

Radiological Health Program

RADON BULLETIN

Reissued October 7, 2013

Citizens with Complaints Against a Radon Professional

This guidance replaces guidance issued on December 1, 2004. The 2003 session of the General Assembly revised the *Code of Virginia* to insert a new paragraph B in § 32.1-229.01. Companies listed as proficient to perform radon screening, testing or mitigation; compliance:

Radon professionals listed as proficient pursuant to subsection A shall comply with the radon mitigation and testing standards outlined in the Environmental Protection Agency's publication, EPA 402-R-93-078, as revised, or the American Society for Testing and Materials (ASTM International) Standard, E-2121-02, or any other radon testing and mitigation standards accepted by the Environmental Protection Agency and the Board.

VDH interprets the intent of this legislation as providing the Office of Radiological Health with the authority to investigate the work of radon professionals when consumers or other radon professionals submit concerns or complaints. VDH was not provided with additional funding to establish a full inspection program. Accordingly, VDH will attempt to investigate complaints received and if it is clear that the work did not follow accepted standards, then VDH will ask the radon professional to perform corrective measures.

Consumers are also advised that the certifying organization may consider de-listing an individual based on complaints that are received. The consumer is advised to contact the organization that certified the radon professional. Contact information follows:

NRPP Administrative Staff
4989 Hendersonville Rd.
POB 2109
Fletcher, NC
Phone: (800) 269-4174
Fax: (828) 654-9202
E-Mail: info@nrpp.info
Web site: www.NRPP.info

National Radon Safety Board
14 Hayes St.
Elmsford, NY
Phone: (866) 329-3474
Fax: (303) 403-1074
Email: info@NRSB.org
Web site: www.NRSB.org

Virginia code 32.1-229.01-A requires radon professionals to be certified by either the National Radon Proficiency Program (NRPP) or the National Radon Safety Board (NRSB). The Virginia Department of Health (VDH) is responsible for ensuring that all

radon professionals in Virginia are properly certified, and will actively pursue enforcement actions against those who are not.

A radon professional who misrepresents his qualifications is in violation of State Law Section 32.1-229.01, and the consumer may bring an action to recover the greater of (i) actual damages sustained, together with costs and reasonable attorneys' fees, or (ii) \$100.

A radon professional who has installed a radon mitigation system may also be a licensed contractor. The Virginia Board of Contractors regulates contractors and may levy sanctions against their licensees in certain cases. Contact information follows:

Virginia Department of Professional and Occupational Regulation
Board for Contractors
3600 West Broad Street
Richmond, VA 23230-4917
Phone: (804) 367-8500
Web site: <http://www.dpor.virginia.gov/Boards/Contractors/>

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Questions and Comments should be directed to Ryan Paris, in the Central Office at (804) 864-8161.