

# New York Radon Fact Sheet

## NEW YORK RADON PROGRAM

<https://www.health.ny.gov/environmental/radon/>

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Center for Environmental Health

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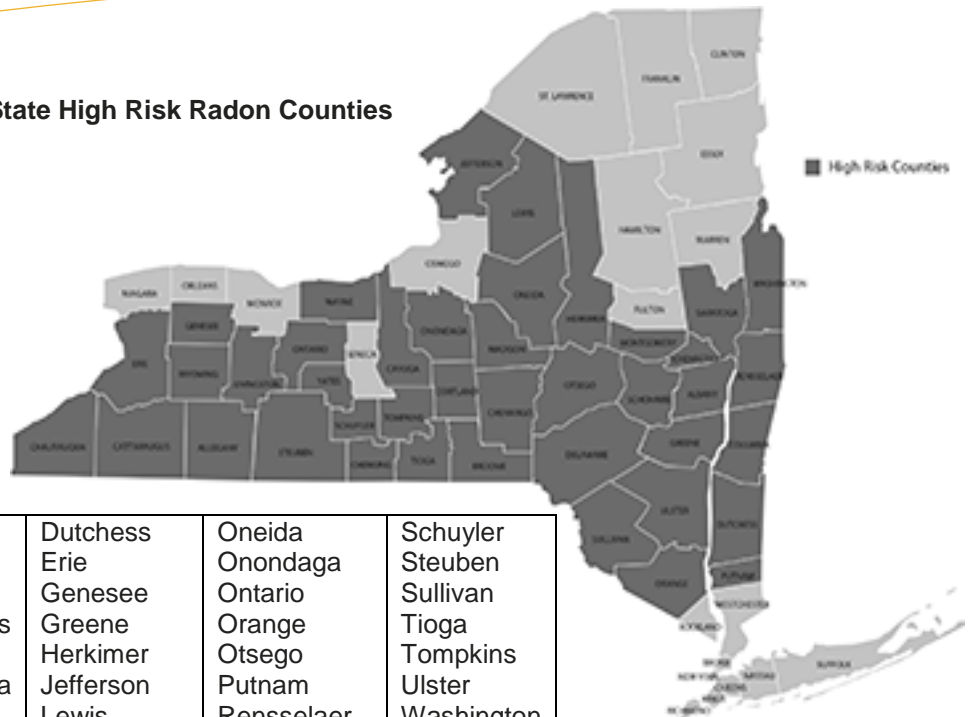
New York State Prevention Agenda 2019-2024

[https://www.health.ny.gov/prevention/prevention\\_agenda/2019-2024/env.htm#3FA3](https://www.health.ny.gov/prevention/prevention_agenda/2019-2024/env.htm#3FA3)

New York State Comprehensive Cancer Control Plan 2018-2023

[https://www.health.ny.gov/diseases/cancer/consortium/docs/2018-2023\\_comp\\_cancer\\_control\\_plan.pdf](https://www.health.ny.gov/diseases/cancer/consortium/docs/2018-2023_comp_cancer_control_plan.pdf)

### New York State High Risk Radon Counties



Albany	Dutchess	Oneida	Schuyler
Allegany	Erie	Onondaga	Steuben
Broome	Genesee	Ontario	Sullivan
Cattaraugus	Greene	Orange	Tioga
Cayuga	Herkimer	Otsego	Tompkins
Chautauqua	Jefferson	Putnam	Ulster
Chemung	Lewis	Rensselaer	Washington
Chenango	Livingston	Saratoga	Wayne
Columbia	Madison	Schenectady	Wyoming
Cortland	Montgomery	Schoharie	Yates
Delaware			

The **New York State (NYS) Radon Program** provides public outreach and education to residents on radon risk, testing and mitigation and includes special projects targeting schools, day care centers and homes with newborns. The program also provides free testing for homes built using radon resistant new construction (RRNC) techniques and follow up testing for homes that have installed radon mitigation systems. A Radon Stakeholders meeting is held annually to update counties, radon industry professionals and other interested partners on NYS Radon Program activities and provide education and information on various radon topics.

The NYS Radon Program maintains a webpage providing FAQ information, a list of NRSB and AARST/NRPP certified radon testers and mitigators, links to available DOH and EPA publications, radon detector order forms and other reference materials.

New York State has been conducting radon-related activities since the late 1970's. The Department of Health's Radon Program is supported by a US EPA State Indoor Radon Grant (SIRG). The state provides a 40 percent match to the SIRG funding, primarily through "in-kind" staff time. The current SIRG three-year grant period runs through 2019. An extension is anticipated pending approval from US EPA. Identified projects in the grant include:

- Partnership with High Risk Counties – 12 counties participating through contracts with the State
- Public Information Program
- Education and Technical Support for Industry Best Practices and Standards
- Schools Outreach, Screening and Guidance
- Outreach to the Medical Community
- Public Education
- Support Central New York Coalition for Healthy Indoor Air
- Healthy Neighborhoods Program - 19 participating counties within the State

# Enacted/Relevant/Pending Legislation

## Enacted Legislation

New York Education Law §§ 409-d, 409-e: Requires the Commissioner of Education to establish, develop, and monitor a comprehensive public school building safety program which must include a uniform inspection, safety rating, and monitoring system. Regulations promulgated under the law (8 N.Y. Code Rules & Regs. 155.3--155.5) require a comprehensive maintenance plan for all major building systems, including provisions for establishing maintenance procedures and guidelines that will contribute to acceptable IAQ. Regulations also require: annual and five-year inspections that include IAQ components; an annual safety rating; and a process for monitoring the conditions of occupied schools to ensure they are maintained in good repair. Law also establishes requirements relating to IAQ during construction and renovation, and mandates establishment of health and safety committees at the school district level consisting of representation from district officials, staff bargaining units, and parents. (2014 legislation amended N.Y. Educ. Code 409-d to remove the statutory requirement for an annual visual inspection of schools until 2019.)

New York Public Health Law § 225: Authorizes the Department of Health to issue regulations relating to ionizing radiation. Regulations issued under the law (10 N.Y. Codes Rules & Regs. 16.130) require radon testing and mitigation firms to report testing and mitigation results to the department.

New York Real Property Law § 462: Requires all sellers of residential real property to complete and provide to the buyer a property condition disclosure statement, which requires disclosure of the presence of hazardous substances, asbestos, and methane gas, and of any radon testing performed on the property. Also requires sellers to provide a copy of any radon testing reports and to report any known material defects in carbon monoxide detectors.

Chapter 414 of the laws of 2018 creates a radon task force to look at licencing of radon professionals and other issues identified by the Commissioner of Health.

## Relevant Regulations

Part 16.130 of the State Sanitary Code states that anyone performing radon measurement and/or mitigation in NYS are required to report the number of radon test or mitigations performed bi-annually. A link to the regulation can be found here: <https://www.health.ny.gov/environmental/radiological/radon/radonlaw.htm>

New York State Child Day Care Regulations (18NYCRR Parts 416, 417, 418): The Office of Children and Family Services (OCFS) requires an environmental hazard assessment be completed before operating a day care. This includes testing for radon in any daycare located in a Zone 1. A complete list of these regulations can be found at the following link: <https://ocfs.ny.gov/main/childcare/regs/416%20GFDC%20effective%205.1.14.pdf>

The Environmental Laboratory Approval Program (10 NYCRR Part 55.2): Section 502 of the New York State Public Health Law requires all environmental testing on New York State samples to be performed only in a certified laboratory if certification is offered for said analyses. Certification is offered for radon in air and radon in water.

## Proposed Legislation

NY S 5376/ NY A 4635, Protection of Air Quality at Licensed Day Care Centers: Provides for the protection of the air quality at licensed day care centers and head start day care centers funded pursuant to federal law, requires the office of children and family services to consult with the commissioners of environmental conservation and health regarding the air quality and environmental hazards that may be involved with any new day care center or head start day care center, requires such office to consult with the department of health.

NY S 4960/ NY A 4687, Radon Testing in Public and Private Schools: Provides for radon testing in subject schools.

NY A 4118, Protection of Public Health from Exposure to Radon: Relates to the protection of public health from exposure to radon in natural gas, requires continuous monitoring of the level of radon in the natural gas delivered, relates to compliance assurance system, requires public reporting.

NY A 1020, Testing Requirements on the Radon Level of Gas: Amends the Environmental Conservation Law, requires testing the radon level of gas produced, sold, purchased, acquired, stored or injected and prohibits gas with a radon content greater than a specified pCi/L from entering the distribution system.

NY S 5753/ NY A 5515, Annual Radon Testing: Amends the Mental Hygiene Law, requires annual radon testing of facilities, department facilities, hospitals, schools, community residences, supervised living facilities, supportive living facilities and residential care centers for adults.

NY A 6575, Testing for Radon and Disclosure of Test Results

Summary: Amends the Real Property Law, requires testing for radon and disclosure of test results before the sale of real property.

NY S 6851/ NY A 8605, Licensure of Radon Service Professionals: Relates to establishing a system for the licensure of radon service professionals.

NY S 8845/NY A 7050, Relates to a radon task force (to conduct a comprehensive study on the prevention of radon exposure)

**NY State residents  
may order radon test  
kit(s) by visiting**

- [www.health.ny.gov/forms/doh-2247.pdf](http://www.health.ny.gov/forms/doh-2247.pdf)

or calling the NYSDOH  
Bureau of Environmental  
Radiation Protection at  
518-402-7556

For proposed legislation

information see:

<https://www.nysenate.gov>

<https://nyassembly.gov/leg/>