

Readoption Review

Radon 410 IAC 5.1

IC 4-22-2.5-3.1(c) requires an agency to conduct a review to consider whether there are alternative methods of achieving the purpose of the rule that are less costly or less intrusive, or that would minimize the economic impact of the proposed rule on small business.

Description of Rule:

This rule provides for the certification and recertification of primary radon testers, secondary radon testers, laboratory testers, and radon mitigators. It also sets reporting standards, which are necessary to comply with our ongoing EPA Radon Grant. It covers civil penalties if individuals fail to comply with this rule (The potential for harm or imminent threat to public health).

Readoption Analysis:

- 1) **Is there a continued need for this rule?**
Yes, the predominate purpose and effect is to address matters of health and safety by ensuring radon testers, secondary radon testers, laboratory testors and radon mitigators are properly certified before being allowed to work with radon.
- 2) **What is the nature of any complaints or comments received from the public, including small business, concerning the rule or the implementation of the rule by the agency?**
Concerns regarding the rule have been minor and have related to quality assurance for affected contractors, improvements in technology and updating incorporated references. All of these concerns will be addressed through a formal rule revision process in the coming years.
- 3) **Examine the complexity of the rule, including difficulties encountered by the agency in administering the rule and small businesses in complying with the rule.**
This rule is not complex. The agency has not encountered any difficulties administering it and small businesses have not had difficulties complying with it.
- 4) **To what extent does the rule overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances?**
The rule does not overlap, duplicate, or conflict with other federal, state, or local laws, rules, regulations, or ordinances.
- 5) **When was the last time the rule was reviewed under this section or otherwise evaluated by the agency, and the degree to which technology, economic conditions, or other factors have changed in the area affected by this rule since that time?**
The rule was last reviewed in 2013 and factors have not changed since that time.