

# NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

April 9, 2018

Patrick O'Donnell, Clerk of the Legislature  
State Capitol, Room 2018  
P.O. Box 94604  
Lincoln, NE 68509-4604

RE: 2017 LB 9 Radon Resistant New Construction Task Force Recommendation

Dear Mr. O'Donnell:

In accordance with the 2017 Legislative Bill 9, the Radon Resistant New Construction Task Force was created. The task force was to develop minimum standards for radon resistant new construction and to recommend those standards to the Governor, the Health and Human Services Committee of the Legislature, and the Urban Affairs Committee of the Legislature. The task force met a total of four (4) times and has unanimously voted to create recommendations to be considered.

A copy of the Radon Resistant New Construction Task Force recommendations is attached.

Sincerely,

A handwritten signature in black ink that reads "Thomas L. Williams".

Thomas L. Williams, MD  
Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human Services

## RADON RESISTANT NEW CONSTRUCTION TASK FORCE RECOMMENDATION STATEMENT

Except as otherwise specified, all new construction built that is intended to be regularly occupied by people will use Radon Resistant New Construction techniques. Radon Resistant New Construction techniques are those that utilize design elements and construction techniques that passively resist radon entry and prepare a building for an active post-construction mitigation system.

Radon Resistant New Construction shall include the following:

**Sumps.** Sump pits open to soil or serving as the termination point for subslab or exterior drain tile loops shall be covered with a gasketed or otherwise sealed lid. Sumps used as the suction point in a subslab depressurization system shall have a lid designed to accommodate the vent pipe. Sumps used as a floor drain shall have a lid equipped with a trapped inlet.

**Passive subslab depressurization system.** In *basement* or slab-on-grade buildings, the following components of a passive subslab depressurization system shall be installed during construction.

**Vent pipe.** A minimum 3-inch-diameter (76 mm) ABS, PVC or equivalent gas-tight pipe shall be embedded vertically into the subslab permeable material before the slab is cast. A "T" fitting or equivalent method shall be used to ensure that the pipe opening remains within the subslab permeable material. Alternatively, the 3-inch (76 mm) pipe shall be inserted directly into an interior perimeter drain tile loop or through a sealed sump cover where the sump is exposed to the subslab or connected to it through a drainage system. The pipe shall be extended up through the building floors, and terminate at least 12 inches (305 mm) above the surface of the roof in a location at least 10 feet (3048 mm) away from any window or other opening into the *conditioned spaces* of the building that is less than 2 feet (610 mm) below the exhaust point, and 10 feet (3048 mm) from any window or other opening in adjoining or adjacent buildings.

**Multiple vent pipes.** In buildings where interior footings or other barriers separate the subslab gas-permeable material, each area shall be fitted with an individual vent pipe. Vent pipes shall connect to a single vent that terminates above the roof or each individual vent pipe shall terminate separately above the roof.

**Vent pipe identification.** All exposed and visible interior radon vent pipes shall be identified with at least one *label* on each floor and in accessible *attics*. The *label* shall read: "Radon Reduction System."

**Power source.** To provide for future installation of an active submembrane or subslab depressurization system, an electrical circuit terminated in an *approved* box shall be installed during construction in the *attic* or other anticipated location of vent pipe fans.

Exceptions to the use of the above listed Radon Resistant New Construction techniques are as follows:

1. Use of the design of an engineer or architect registered with the state of Nebraska and associated with the project.
2. Other than for residential dwelling units, determination by a local building official, after review of relevant guidelines for the intended use of structure and property conditions, that Radon Resistant New Construction is not necessary.

**A builder or his or her subcontractors may convert a passive radon mitigation system to an active system,** in accordance with Title 180 NAC Chapter 11 except that builders or subcontractors do not have to be licensed to convert the system. A licensed radon-specialist shall conduct any post installation testing.

## **SECONDARY TASK FORCE RECOMMENDATION FOR EDUCATION FUNDING**

In order to effectively educate the public, real estate professionals, and builders regarding the benefits of radon testing and mitigation, as well as the health dangers posed by radon, the Task Force believes it crucial that a portion of the fees currently paid to the state for radon registration, as well as additional funds, be allocated specifically to local health departments for the purpose of providing education, training, and public awareness.

We would like to thank the following members of the Radon Resistant New Construction Task Force for their participation and service to the State of Nebraska:

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