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Date: **December 1, 1993** Subject: **Radon Hazard Subcode and**
Revised: **February 2006** **Radon Mitigation Work in**
Existing Buildings

Reference: N.J.A.C. 5:23-10

There continues to be confusion over what guidelines code officials should follow when issuing a permit and performing inspections of radon mitigation work in existing buildings. The construction techniques in Subsection 10.4 of the Radon Hazard Subcode are for new construction and should not be applied to radon mitigation work in existing buildings.

In order to provide code officials with guidance, the following is an administrative and technical checklist for items directly related to radon mitigation work performed in existing buildings.

1. Radon mitigation work in existing, low-rise (three or fewer stories), detached, one- and two-family dwellings is categorized as minor work. Therefore, no plan review is required and only a personal or telephoned oral notice is necessary before work commences.
2. At maximum, only two technical subcode forms, building and electrical, should be required for radon mitigation work in low-rise, detached, one- and two-family dwellings. The expertise of the building and electrical subcode officials should be sufficient in determining the acceptability of the construction work performed. If the radon mitigation work does not involve any electrical aspects, such as an in-line electrical fan or a receptacle outlet, then only a building technical subcode form is necessary.
3. Items such as, but not limited to, the following should be observed when a radon mitigation system with an in-line electrical fan (an active system) is installed:

Adequate access for servicing the electrical devices should be provided. If an electrical device, such as an in-line electrical fan, is installed in an attic space with an access opening that does not meet current code requirements, the access opening does not have to be enlarged to conform to the current code. If no access is currently

BULLETIN

BULLETIN

available to the attic space and access would be required by current code, then the opening shall be made to conform to current code requirements.

4. The New Jersey Department of Environmental Protection (DEP) has promulgated rules providing for certification of persons who mitigate radon in buildings. In most cases, code officials will be dealing with DEP-certified persons or agencies. However, an exemption (with several others) from being DEP certified exists for persons testing or mitigating buildings that they own.
5. DEP-certified individuals performing radon mitigation are required to perform radon tests. These tests are confidential and code officials may not require test results as a condition of approval.

In general, code officials should not be concerned with the actual operational design of the radon mitigation system since, in most cases, a DEP-certified radon mitigator will be responsible for the system. But, code officials should continue to assure that the installation conforms with all applicable construction requirements.

If you have any questions on this matter, please call the Code Assistance Unit at (609) 984-7609.