

3701-69-08 Standards of conduct for radon mitigation specialists.

- (A) A licensed radon mitigation specialist shall do all of the following:
- (1) Operate in accordance with his or her approved license application;
 - (2) Request, in writing, the director's approval before implementing any change which would render the following submitted information no longer accurate:
 - (a) The basic quality assurance and quality control procedures as described in rule 3701-69-07 of the Administrative Code that will be utilized to assure the reliability and validity of radon measurements;
 - (b) The applicant's quality assurance and quality control procedures for radon mitigation containing the elements of the Ohio radon mitigation standards as set forth in the appendix to this rule;
 - (c) The radiological safety plan designed to keep each employee's exposure to radon as low as reasonably achievable;
 - (d) The type, manufacturer, serial number and model number of all instrumentation to be used in radon measurement. If the applicant will use devices requiring subsequent laboratory analysis, the applicant shall list the name and address of the radon laboratory providing the analysis and its approval number issued under rule 3701-69-12 of the Administrative Code;
 - (e) The frequency and method of calibration of instruments; and
 - (f) The federal tax identification number;
 - (3) The licensee shall notify the director in writing within thirty days of any changes to the following:
 - (a) Name and address of applicant;
 - (b) Name and address of business or company;
 - (c) Change in contact information;
 - (d) Description of any of the following matters to which the applicant or an affiliated, associated, or related person was a party:
 - (i) Any radon mitigation or radon testing projects which were terminated prior to completion;
 - (ii) Any penalties, citations, or administrative orders or actions pertaining to radon mitigation or radon testing; and
 - (iii) Any lawsuits pertaining to radon mitigation or radon testing. Copies of initial pleadings and final orders shall be attached to the application; and
 - (e) Any other changes that would render the information in the application for licensure or renewal no longer accurate;

- (4) Use only the services of a radon laboratory that has been approved by the director under rule 3701-69-12 of the Administrative Code to analyze samples for the presence and concentration of radon;
 - (5) During each two-year licensing period, successfully complete at least sixteen hours of the continuing education of which eight hours must be specific to radon mitigation that the director has approved for continuing education credit under rule 3701-69-11 of the Administrative Code;
 - (6) If the licensee does not complete the required continuing education prior to the expiration of their license, the licensee will not be eligible to renew their license. The licensee will be required to submit an initial application and meet the requirements of rule 3701-69-04 of the Administrative Code. Education and examinations completed during a previous licensing period cannot be submitted as proof of meeting the education and examination requirements of rule 3701-69-04 of the Administrative Code;
 - (7) Maintain radon measurement device calibration records for a minimum of five years. These records shall be made available to the director upon request and shall consist of, but not be limited to:
 - (a) Manufacturer of the calibrated device;
 - (b) Model number of the calibrated device;
 - (c) Serial number of calibrated device;
 - (d) Date of instrument calibration;
 - (e) Name of calibration facility; and
 - (f) Method of instrument calibration;
 - (8) Maintain proof of valid license issued under this chapter at all times while at project sites;
 - (9) Maintain records of each test performed and make these records available to the director upon request. These records shall be maintained for at least five years and, at a minimum shall include all the information outlined in appendices A and B to rule 3701-69-07 of the Administrative Code;
 - (10) Accurately, truthfully, and competently perform and complete radon mitigation projects, reports, and site evaluations;
 - (11) Afford the director the opportunity to inspect any radon mitigation project; and
 - (12) Maintain records of each radon mitigation project that the specialist supervised or performed and make these records available to the director upon request. These records shall be maintained for at least five years and, at a minimum, shall include all the information outlined in the appendix to rule 3701-69-08 of the Administrative Code.
- (B) No licensed radon tester, licensed mitigation specialist, or licensed mitigation contractor involved in the testing of a particular building, or in the provision of advice with respect to a particular building, shall be involved in the performance of

mitigation on that building unless the contract for mitigation is in writing and clearly and conspicuously states both of the following:

- (1) That the radon tester, mitigation specialist, or mitigation contractor was involved in the testing or provision of advice that led to the mitigation contract; and
- (2) The advantages of long-term testing and the value of a second opinion as ways to verify test results and to assure that the proposed mitigation is appropriate, especially when the mitigation is to be performed by the business entity or private entity that was involved in the testing or provision of advice that led to the mitigation contract.

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