

SENATE BILL REPORT

SHB 2436

AS REPORTED BY COMMITTEE ON ENERGY & UTILITIES, FEBRUARY 23, 1994

Brief Description: Revising provisions relating to radon testing.

SPONSORS: House Committee on Energy & Utilities (originally sponsored by Representative Zellinsky)

HOUSE COMMITTEE ON ENERGY & UTILITIES

SENATE COMMITTEE ON ENERGY & UTILITIES

Majority Report: Do pass.

Signed by Senators Sutherland, Chairman; Ludwig, Vice Chairman; Amondson, Hochstatter, McCaslin, Roach, A. Smith and Williams.

Staff: Scott Huntley (786-7421)

Hearing Dates: February 22, 1994; February 23, 1994

BACKGROUND:

In 1990, the Legislature directed the State Building Code Council (SBCC) to adopt ventilation standards for new residential buildings. The SBCC was directed to adopt interim standards which were to include measures for pollutant source control. The rules adopted by the SBCC required construction measures to reduce the entry of radon into new residential buildings. The rules also required the builder to provide a radon monitor, installation instructions, and radon information sheets at the time of final inspection. The rules explicitly provided that the builder was not responsible for administering the radon test.

In 1992, the Legislature adopted a measure modifying the scheme that had been adopted by the SBCC. Instead of being the responsibility of the builder, the Legislature required the local government building inspector, at the time of final inspection of all new single family and ground floor units in multi-family residential buildings, to provide a radon measurement device. The device must be a three month etched track device that has been placed on a proficiency list of the Environmental Protection Agency (EPA). Postage to the testing facility, laboratory costs, and reporting costs must be included with the device.

The State Building Code Council (SBCC), in consultation with the Department of Health and the Washington State Association of Building Officials, was also required to develop instructions on the proper means of installation, maintenance, and removal of the device. These instructions are distributed

by the SBCC to all local governments. The owner of the residence has the obligation of returning the device to the testing laboratory. The instructions that are included with the device must be placed in a conspicuous place in a single family residence and given to the owner of a multi-family residence. Building inspectors must be provided with the current EPA list and with known sources for the devices.

The approval of the final inspection by the building inspector is prima facie evidence that a device was left in a residence. The inspector and the city or county are not liable for injuries caused by the failure of the occupant or owner of a new residential building to properly install, monitor, or send the device to the laboratory, or from radon entering a residence.

These requirements expire June 30, 1995.

SUMMARY:

The building inspector shall place informational materials and a pre-addressed postage prepaid postcard in a single-family residence, and each ground floor unit of a multi-family residential building at the time of final inspection. The postcard shall offer the owner or occupant a radon measurement device, postage to the testing laboratory and the cost of processing and notification. The requirement to provide the postcard and informational materials shall expire June 30, 1995.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

In the time that radon measurement devices have been required to be left with homeowners, only a very few of them have actually been returned. Even though these devices are not very expensive, the total cost of providing them if they are not used adds up. This bill will give the homeowner an opportunity to get a measurement device if he or she is interested, without wasting unused devices.

TESTIMONY AGAINST:

Many homes do not receive final inspection for local government authorities, and so not radon devices are provided. It would be better if building contractors received the devices when they get a building permit and placed them in the home. Radon is an important public health concern. It will become more important in the near future. The radon testing statute should be extended beyond the 1995 expiration date.

TESTIFIED: Ron Perkerewicz, Kitsap County (pro); Blair Patrick, WA Assn. of Building Officials (pro); Sylvia Riddle, Cavalier

Corporation (con); Warren J. Riddle, Pacific NW Radon
Professionals (con)