

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,  
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21 Licensing Act.