

3701-69-05 License application procedures for radon mitigation contractors.

- (A) To apply for a license as a radon mitigation contractor, a person shall submit to the director an application on a form prescribed and provided by the director, which shall include but shall not be limited to the following information:
- (1) Name and address of applicant;
 - (2) Federal tax identification number;
 - (3) Contact information;
 - (4) Type of business structure and proof that the business name is registered with the Ohio secretary of state;
 - (5) Name of the chief executive officer, partners, or sole proprietor;
 - (6) Name of the licensed radon mitigation specialist who will be responsible for the company's radon mitigation contractor license;
 - (7) Federal tax identification number of the licensed radon mitigation specialist who will be responsible for the company's radon mitigation contractor license;
 - (8) Contact information for the licensed radon mitigation specialist who will be responsible for the company's radon mitigation contractor license;
 - (9) License numbers and names of licensed radon testers and mitigation specialists employed by radon mitigation contractor;
 - (10) Names and credentials of persons conducting worker training;
 - (11) Description of any of the following matters to which the applicant or an affiliated, associated, or related person was a party:
 - (a) Any radon mitigation or radon testing projects which were terminated prior to completion;
 - (b) Any penalties, citations, or administrative orders or actions pertaining to radon mitigation or radon testing; and
 - (c) Any lawsuits pertaining to radon mitigation or radon testing. Copies of initial pleadings and final orders shall be attached to the application;
 - (12) The basic quality assurance and quality control procedures as described in paragraph (A)(5)(a) of rule 3701-69-06 of the Administrative Code that will be utilized to assure the reliability and validity of radon measurements;
 - (13) The basic quality assurance and quality control procedures as described under paragraph (A)(5)(b) of rule 3701-69-06 of the Administrative Code, to be utilized to ensure effective radon mitigation and protect the public from unnecessary exposure to radiation;
 - (14) The radiological safety plan designed to keep each employee's exposure to

radon as low as reasonably achievable. This plan shall include both administrative and operational aspects of the safety program and a listing of safety-related equipment to be provided to workers;

- (15) Type, manufacturer, serial number and model number of all instrumentation to be used in radon measurement. If the applicant will use devices requiring subsequent laboratory analysis, the applicant shall list the name and address of the radon laboratory providing the analysis and its approval number issued under rule 3701-69-12 of the Administrative Code;
 - (16) The frequency of instrument calibration, the name of the provider of instrument calibration and most recent proof of calibration. The provider of instrument calibration shall be approved by the manufacturer of the instrument or the director;
 - (17) A copy of the radon mitigation contract to be used. No licensed radon tester, licensed mitigation specialist, or licensed mitigation contractor involved in the testing of a particular building, or in the provision of advice with respect to a particular building, shall be involved in the performance of mitigation on that building unless the contract for mitigation is in writing and clearly and conspicuously states both of the following:
 - (a) That the radon tester, mitigation specialist, or mitigation contractor was involved in the testing or provision of advice that led to the mitigation contract; and
 - (b) The advantages of long-term testing and the value of a second opinion as ways to verify test results and to assure that the proposed mitigation is appropriate, especially when the mitigation is to be performed by the business entity or private entity that was involved in the testing or provision of advice that led to the mitigation contract.
- (B) Each radon mitigation contractor license issued under this chapter is nontransferable and shall expire two years after the date of issuance. A licensee may apply for renewal of a radon mitigation contractor by doing all of the following:
- (1) Submitting an application for renewal, which shall include the licensee's license number and the information required by paragraph (A) of this rule. The application shall be submitted no less than ninety days before the expiration of the existing license;
 - (2) Submitting documentation that demonstrates successful completion by the mitigation contractor's employees of the basic mitigation training required by paragraph (A)(13) of rule 3701-69-09 of the Administrative Code.
- (C) An application for a radon mitigation contractor license or renewal of a radon mitigation contractor license shall be accompanied by electronic payment of the nonrefundable biennial license fee or a check or money order payable to the "Treasurer, State of Ohio" in the amount of eight hundred dollars.
- (D) The director may make a written request for the applicant to provide additional information the director determines to be necessary to assess compliance with the criteria, standards, and requirements established by this chapter. The application shall not be considered complete until the director has received the proper fee and any requested additional information.

- (1) The applicant shall submit any additional information requested in writing by the director so that it is received in writing by the director within thirty business days of the receipt date of the director's written request.
 - (2) If the application is still incomplete, the director may make further requests for information.
 - (3) If applicant fails to respond to the director's written requests for further information or the applicant is not responsive to the director's requests within sixty business days, the application will be denied.
- (E) Notwithstanding paragraphs (A) and (B) of this rule, the director shall issue a radon mitigation contractor license, on request, to the holder of a radon mitigation specialist license if the individual license holder is the sole owner or chief stockholder of a business entity for which he or she is the only individual who will work as a radon mitigation specialist. The licensing criteria and any other licensing and training requirements the individual was required to meet to qualify for the radon mitigation specialist license are hereby deemed to satisfy any and all criteria and requirements for a radon mitigation contractor license. A license issued under this paragraph shall expire at the same time as the individual's radon mitigation specialist license. No license fee shall be imposed for a license issued under this paragraph.

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