

**State of Kansas  
Department of Health and Environment**

**Notice of Hearing on Proposed Administrative Regulations**

The Kansas Department of Health and Environment (KDHE), Division of Health, Bureau of Environmental Health, will conduct a public hearing at 1 p.m., Wednesday, December 21, in the Azure Conference Room of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed new regulations K.A.R. 28-35-600, 28-35-601, 28-35-602, 28-35-603, 28-35-604, 28-35-605, 28-35-606, 28-35-607, 28-35-608, and 28-35-609 relating to radon measurement, mitigation, and laboratory analysis. A summary of the proposed regulations and the estimated economic impact follows:

**Summary of Regulations:**

**28-35-600.** Defines specific terms used throughout the regulations.

**28-35-601.** Specifies general requirements applicable to all persons for certification for radon measurement, mitigation or laboratory services; establishes grounds for denying a certification; sets the term of certification at 24 months; establishes procedures for seeking relief from the regulations.

**28-35-602.** Establishes the fees for initial and renewal certification as well as late fees and fees for returned checks or insufficient funds; certification fees are non-refundable.

**28-35-603, 28-35-604, 28-35-605.** Establish the requirements for initial certification and renewal and continuing education for radon measurement technicians and radon mitigation technicians.

**28-35-606, 28-35-607.** Establish the requirements for radon measurement businesses and radon mitigation businesses; require businesses to employ or retain either a certified radon

measurement technician or certified mitigation technician as a consultant; require that services businesses provide be directly supervised by a certified person.

**28-35-608.** Provides for the reciprocal recognition of another state or federal certification provided the department finds the certification requirements are at least as stringent as those of the Kansas Radon Certification Law.

**28-35-609.** Specifies the requirements for renewing 24-month certifications for radon measurement technicians, radon mitigation technicians, and radon measurement laboratories.

**Economic Impact:**

Cost to certified individuals: The application fees listed in K.A.R. 28-35-602 for radon measurement technicians, radon mitigation technicians, and radon measurement laboratories will result in a minor cost impact to these individuals at 24-month intervals.

Cost to the Agency: There is no estimated increase in costs to the agency.

Cost to other governmental agencies or units: There is no known additional cost.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed new regulations. At any time during the public comment period any interested parties may submit written comments to Kansas Department of Health and Environment, Bureau of Environmental Health, Kansas Radon Program, 1000 S.W. Jackson, Suite 330, Topeka, 66612-1365, by fax to (785) 296-0984, or by e-mail to [radon@kdheks.gov](mailto:radon@kdheks.gov). During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed new regulations as well as an opportunity to submit their written comments. In order to give each individual or entity an opportunity to present their views, it

may be necessary for the hearing officer to request that each presenter limit any oral presentation to an appropriate time frame.

Complete copies of the proposed regulations and the corresponding regulatory impact statement may be obtained on the Radiation Control Program Web site at <http://www.kdheks.gov/radiation/radpubnotice.html> or by contacting the Kansas Radon Program at the address above, (785) 296-1560 or fax (785) 296-0984.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Radon Program at 785-296-1560.

Robert Moser, M.D.

Secretary of Health and Environment