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West's Annotated Code of Maryland **Currentness**

Environment

▣ **Title 8.** Radiation

▣ **Subtitle 3.** Regulation of Radiation Sources

→ **§ 8-305. Testing for radon**

(a)(1) In this section the following words have the meanings indicated.

(2) “Listed facility” means a radon testing facility that is listed in the report of the latest round of the United States Environmental Protection Agency's National Radon Measurement Proficiency Program.

(3)(i) “Radon testing device” means a device that:

1. Collects radon or radon progeny; and
2. Requires analysis by an independent measuring facility or radon tester.

(ii) “Radon testing device” does not include a self-analyzing device that collects radon or radon progeny.

(b) A person who engages in the business of testing for the presence of indoor radon shall:

(1) After completion of round 6 of the United States Environmental Protection Agency's National Radon Measurement Proficiency Program, have all tests analyzed by a listed facility;

(2) Indicate the name of the facility conducting the analysis on the radon testing device; and

(3) Disclose in writing to the ultimate consumer the results of the radon test and the name and address of the facility that analyzed the test.

(c) The Department:

(1) May adopt regulations to require radon testing facilities to send test results to the Department; and

(2) May not disclose, in response to a request from the public for the name of a radon testing facility, the name of a radon tester that is not a listed facility.


CREDIT(S)

Acts 1988, c. 783; Acts 1989, c. 529; Acts 1990, c. 5.

LAW REVIEW AND JOURNAL COMMENTARIES

Radon: Is Legislation the Answer? Kevin L. Shepherd, 22 Md. B.J. 6 (July/Aug. 1989).

LIBRARY REFERENCES

Health and Environment  25.5(3.1).
Westlaw Key Number Search: 199k25.5(3.1).
[C.J.S. Health and Environment §§ 91, 106, 129.](#)

RESEARCH REFERENCES

Encyclopedias

[Maryland Law Encyclopedia Environmental Regulation; Pollution Control § 53](#), Regulation of Radiation Sources.

UNITED STATES CODE ANNOTATED

Radon abatement, toxic substances control, see [15 U.S.C.A. § 2661 et seq.](#)

MD Code, Environment, § 8-305, MD ENVIR § 8-305

The statutes and Constitution are current through all chapters of the 2009 Regular Session of the General Assembly effective July 1, 2009.

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Housing and Community Development ([Refs & Annos](#))

Division I. Housing and Community Programs [Titles 1-11] ([Refs & Annos](#))

Title 4. Division of Development Finance ([Refs & Annos](#))

▣ [Subtitle 9. Maryland Housing Rehabilitation Program \(Refs & Annos\)](#)

▣ [Part II. Programs in the Maryland Housing Rehabilitation Program \(Refs & Annos\)](#)

→ **§ 4-930. Radon and Asbestos Abatement Pilot Program**

Established

(a) There is a Radon and Asbestos Abatement Pilot Program.

Duties of Department

(b) The Department shall:

(1) operate the Radon and Asbestos Abatement Pilot Program; and

(2) make loans for rehabilitation projects for radon and asbestos abatement.

Terms of loans

(c) The terms of loans shall meet the requirements under §§ 4-917 through 4-919 of this subtitle.

Qualifications for loan

(d)(1) To qualify for a loan, an applicant shall:

(i) own a building in need of radon or asbestos abatement:

1. that is otherwise structurally sound; or

2. for which the applicant provides a commitment from a lender to finance improvements to make the

building structurally sound; and

(ii) make a proposal to the Department for treatment that complies with the requirements and procedures of the Department of the Environment for radon or asbestos abatement.

(2) In addition to the requirements in paragraph (1) of this subsection, the applicant shall:

(i) live in the building and be a family of limited income;

(ii) agree to rent at least two-thirds of the dwellings in the building to families of limited income; or

(iii) agree to provide congregate or group housing or temporary shelters to families of limited income.

CREDIT(S)

Added by [Acts 2005, c. 26, § 2, eff. Oct. 1, 2005](#).

LEGISLATIVE NOTES

Revisor's Note ([Acts 2005, c. 26](#)):

This section is new language derived without substantive change from former Art. 83B, § 2-307(b) through (d) and, as it created the Radon and Asbestos Abatement Pilot Program, (a).

Throughout this section, the former references to radon “gas” are deleted as surplusage.

In subsection (d)(1)(ii) of this section, the former phrase “to provide a safe environment” is deleted as surplusage.

In the introductory language of subsection (d)(2) of this section, the reference to the “applicant” is substituted for the former reference to the “owner of a building” for brevity.

In subsection (d)(2)(ii) and (iii) of this section, the requirements that the owner of a building “agree to” rent at least two-thirds of dwellings and provide group housing or temporary shelters to families of limited income are added for clarity.

Defined terms: “Department” § 1-101

“Family of limited income” § 4-901

“Program” § 4-901

“Rehabilitation project” § 4-901

HISTORICAL AND STATUTORY NOTES

Derivation:

Former Art. 83B, § 2-307, related to the Radon Gas and Asbestos Abatement Pilot Program, repealed by Acts 2005, c. 26, § 1, eff. Oct. 1, 2005.

LAW REVIEW AND JOURNAL COMMENTARIES

Radon: Is Legislation the Answer? Kevin L. Shepherd, 22 Md. B.J. 6 (July/Aug. 1989).

UNITED STATES CODE ANNOTATED

Radon abatement, toxic substances control, see [15 U.S.C.A. § 2661 et seq.](#)

MD Code, Housing & Community Development, § 4-930, MD HOUS & CMTY DEV § 4-930

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