4620.7350 RADON ANALYSIS LABORATORY LICENSE.

Subpart 1. **General requirements.** A business or government entity that performs radon sample analysis must be licensed by the commissioner as a radon analysis laboratory under this part. A radon analysis laboratory license is not transferable.

Subp. 2. **Application for license.** An applicant for a radon analysis laboratory license must submit to the commissioner:

A. a completed application on a form provided by the commissioner;

B. a nonrefundable annual fee according to Minnesota Statutes, section 144.4961, subdivision 8, payable to the Department of Health;

C. evidence of workers' compensation insurance as required by Minnesota Statutes, section 176.182, or if the applicant is exempt from the requirements under Minnesota Statutes, chapter 176, the applicant must submit a letter that is signed and dated stating why the applicant is exempt;

D. the applicant's current national radon proficiency program approval numbers and expiration dates;

E. the name, model, and NRPP approval number of all passive devices analyzed;

F. all analysis data from the previous year related to radon measurement samples taken from buildings located in Minnesota;

G. a radon sample analysis quality assurance and quality control plan; and

H. proof of:

(1) a quality assurance program that meets ISO/IEC 17025, General Requirements for the Competence of Testing and Calibration Laboratories Compliance published June 29, 2005, and subsequent amendments or editions; or

(2) enrollment in an independent third-party accreditation/certification program that meets national laboratory accreditation and certification standards, or an equivalent program approved by the commissioner for the devices listed in item E.

Subp. 3. **License expiration and renewal.**

A. A license issued under this part is valid for one year from the date of issuance.

B. A licensed radon analysis laboratory may renew its license annually by submitting the information required under subpart 2.

C. The renewal application must be received by the commissioner at least 30 days before the expiration date on the existing license.

D. If a license expires while a renewal application is pending approval, the radon analysis laboratory may continue to perform regulated radon sample analysis activities under the expired license until the commissioner issues a new license or denies the renewal application.

Subp. 4. **Denial of license application.**

A. The commissioner shall deny an application for a radon analysis laboratory license according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2.

B. If the commissioner denies an application, the commissioner must:

(1) notify the applicant in writing and provide the reasons for the denial;

(2) not require the applicant to pay an additional fee if the applicant submits a second application according to this part within 30 days of the receipt of a notice that the license application has been denied. An applicant must apply for an initial license under subpart 2 for subsequent applications; and

(3) provide notice of the opportunity to appeal a denial as required by Minnesota Statutes, section 144.99, subdivision 10.

Subp. 5. **Quality assurance manager.**

A. A licensed radon analysis laboratory must at all times employ or contract with a quality assurance manager who represents the radon analysis laboratory.

B. If the quality assurance manager identified on the current radon analysis laboratory license no longer serves in that capacity, the laboratory must provide a written notice to the commissioner within 30 days of the change in the quality assurance manager that:

(1) identifies the new quality assurance manager;

(2) is signed by the new quality assurance manager; and

(3) provides the date when the new quality assurance manager assumed the duties of the position.

Statutory Authority: *MS s 144.4961*

History: *43 SR 687*

Published Electronically: *December 20, 2018*