

**Department of Health****Proposed Permanent Rules Relating to Radon Licensing****4620.7000 PURPOSE.**

The purpose of parts 4620.7000 to 4620.7950 is to protect public health by establishing licensing requirements and work practices that ensure radon measurement and radon mitigation are performed in a manner that minimizes the public's exposure to radon gas.

**4620.7050 APPLICABILITY.**

Parts 4620.7000 to 4620.7950 apply to any person who performs a service for compensation to detect the presence of radon in the indoor atmosphere, performs laboratory analysis of radon measurement samples, or performs a service to mitigate radon in the indoor atmosphere. Parts 4620.7000 to 4620.7950 also apply to radon mitigation systems installed on or after January 1, 2019.

**4620.7100 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 4620.7000 to 4620.7950, the terms defined in this part have the meanings given them.

Subp. 2. **Commissioner.** "Commissioner" means the commissioner of health or the commissioner's designee.

Subp. 3. **Continuous monitor.** "Continuous monitor" means a radon measurement device that requires an electrical power source and is capable of charting radon concentration fluctuations throughout the course of a given measurement period.

Subp. 4. **Foundation type.** "Foundation type" means basement, crawl space, slab-on-grade, or any other construction technique approved by local building code.

Subp. 5. **Measurement professional.** "Measurement professional" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 8, paragraph (a), clause (1). Radon testing includes the act of an individual placing and retrieving a radon test device.

Subp. 6. **Mitigation.** "Mitigation" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 2, paragraph (b).

Subp. 7. **Mitigation company.** "Mitigation company" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 8, paragraph (a), clause (3).

Subp. 8. **Mitigation professional.** "Mitigation professional" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 8, paragraph (a), clause (2).

Subp. 9. **Mitigation system tag or system tag.** "Mitigation system tag" or "system tag" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 8, paragraph (a), clause (5).

Subp. 10. **Mitigation technician.** "Mitigation technician" means an employee or subcontractor who is supervised by a licensed radon professional when installing a radon mitigation system.

Subp. 11. **National radon proficiency program (NRPP).** "National radon proficiency program" or "NRPP" means a radon proficiency listing, accrediting, and certifying program for radon measurement and mitigation professionals, radon laboratories, radon measurement devices, and radon chambers formerly recognized by the United States Environmental Protection Agency (EPA) as being equal to the EPA's National Radon Proficiency Program.

Subp. 12. **On-site supervision.** "On-site supervision" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 8, paragraph (a), clause (2).

Subp. 13. **Passive device.** "Passive device" means a radon measurement device that is analyzed by a radon analysis laboratory.

Subp. 14. **Quality assurance.** "Quality assurance" means all activities required to provide the evidence needed to establish confidence that data provided are of the required precision and accuracy.

Subp. 15. **Quality control.** "Quality control" means the process through which an organization measures its performance, compares the performance with standards, and acts on any differences.

Subp. 16. **Radon.** "Radon" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 2, paragraph (c).

Subp. 17. **Radon analysis laboratory.** "Radon analysis laboratory" has the meaning given in Minnesota Statutes, section 144.4961, subdivision 8, paragraph (a), clause (4).

Subp. 18. **Radon measurement.** "Radon measurement" means testing to determine the presence and concentration of radon in a building.

Subp. 19. **Radon sample analysis.** "Radon sample analysis" means determining the presence and concentration of radon in a passive device.

Subp. 20. **Responsible individual.** "Responsible individual" means an individual who has the authority to represent a radon mitigation company in all matters related to a radon mitigation company license.

#### **4620.7200 RADON MEASUREMENT PROFESSIONAL LICENSE.**

Subpart 1. **General requirements.** An individual who performs radon measurement work must be licensed by the commissioner as a radon measurement professional under this part. A radon measurement professional license is not transferable.

Subp. 2. **Training requirements; initial license.** To be eligible for an initial license as a radon measurement professional, an applicant must:

A. complete an initial radon measurement training course approved by the commissioner under part 4620.7700; and

B. pass a radon measurement examination approved by the commissioner under part 4620.7700.

Subp. 3. **Initial license application.** An applicant for an initial radon measurement professional 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. documentation that the applicant completed initial radon measurement training required under subpart 2;
- D. documentation that the applicant passed a radon measurement training course exam as described in subpart 2;
- E. a quality control and quality assurance plan for radon measurement based on the United States Environmental Protection Agency National Radon Proficiency Program Guidance on Quality Assurance;
- F. the type, manufacturer, and model of all continuous monitors that the applicant intends to use to measure radon; and
- G. the type and manufacturer of all passive devices that the applicant intends to use to measure radon.

Subp. 4. **Expiration; renewal; continuing education.**

- A. A radon measurement professional license is valid for one year from the date of issuance.
- B. A radon measurement professional may apply to renew a license after completing eight hours of continuing education approved by the commissioner under part 4620.7700.

C. A radon measurement professional must complete eight hours of continuing education, approved by the commissioner under part 4620.7700, within 12 months after the date on the last-issued radon measurement professional license.

D. An individual who fails to complete eight hours of approved continuing education 30 days after the individual's license expires must:

- (1) complete the continuing education required under item C; and
- (2) pass an examination as specified in subpart 2 to qualify for a license.

Subp. 5. **Renewal application.**

A. An individual choosing to renew a radon measurement professional license must submit to the commissioner at least 30 days before the license expires:

- (1) a completed renewal application on a form provided by the commissioner;
- (2) a nonrefundable annual fee according to Minnesota Statutes, section 144.4961, subdivision 8, payable to the Department of Health;
- (3) documentation of completed continuing education required under subpart 4; and
- (4) documentation required under subpart 3, items E, F, and G.

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

**Subp. 6. Denial of license application.**

A. The commissioner shall deny an application for a radon measurement professional license according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2, 3, 4, or 5.

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

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

(2) must 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 3 or a renewal under subpart 5 for subsequent applications.

**4620.7250 RADON MITIGATION COMPANY LICENSE.**

**Subpart 1. General requirements.**

A. A business or government entity that employs individuals to perform regulated radon mitigation work must be licensed by the commissioner as a radon mitigation company.

B. A radon mitigation company must employ or contract with a responsible individual who is licensed as a radon mitigation professional.

C. A radon mitigation company license is not transferable.

**Subp. 2. License application.** An applicant for a radon mitigation company 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, unless the applicant is exempt from the requirements under Minnesota Statutes, chapter 176. 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 name and license number of the responsible individual; and

E. the names and license numbers of all licensed mitigation professionals employed or subcontracted by the radon mitigation company.

**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 mitigation company may renew its license annually by submitting the information and fee required under subpart 2.

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

D. If a license expires while a renewal application is pending approval, the radon mitigation company may continue to employ individuals to perform regulated radon mitigation 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 mitigation company license according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2 or 3.

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

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

(2) must 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.

Subp. 5. **Change in responsible individual.** If the responsible individual no longer serves in that capacity, the company must provide a written notice to the commissioner within 30 days of a change in the responsible individual that:

A. identifies the new responsible individual by name and radon mitigation professional license number;

B. is signed by the new responsible individual; and

C. provides the date when the new responsible individual assumed the duties of the position.

#### **4620.7300 RADON MITIGATION PROFESSIONAL LICENSE.**

Subpart 1. **General requirements.** An individual who performs radon mitigation work must be licensed by the commissioner as a radon mitigation professional under this part. A radon mitigation professional license is not transferable.

Subp. 2. **Training requirements; initial license.** To be eligible for an initial license as a radon mitigation professional, an applicant must:

A. complete an initial radon measurement course approved by the commissioner under part 4620.7700;

B. pass a radon measurement examination approved by the commissioner under part 4620.7700;



C. complete an initial radon mitigation course approved by the commissioner under part 4620.7700; and

D. pass a radon mitigation examination approved by the commissioner under part 4620.7700.

Subp. 3. **Initial license application.** An applicant for an initial radon mitigation professional 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. documentation that the applicant completed radon training courses under subpart 2;

D. documentation that the applicant passed radon training course examinations under subpart 2;

E. a quality control and quality assurance plan for radon measurement based on the United States Environmental Protection Agency National Radon Proficiency Program Guidance on Quality Assurance;

F. the type, manufacturer, and model of all continuous monitors that the applicant intends to use to measure radon; and

G. the type and manufacturer of all passive devices that the applicant intends to use to measure radon.

Subp. 4. **Expiration; renewal; continuing education.**

A. A radon mitigation professional license is valid for one year from the date of issuance.

B. A licensed radon mitigation professional may apply to renew a license after completing 12 hours of continuing education approved by the commissioner under part 4620.7700.

C. An individual who fails to complete 12 hours of approved continuing education 30 days after a license expires must:

- (1) complete the continuing education under item B; and
- (2) pass the examinations in subpart 2.

Subp. 5. **Renewal application.**

A. An individual choosing to renew a radon mitigation professional license must submit to the commissioner at least 30 days before the license expires:

- (1) a completed renewal application on a form provided by the commissioner;
  - (2) a nonrefundable annual fee according to Minnesota Statutes, section 144.4961, subdivision 8, payable to the Department of Health;
  - (3) documentation of continuing education credits required under subpart 4;
- and
- (4) documentation required under subpart 3, items E, F, and G.

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

**Subp. 6. Denial of license application.**

A. The commissioner shall deny an application for a radon mitigation professional license according to Minnesota Statutes, section 144.99, subdivision 8, or if the applicant fails to comply with the requirements of subpart 2, 3, 4, or 5.

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

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

(2) must 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 3 or a renewal under subpart 5 for subsequent applications.

**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; and

(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.

**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.

**4620.7400 STANDARDS OF CONDUCT.**

Subpart 1. Radon measurement and radon mitigation professional standards. A radon measurement professional and a radon mitigation professional must:

A. operate according to a quality assurance and quality control plan submitted to the commissioner under parts 4620.7200 and 4620.7300;

B. use a continuous monitor or passive device approved by a national radon proficiency program;

C. notify the commissioner in writing within 30 days of any change to the license application information provided under parts 4620.7200 and 4620.7300;

D. maintain proof of a valid license issued under this chapter at all times while at a project site;

E. use the services of a radon laboratory licensed by the commissioner under part 4620.7350 to analyze radon samples;

F. maintain records for three years of each radon test performed;

G. maintain radon measurement device calibration records for three years. Device calibration records include the:

(1) manufacturer of a calibrated device;

(2) model number of a calibrated device;

(3) serial number of a calibrated device;

(4) date of instrument calibration; and

(5) name of the calibration facility; and

H. not interfere with the commissioner's inspection or audit of any radon measurement or mitigation project.

Subp. 2. **Radon mitigation company standards.** A radon mitigation company must:

A. verify that employees directly involved in radon mitigation complete an NRPP-approved training course or a minimum of eight hours of basic mitigation training provided by a licensed radon mitigation professional. The training must be:

(1) provided before working on a mitigation project;

(2) performed annually; and

(3) documented by having trainees acknowledge with their written signature that they have received training meeting the requirements of this part;

B. maintain a record of training required under item A for three years;

C. verify that all of its mitigation professionals, employees, and subcontractors comply with this chapter;

D. verify that radon mitigation is performed with on-site supervision of a licensed mitigation professional;

E. maintain records for three years of each radon mitigation performed, including records required under parts 4620.7500 and 4620.7600, subpart 2;

F. notify the commissioner in writing within 30 days of any change to the license application information provided under part 4620.7250; and

G. obtain a permit from the local unit of government when the installation of a radon mitigation system alters any structural component of the building framing system. A permit is not required when only the rim joist area is penetrated.

Subp. 3. **Radon analysis laboratory standards.** An approved radon analysis laboratory must:

A. maintain current documentation required under part 4620.7350;

- B. maintain the certification status of a national radon proficiency program;
- C. notify the commissioner in writing within 30 days of any change to the license application information provided under part 4620.7350; and
- D. maintain the status requirement of part 4620.7350, subpart 2, item H. If status is no longer current, the commissioner shall suspend the radon laboratory license under Minnesota Statutes, section 144.99, subdivision 9.

**4620.7500 INCORPORATION BY REFERENCE; REQUIRED WORK PRACTICES FOR RADON MEASUREMENT AND MITIGATION AND MEASUREMENT DEVICES.**

A. This part indicates documents, specifications, methods, and standards that are incorporated by reference in parts 4620.7000 to 4620.7900. This material is amended from time to time and is available from the source listed and for loan or inspection from the Department of Health. The requirements of the standards or the successor requirements of the standards in this section must be followed for all radon-related work conducted in Minnesota.

B. Radon measurement professionals and radon mitigation professionals measuring radon in single-family residences must:

(1) comply with ANSI/AARST Protocol for Conducting Measurements of Radon and Radon Decay Products in Homes (ANSI/AARST MAH-2014) or successor ANSI/AARST standards; and

(2) test each unique foundation type.

C. Radon measurement professionals and radon mitigation professionals measuring radon in multifamily buildings must comply with ANSI/AARST Standard: Protocol for Conducting Radon and Radon Decay Product Measurements in Multifamily Buildings (ANSI/AARST MAMF-2012) or successor ANSI/AARST standards.



D. Radon measurement professionals and radon mitigation professionals measuring radon in schools and large buildings must comply with ANSI/AARST Protocol for Conducting Measurements of Radon and Radon Decay Products in Schools and Large Buildings (ANSI/AARST MALB-2014) or successor ANSI/AARST standards.

E. Radon mitigation professionals performing radon mitigation in houses must comply with Soil Gas Mitigation Standards for Existing Homes (ANSI/AARST SMG-SF-2017) or successor ANSI/AARST standards.

F. Radon mitigation professionals performing radon mitigation in multifamily buildings must comply with ANSI/AARST Radon Mitigation Standards for Multifamily Buildings (ANSI/AARST RMS-MF-2014) or successor ANSI/AARST standards.

G. Radon mitigation professionals performing radon mitigation in schools and large buildings must comply with ANSI/AARST Radon Mitigation Standards for Schools and Large Buildings (ANSI/AARST RMS-LB-2014) or successor ANSI/AARST standards.

H. Radon measurement device performance requirements are the ANSI/AARST Performance Specifications for Instrumentation Systems Designed to Measure Radon Gas in Air (ANSI/AARST MS-PC-2015) or successor ANSI/AARST standards.

#### **4620.7600 RADON SYSTEM TAG REQUIREMENTS.**

Subpart 1. Purchasing tags. A radon mitigation company must purchase radon system tags by:

A. completing and submitting an application on a form provided by the commissioner; and

B. submitting the nonrefundable fees according to Minnesota Statutes, section 144.4961, subdivision 8, clause (5), for the number of tags to be purchased and payable to the Department of Health.

Subp. 2. **Postmitigation checklist.** A radon mitigation professional must complete a postmitigation checklist, on a form provided by the commissioner, before attaching a radon system tag.

Subp. 3. **Attaching tags.** A radon mitigation professional must attach a radon system tag to a radon system:

A. in a location:

(1) in the interior of the building that is being mitigated;

(2) next to the system pressure gauge; and

(3) that is visible without having to move or remove items, furnishings, or building materials; and

B. on the date of project completion.

#### **4620.7700 APPROVAL OF INITIAL TRAINING AND CONTINUING EDUCATION COURSES.**

Subpart 1. **Initial training.** The commissioner shall approve an initial radon:

A. measurement training course approved by a national radon proficiency program;

B. measurement course exam approved by a national radon proficiency program;

C. mitigation training course approved by a national radon proficiency program;

and

D. mitigation course exam approved by a national radon proficiency program.

Subp. 2. **Preapproved continuing education courses.**

A. Any continuing education course currently approved by a national radon proficiency program meets the continuing education requirements of parts 4620.7200 and 4620.7300.

B. A licensed measurement professional or mitigation professional shall receive continuing education credit for the number of hours that the professional attends an initial training course approved by the commissioner.

Subp. 3. **Other continuing education credit.** To receive continuing education credit for a course, seminar, or professional organization meeting that is not an approved training course under this part, the person requesting credit must complete and submit a request on a form provided by the commissioner.

A. A person requesting credit must submit a request for credit according to this subpart within 30 days after a course, seminar, or meeting ends.

B. To obtain advance approval of continuing education credit for a course, seminar, or meeting of a professional organization, a person requesting credit must submit a request under this subpart at least 30 days before the course, seminar, or meeting begins.

C. The commissioner shall grant continuing education credit to an instructor of a course approved by the commissioner under this part if the instructor requesting credit submits to the commissioner a request on a form provided by the commissioner within 30 days after a course, seminar, or meeting ends.

D. The commissioner shall determine the number of continuing education credit hours that are approved to meet the requirements of this part based on the course's, seminar's, or meeting's relevance to the activities of a measurement professional or mitigation professional.

#### **4620.7800 REPORTING REQUIREMENTS.**

Subpart 1. **Radon test reports.** A radon measurement professional or radon mitigation professional must submit an electronic report, in the form and manner provided by the commissioner, listing all the radon tests completed and provide the following information for each project:

- A. street address, city, county, and zip code where work was performed;
- B. test start date and completion date;
- C. test device used;
- D. identification of test as initial, follow-up, or postmitigation test;
- E. if the test was done for a real estate transaction;
- F. reported radon concentration;
- G. age of the building tested;
- H. type of building tested;
- I. if there is a radon mitigation system present; and
- J. system tag number, if present.

Subp. 2. **Mitigation project reports.** A mitigation company must submit an electronic report, in the form and manner provided by the commissioner, listing all mitigation projects completed and provide the following information for each project:

- A. name and contact information of the property owner or occupant, if available;
- B. street address, city, county, and zip code where the work was performed;
- C. start date and completion dates;
- D. type of radon mitigation systems installed;
- E. type of building mitigated;
- F. premitigation and postmitigation radon concentrations, if available; and
- G. MDH mitigation system tag identification number.

Subp. 3. **Reporting deadlines.** The reports required by this part must be submitted quarterly by:

- A. April 30 for the period of January 1 through March 31;
- B. July 30 for the period of April 1 through June 30;
- C. October 30 for the period of July 1 through September 30; and
- D. January 30 for the period of October 1 through December 31 of the previous year.

**4620.7900 INSPECTIONS AND ENFORCEMENT.**

Subpart 1. **Compliance inspections.**

A. Upon request, a measurement professional, mitigation professional, mitigation company, or operator of a radon laboratory must make available to the commissioner:

- (1) records or equipment of activities regulated under this chapter;
- (2) addresses of properties or buildings where radon is being tested or mitigation work is scheduled, in progress, or completed; and
- (3) names of the owners and residents of properties or buildings where radon is being or has been tested or where mitigation work is scheduled, in progress, or completed.

B. After providing identification, an agent of the commissioner may:

- (1) examine any equipment used for radon testing or mitigation;
- (2) sketch or photograph any portion of a site or building where radon is being measured or mitigated; and
- (3) interview employees or representatives of a licensee or a license applicant under this chapter.

Subp. 2. **Enforcement.** Violations of the requirements of parts 4620.7050 to 4620.7900 constitute grounds for the commissioner to take one or more of the enforcement actions under Minnesota Statutes, sections 144.989 to 144.993, subject to the notice and appeal provisions in applicable law.

**4620.7950 VARIANCE TO RADON LICENSING RULES.**

The commissioner may grant a variance to parts 4620.7000 to 4620.7900 according to the procedures and criteria in parts 4717.7000 to 4717.7050.

**4717.7000 VARIANCE REQUEST.**

Subpart 1. **Request.** A party may ask the commissioner of health to grant a variance from the following ~~rules~~ items:

A. clean indoor air, parts 4620.0100 to ~~4620.1500~~ 4620.1450;

*[For text of items B to F, see M.R.]*

~~G. roller towels, part 4635.0200;~~

~~H. G.~~ enclosed sports arenas, parts 4620.3900 to 4620.4800, except part 4620.3950;

~~J. H.~~ public swimming pools, parts ~~4717.0100~~ 4717.0150 to ~~4717.3900~~ 4717.3975;

I. [Repealed, L 2007 c 140 art 13 s 3]

~~K. J.~~ general requirements for construction of surface water and groundwater under the direct influence of surface water treatment facilities, parts 4720.3920 to 4720.3965;

~~L. K.~~ water haulers, parts 4720.4000 to 4720.4600;

~~M. L.~~ wellhead protection, parts 4720.5200 to 4720.5570;

~~N. M.~~ wells and borings, parts 4725.0100 to 4725.7450;

~~O. N.~~ explorers and exploratory borings, parts 4727.0100 to ~~4727.1300~~ 4727.1250;

~~P. O.~~ explorers and exploratory borings, parts 4727.0100 to ~~4727.1300~~ 4727.1250;

~~Q. P.~~ ionizing radiation, parts 4732.0100 to 4732.1130, except parts 4732.0200 and 4732.0210; and

~~R. Q.~~ lead poisoning prevention, parts 4761.2000 to 4761.2700, except parts 4761.2000, 4761.2100, 4761.2200, 4761.2220, and 4761.2510; and

R. radon licensing, parts 4620.7000 to 4620.7900.

*[For text of subps 2 and 3, see M.R.]*