

**211.9111 Certification as mitigation contractor -- Renewal of certification -- Fees -- Duties of mitigation contractor.**

- (1) The cabinet shall issue a certification as a mitigation contractor to any person who:
  - (a) Submits a complete and accurate application for certification on a form prescribed by the cabinet through promulgation of an administrative regulation;
  - (b) Pays the certification fee established by the cabinet through promulgation of an administrative regulation within the following restrictions:
    1. An initial certification fee shall not exceed two hundred fifty dollars (\$250);
    2. An annual renewal fee shall not exceed two hundred fifty dollars (\$250);
    3. A duplicate certificate fee shall not exceed twenty dollars (\$20); and
    4. A late renewal fee shall not exceed one hundred dollars (\$100);
  - (c) Provides the cabinet with documentation of successful completion of a cabinet-approved radon mitigation course and exam;
  - (d) For renewal of certification, provides proof of completion of at least eight (8) hours of continuing education credit per year;
  - (e) Submits a quality control program plan that meets the minimum standard operating procedures requirements established by the cabinet through promulgation of an administrative regulation; and
  - (f) Furnishes evidence of financial responsibility to the cabinet consisting of a liability insurance policy that satisfies the requirements of KRS 211.9113.
- (2) A mitigation contractor shall:
  - (a) Ensure all mitigations are conducted in accordance with mitigation standard operating procedures established by an administrative regulation promulgated by the cabinet;
  - (b) Maintain a quality control program plan that meets the minimum standard operating procedures requirements established by the cabinet through promulgation of an administrative regulation;
  - (c) Ensure all mitigation activities are conducted under the general supervision of an individual certified to conduct radon mitigation;
  - (d) Ensure post-mitigation measurement is conducted by a person certified to conduct measurement; and
  - (e) Ensure all radon mitigation systems repaired or altered on or after January 1, 2013, meet the mitigation standard operating procedures established by an administrative regulation promulgated by the cabinet.

**Effective:** June 25, 2013

**History:** Amended 2013 Ky. Acts ch. 68, sec. 3, effective June 25, 2013. -- Created 2011 Ky. Acts ch. 74, sec. 6, effective June 8, 2011.