

Office of Radiological Health

RADON BULLETIN

ORH-753: Citizens with Complaints against a Radon Professional Reissued Dec. 5, 2018

This guidance replaces guidance originally issued on December 1, 2004. The 2015 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:

Any person conducting or offering to conduct radon screening, testing, or mitigation in the Commonwealth pursuant to subsection A shall comply with (i) the radon testing standards outlined in the U.S. Environmental Protection Agency's publication EPA 402-R-92-003, as revised; (ii) the radon mitigation standards outlined in the American Society for Testing and Materials (ASTM International) Standard E-2121-13, as revised; or (iii) any other radon testing and mitigation standards deemed acceptable by virtue of reference by the U.S. Environmental Protection Agency or the Board.

This legislation provides 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. Accordingly, VDH will 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 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
Website: www.NRPP.info

National Radon Safety Board
14 Hayes St.
Elmsford, NY
Phone: (866) 329-3474
Fax: (303) 403-1074
Email: info@NRSB.org
Website: 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 installs radon mitigation systems and charges more than \$1,000 for a project should hold a Virginia state contractor's license (either A, B or C) and should obtain a Radon Mitigation Contractor (RMC) specialty. 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

9960 Mayland Drive, Suite 400

Richmond, VA 23233-1485

Phone: (804) 367-8511 (licensing)

Email: contractor@dpor.virginia.gov

Website: <http://www.dpor.virginia.gov/Boards/Contractors/>

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Questions and comments should be directed to the Radon Coordinator at (804) 864-8150.

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