or structural
12 components and has a project cost that exceeds \$50,000.

13 (3) Except as provided in subsection (4) of this section, a publicly funded school described
14 in subsection (2) of this section shall:

15 (a) Conduct radon level testing in the frequently occupied rooms of the ground level of
16 the school in accordance with federal radon level testing recommendations;

17 (b) Undertake radon level mitigation measures if testing described in paragraph (a) of
18 this subsection measures radon levels meeting or exceeding the federal acceptance level;

19 (c) If radon level mitigation measures are taken under paragraph (b) of this subsection,
20 retest the radon levels in the affected area in accordance with federal radon level testing
21 recommendations after completion of the radon level mitigation measures and prior to oc-
22 cupancy of the area; and

23 (d) Make the results of radon level testing under this section available to the public.

24 (4) If a publicly funded school that undertakes a project described in subsection (2) of this
25 section has conducted radon level testing under subsection (3) of this section within the prior
26 five years, the school is not required to conduct radon level testing as described under sub-
27 section (3) of this section. Upon completion of the project, however, the school shall conduct
28 new radon level testing prior to occupancy.

29 (5) A publicly funded school performing radon level testing under this section shall report
30 the test results to the Oregon Health Authority. Upon receiving radon level test results from
31 a publicly funded school under this section, the authority shall reimburse the school for the
32 cost of the testing. The authority shall provide guidance to publicly funded schools regarding
33 the responsibility of the schools under this section.

34 (6) The authority may solicit or apply to any public or private sources for the purpose
35 of receiving gifts, grants or donations to assist the authority in reimbursing publicly funded
36 schools for radon level testing conducted under this section. Subject to any conditions im-
37 posed by the source, any moneys from such gifts, grants or donations shall be deposited to
38 a separately identifiable account within the Oregon Health Authority Fund and used only to
39 reimburse publicly funded schools for radon level testing conducted under this section.

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