

309.430 Definitions for KRS 309.430 to 309.454.

As used in KRS 309.430 to 309.454, unless the context requires otherwise:

- (1) "Alter" means to change or modify a building or building design, or to revise, rather than repair, a mitigation system or mitigation system design;
- (2) "Analytical analysis" means the act of analyzing the radon or radon progeny concentrations with active measurement devices;
- (3) "Board" means the Kentucky Board of Radon Safety;
- (4) "Building" means any structure used or intended to be used for supporting or sheltering any use or occupancy;
- (5) "Certified" means meeting the certification requirements of a proficiency program for radon measurement, radon mitigation, or radon laboratory analysis;
- (6) "Commercial building" means any building other than a residential building, including those buildings intended for public purposes;
- (7) "Compensation" means something of value given or received in exchange for radon measurement, radon mitigation, or laboratory analysis;
- (8) "Contractor" means a person or business entity that provides goods or services to another person under the terms specified in a contract or verbal agreement, and who is not an agent or employee of that person;
- (9) "Direct supervision" means constant onsite supervision by a certified person;
- (10) "General supervision" means intermittent onsite supervision by a certified person who accepts responsibility for ensuring compliance by his or her employees or subcontractors with all applicable requirements under KRS 309.430 to 309.454;
- (11) "Government agency" means the Commonwealth of Kentucky, a state agency, a political subdivision, or any entity of local government;
- (12) "Laboratory analysis" means the act of analyzing the radon or radon progeny concentrations with passive measurement devices, or the act of calibrating radon or radon progeny measurement devices, or the act of exposing radon or radon progeny devices to controlled concentrations of radon or radon progeny;
- (13) "Measurement" means the act of testing the air, water, or soil using an active or passive measurement device for the presence of radon or radon progeny in the indoor environment of a building;
- (14) "Measurement device" means any active or passive device approved by a proficiency program and used for the measurement of radon or radon progeny in air, water, or soil in the indoor environment of a building;
- (15) "Measurement contractor" means a person certified by a proficiency program who provides radon measurement for compensation and who meets the requirements of KRS 309.438;
- (16) "Mitigation" means the act of installing, repairing, or altering an active or passive system, for the purpose in whole or in part of reducing the concentration of radon or radon progeny in the indoor environment of a building;
- (17) "Mitigation contractor" means a person certified by a proficiency program who

provides radon mitigation for compensation and who meets the requirements of KRS 309.440;

- (18) "Mitigation system" means any active or passive system designed to reduce radon concentrations in the indoor environment of a building;
- (19) "Person" has the same meaning as in KRS 446.010;
- (20) "Proficiency program" means either the National Radon Proficiency Program or the National Radon Safety Board;
- (21) "Radon" means a naturally occurring radioactive element that exists as a colorless, odorless, and tasteless inert gas;
- (22) "Radon decay products" means the four (4) short-lived radioactive elements polonium (Po-218), lead (Pb-214), bismuth (Bi-214), and polonium (Po-214) which exist as solids and immediately follow radon (Rn-222) in the decay chain;
- (23) "Radon laboratory" means a business entity certified by a proficiency program that provides laboratory analysis for compensation and meets the requirements of KRS 309.444;
- (24) "Radon progeny" means any combination of the radioactive decay products of radon;
- (25) "Registrant" means a person or business entity registered with the board as a measurement contractor, mitigation contractor, or radon laboratory;
- (26) "Research" means board-approved scientific investigation that includes radon measurement, radon mitigation, or laboratory analysis;
- (27) "Residential building" means detached one (1) to four (4) family dwellings not more than three (3) stories in height where occupants are primarily permanent in nature; and
- (28) "Standard operating procedure" means a written document established by an accredited American National Standards Institute development organization that describes in detail commonly accepted methods for the performance of certain tasks associated with radon measurement, mitigation, or laboratory analysis.

Effective: July 14, 2022

History: Repealed, reenacted, and amended 2022 Ky. Acts ch. 73, sec. 1, effective July 14, 2022. -- Amended 2019 Ky. Acts ch. 159, sec. 1, effective June 27, 2019. -- Created 2011 Ky. Acts ch. 74, sec. 1, effective June 8, 2011.

Formerly codified as KRS 211.9101.