



# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002  
(207) 287-1440  
TTY: (207) 287-4469

**Shelley Rudnicki**

211 Norridgewock Road  
Fairfield, ME 04937  
Home Phone: (207) 314-6898  
Shelley.Rudnicki@legislature.maine.gov

April 14, 2025

Testimony  
In Support of

## **LD 1232 An Act to Require Radon Testing for Certain Commercial and Residential Construction**

Good Afternoon Senator Curry, Rep. Gere and the Members of the Joint Standing Committee on Housing and Economic Development, I am State Representative Shelley Rudnicki representing District 67, the towns of Fairfield and Benton. I am here to bring forward **LD 1232 An Act to Require Radon Testing for Certain Commercial and Residential Construction.**

Let me start by saying that I knew hardly anything about Radon before I brought this bill forward. I put this bill in at the request of my friend and constituent Shane Reitze. What I had heard about it a few years ago was when one of my good friends was diagnosed with Stage 4 lung cancer. She was only 48 years old. She is supposed to be dead now and i am so thankful that the doctors were able to treat her and I can announce she is currently cancer free. Why do I bring this up, you ask? My friend was told it is very unusual for such a young person who has never smoked to get Lung Cancer and the assumption is because of the radon in her house. It was tested and was very high.

Many of you probably heard that the Tax room in the State House tested extremely high and a mitigation system was needed to make the space safe for the committee.

This bill has taken on a more robust construct. with the assistance of Rep. Karen Motell I and Shane have been working with a few interested parties. The Maine Indoor Air Quality Council has helped immensely to work together to put forth an amendment to this bill that works for everyone.

The working group came up with a list of things that we thought would be of benefit to the public. I sent the amendment to your individual emails and asked your clerk to make it available for interested parties.

I am happy to answer question but I believe those coming behind me will have better answers for you than I could come up with.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Rudnicki".

Shelley Rudnicki  
State Representative

District 67 Fairfield and Benton

Amendments to LD 1232: **An Act to Require Radon Testing for Certain Commercial and Residential Construction**

*Possible New Title (not sure that's allowed) An Act to Amend Radon Mitigation and Testing Requirements for New Commercial and Residential Construction.*

**1) Improve radon data tracking:**

Radon testing and mitigation data reported to the Maine CDC for purposes of health data tracking must include the following additional information (fields):

- New residential construction
- New commercial construction
- Residential property testing as part of a real estate transfer
- Commercial property as part of a real estate transfer

*Are there other fields we could track here that would be helpful to CDC?*

**2) All new residential and commercial construction must install radon preventive features which are designed and installed by a Registered Radon Mitigator registered with the Maine State Radon Section at the Maine CDC.**

- Residential mitigators must follow the design and installation standards already adopted as code in the MUBEC (ASTM E-1465-08) for new residential construction
- Large building mitigators must follow the design and installation standards approved/recommended by the Maine State Radon Section within the Maine CDC

**Exemptions: Use of a registered radon mitigator to design and install radon preventive features in new residential and commercial construction does not apply if:**

- a) There is no registered radon mitigator within 90 miles of the new building construction site, in which case the contractor or their designee may design and install the radon preventive features as long as they follow applicable standards: the MUBEC for residential construction (ASTM E-1465-08), and the ANSI/AARST standard CC-1000: Soil Gas Control System in New Construction of Multi-Family, School, Commercial, and Mixed Use Buildings *(alternatively say a design/install standard adopted by the Maine State Radon Section of the Maine CDC – this way the CDC has control over which standard applies and we don't have to keep coming back to the legislature each time the standard*

*gets updated)*

b) New residential construction that is performed by a homeowner acting as the general contractor and who provides more than 50% of the labor for framing and finishing the structure.

c) *(should there be an exemption for large unoccupied spaces (warehouses, potato barns, etc.?)*

**3) All newly constructed buildings must have radon levels of less than 4.0 picocuries per liter before a certificate of occupancy can be issued.**

- Per existing state law, only registered radon testers may conduct the radon assessments for newly constructed residential and commercial buildings.

### **Radon Permits**

All new residential and commercial construction requiring a building permit must also receive a radon permit. Municipalities may choose whether to incorporate the radon permitting language into an existing permit, or create a new permit process. The radon permit must include compliance with the requirements for design, construction, and testing of radon preventive systems by registered radon professionals in accordance with state-adopted standards and this section.

### **Violations**

Municipalities shall be given the authority to set and collect penalties for violations of this section.

### **Revised Summary:**

This bill amends state laws around radon system design and installation:

- 1) All new residential and commercial construction in Maine must incorporate radon preventive construction features;

- 2) Only Maine registered mitigators may design and install radon preventive construction features in accordance with standards already in code (MUBEC) or standards adopted by the Maine State Radon Section at the Maine CDC.
- 3) All newly constructed buildings must have a radon level of less than 4.0 picocuries per liter before a certificate of occupancy can be issued
- 4) All new residential and commercial construction requiring a building permit must also receive a radon permit