



COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

September 08, 2016

FROM: THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, RADIATION PROGRAM

Attention: Stakeholders, Radon Mitigation Contractors

SUBJECT: NOTICE OF PUBLIC RULE-MAKING HEARING FOR RADIATION REGULATIONS - PART 21 (LOW INCOME RADON MITIGATION ASSISTANCE PROGRAM)

This is to inform you that on October 19, 2016 the Colorado Department of Public Health and Environment, Radiation Program will be conducting a rulemaking hearing regarding the proposed new Part 21 rule titled "Low Income Radon Mitigation Assistance (LIRMA) Program". Refer to the attached Notice of Public Rulemaking and the information and website(s) below for further details on the proposed rule and public hearing.

BACKGROUND

During the 2016 Colorado legislative session, the state legislature passed House Bill HB 16-1141 which gives the authority to create a program to provide limited funding to establish a low income radon mitigation assistance program known as the "LIRMA Program". This assistance program is created to address local community needs by funding the installation of radon mitigation systems and post-installation radon testing in owner-occupied low income homes showing elevated levels of radon. The program is intended to reduce the incidence of cancers caused by radon in low income homeowner occupied homes in Colorado. The proposed regulation - Part 21 - will establish the criteria under which individual homeowners may apply and qualify for mitigation system assistance. The rule will also state the basic criteria for the contractors who install radon mitigation systems in these low income households and who wish to participate in the mitigation contractor program. Mitigation contractors that wish to install mitigation systems in these low income households under this program would be required to meet certain criteria and be placed on a list maintained by the department.

HEARING INFORMATION

Within 7 days of the hearing date, information related to the hearing, process, the proposed rule, and associated documents will be posted on the Colorado Board of Health website at: <https://www.colorado.gov/pacific/cdphe/boh>

Information may also be found on the Radiation Program website at:

<https://www.colorado.gov/pacific/cdphe/rad-regs-stakeholder-processes>

[Click on the "Part 21..." link. Note that there may be a delay between when this notice is sent and when the website is updated. Stakeholders should check the website periodically for updates.]

Stakeholders were notified of the opportunity to provide comments on the proposed new rule in June. Additionally, one stakeholder meeting was scheduled during the comment period, but no stakeholders attended the meeting.



During a request for rulemaking before the Board of Health on August 17, 2016, the Board reviewed the proposed rule and approved it to move forward with a rulemaking hearing on October 19, 2016. If approved by the BOH, the rule will have an anticipated effective date in mid-December 2016, followed by application acceptance beginning in early 2017.

An updated version of the rule will be posted on the website prior to the hearing date which will incorporate a few additional changes not identified in the original draft. Stakeholders are encouraged to check the radiation regulations website (listed above) for updated information.

Individuals interested in receiving future notifications of proposed radiation regulatory changes may sign up to receive such notification via the Department website at: <https://fs20.formsite.com/HMWMD/radregsnotify/index.html>

For additional information or questions regarding this proposed regulation, please contact Chrystine Kelley at chrys.kelley@state.co.us or 303/692-3442, or James Jarvis at james.jarvis@state.co.us or 303/692-3454.