

1 AN ACT concerning radon.

2 WHEREAS, The Surgeon General of the United States issued a
3 Health Advisory in 2005 warning Americans about the health risk
4 from exposure to radon in indoor air; and

5 WHEREAS, Indoor radon is the second-leading cause of lung
6 cancer in the United States, and breathing it over prolonged
7 periods can present a significant health risk to families all
8 over the country; and

9 WHEREAS, The nation's chief physician urged Americans to
10 test their homes to find out how much radon they might be
11 breathing; and

12 WHEREAS, The United States Environmental Protection
13 Agency, National Academy of Sciences, and the Surgeon General
14 estimate that 21,000 radon-related lung cancer deaths occur
15 annually in the United States, as many as 1,100 of those in
16 this State; and

17 WHEREAS, Results of 96,000 home measurements conducted by
18 professional contractors and homeowners between 2003 and 2008
19 submitted to the Illinois Emergency Management Agency show that
20 40% of homes tested in this State had radon levels above the
21 4.0 picocuries per liter (pCi/L) action level; therefore

1 **Be it enacted by the People of the State of Illinois,**
2 **represented in the General Assembly:**

3 Section 5. The School Code is amended by adding Sections
4 10-20.46 and 34-18.37 as follows:

5 (105 ILCS 5/10-20.46 new)

6 Sec. 10-20.46. Radon testing.

7 (a) It is recommended that every occupied school building
8 of a school district be tested every 5 years for radon pursuant
9 to rules established by the Illinois Emergency Management
10 Agency (IEMA).

11 (b) It is recommended that new schools of a school district
12 be built using radon resistant new construction techniques, as
13 shown in the United States Environmental Protection Agency
14 document, Radon Prevention in the Design and Construction of
15 Schools and Other Large Buildings.

16 (c) Each school district may maintain, make available for
17 review, and notify parents and faculty of test results under
18 this Section. The district shall report radon test results to
19 the State Board of Education, which shall prepare a report
20 every 2 years of the results from all schools that have
21 performed tests, to be submitted to the General Assembly and
22 the Governor.

1 (d) If IEMA exempts an individual from being required to be
2 a licensed radon professional, the individual does not need to
3 be a licensed radon professional in order to perform screening
4 tests under this Section. A school district may elect to have
5 one or more employees from the district attend an
6 IEMA-approved, Internet-based training course on school
7 testing in order to receive an exemption to conduct testing in
8 that school district. These school district employees must
9 perform the measurements in accordance with procedures
10 approved by IEMA. If an exemption from IEMA is not received,
11 the school district must use a licensed radon professional to
12 conduct measurements.

13 (e) If the results of a radon screening test under this
14 Section are found to be 4.0 pCi/L or above, the school district
15 may hire a licensed radon professional to perform measurements
16 before any mitigation decisions are made. If radon levels of
17 4.0 pCi/L or above are found, it is recommended that affected
18 areas be mitigated by a licensed radon mitigation professional
19 with respect to both design and installation. IEMA may provide
20 the school district with a list of licensed radon mitigation
21 professionals.

22 (f) A screening test under this Section may be done with a
23 test kit found in a hardware store, department store, or home
24 improvement store or with a kit ordered through the mail or
25 over the Internet. However, the kit must be provided by a
26 laboratory licensed in accordance with the Radon Industry

1 Licensing Act.

2 (105 ILCS 5/34-18.37 new)

3 Sec. 34-18.37. Radon testing.

4 (a) It is recommended that every occupied school building
5 of the school district be tested every 5 years for radon
6 pursuant to rules established by the Illinois Emergency
7 Management Agency (IEMA).

8 (b) It is recommended that new schools of the school
9 district be built using radon resistant new construction
10 techniques, as shown in the United States Environmental
11 Protection Agency document, Radon Prevention in the Design and
12 Construction of Schools and Other Large Buildings.

13 (c) The school district may maintain, make available for
14 review, and notify parents and faculty of test results under
15 this Section. The district shall report radon test results to
16 the State Board of Education, which shall prepare a report
17 every 2 years of the results from all schools that have
18 performed tests, to be submitted to the General Assembly and
19 the Governor.

20 (d) If IEMA exempts an individual from being required to be
21 a licensed radon professional, the individual does not need to
22 be a licensed radon professional in order to perform screening
23 tests under this Section. The school district may elect to have
24 one or more employees from the district attend an
25 IEMA-approved, Internet-based training course on school

1 testing in order to receive an exemption to conduct testing in
2 the school district. These school district employees must
3 perform the measurements in accordance with procedures
4 approved by IEMA. If an exemption from IEMA is not received,
5 the school district must use a licensed radon professional to
6 conduct measurements.

7 (e) If the results of a radon screening test under this
8 Section are found to be 4.0 pCi/L or above, the school district
9 may hire a licensed radon professional to perform measurements
10 before any mitigation decisions are made. If radon levels of
11 4.0 pCi/L or above are found, it is recommended that affected
12 areas be mitigated by a licensed radon mitigation professional
13 with respect to both design and installation. IEMA may provide
14 the school district with a list of licensed radon mitigation
15 professionals.

16 (f) A screening test under this Section may be done with a
17 test kit found in a hardware store, department store, or home
18 improvement store or with a kit ordered through the mail or
19 over the Internet. However, the kit must be provided by a
20 laboratory licensed in accordance with the Radon Industry
21 Licensing Act.