

13: 1K-14

LEGISLATIVE HISTORY CHECKLIST

NJSA: 13: 1K-14

(Radon gas contamination-certify safe levels in residential properties)

LAWS OF: 1983

CHAPTER: 575

Bill No: A4093

Sponsor(s): Fortunato and Kelly

Date Introduced: December 12, 1983

Committee: Assembly: -----

Senate: -----

Amended during passage: Yes

Amendments during passage denoted by asterisks

Date of Passage: Assembly: January 9, 1984

Senate: January 9, 1984

Date of Approval: January 17, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ YES

Following were printed:

Reports: No

Hearings: Yes

974.90 New Jersey State Legislature.  
P777 Institutions, Health and Welfare Senate Committee.  
1983 m Public hearing on "recent findings of radium and radon gas contamination in homes in Essex County," held 12-21-83. W. Orange, N.J., 1983.

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CHAPTER 575 - LAWS OF N. J. 1983  
APPROVED 1-17-84

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ASSEMBLY, No. 4093

STATE OF NEW JERSEY

INTRODUCED DECEMBER 12, 1983

By Assemblymen FORTUNATO and KELLY

AN ACT requiring certification of **\*[safe]\*** *\*acceptable\** levels of radon gas *\*or radon progeny\** contamination in certain residential properties and supplementing Title 13 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. The Department of Environmental Protection shall, upon  
2 a determination after inspection and testing that the premises of  
3 any residential property are not significantly contaminated with  
4 radon gas *\*or radon progeny\** and require no remedial action, pro-  
5 vide the owner of the property with written certification that, as  
6 of the date of the **\*[determination]\*** *\*testing\**, any radon gas *\*or*  
7 *radon progeny\** contamination present was within acceptable limits  
8 as established by the United States Environmental Protection  
8A Agency and the department.

9 b. The department shall, upon completion of any project under-  
10 taken to remove radium from any residential property and to  
11 remedy excessive levels of radon gas *\*or radon progeny\** there-  
12 from, provide the owner of the property with written certification  
13 that, as of the date of the completion of the project, any radon gas  
14 *\*or radon progeny\** contamination present was within acceptable  
15 limits as established by the United States Environmental Protec-  
16 tion Agency and the department.

17 *\*c. The costs incurred by the department in providing the cer-*  
18 *tifications required by this section shall be covered by sums which*

EXPLANATION—Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly amendments adopted January 5, 1984.

19 *may be appropriated or otherwise made available to the depart-*  
20 *ment to remedy radon gas or radon progeny contamination.\**

1     2. This act shall take effect immediately *\*and shall be applicable*  
2 *to those residences covered by Executive Order No. 56 of 1983, or*  
3 *by other Executive Orders issued for similar purposes\*.*

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1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. a. The Department of Environmental Protection shall, upon  
2 a determination after inspection and testing that the premises of  
3 any residential property are not significantly contaminated with  
4 radon gas and require no remedial action, provide the owner of the  
5 property with written certification that, as of the date of the deter-  
6 mination, any radon gas contamination present was within accept-  
7 able limits as established by the United States Environmental  
8 Protection Agency and the department.

9 b. The department shall, upon completion of any project under-  
10 taken to remove radium from any residential property and to  
11 remedy excessive levels of radon gas therefrom, provide the owner  
12 of the property with written certification that, as of the date of the  
13 completion of the project, any radon gas contamination present  
14 was within acceptable limits as established by the United States  
15 Environmental Protection Agency and the department.

1 2. This act shall take effect immediately.

STATEMENT

Recent publicity about the presence of radium and radon gas contamination in a few homes in Montclair, Glen Ridge, and West Orange have caused serious and, in some cases, unwarranted concern among residents of the entire area, notwithstanding that

Tuesday, January 17, 1984

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Kean also signed the following bills.

A-4093, sponsored by Assemblyman Buddy Fortunato, D-Essex, to require the Department of Environmental Protection to provide written certification of safe levels of radon gas contamination to owners of homes where contamination has been detected. The bill is in response to the discovery of radon contamination in homes in Montclair, Glen Ridge and West Orange.

A-3667, sponsored by Assemblyman Joseph Bocchini, D-Mercer, to clarify the law which prohibits firms engaged in alcoholic beverage manufacturing or distilling from holding an interest in hotels or motels which hold liquor licenses.

S-1200, sponsored by Senator Wynona Lipman, D-Essex, to permit railway police officers to carry firearms while off duty provided they have passed an approved training program of at least 280 hours in the handling of firearms, community relations and juvenile relations.

S-1509, sponsored by Senator Herman Costello, D-Burlington, to permit any person who met the requirements for registration as a public accountant as of August 4, 1977, to apply for registration with the State Board of Certified Public Accountants.

S-2078, sponsored by Senator Walter Foran, R-Hunterdon, to permit the Board of Education of a type II school district to enter into negotiations for the sale of surplus school property if no acceptable bid was received at a public sale.

S-3776, sponsored by Senator Joseph Hirkala, D-Passaic, to permit the appointment of an additional municipal court judge in Passaic, Paterson and Clifton.

exhaustive tests by the department concluded that significant contamination affected only a few homes, and that the contamination was neither permanent nor irreparable.

In order to calm public fears about any potentially adverse health effects and abate the unjustifiable diminution of property values, this bill would require the department to provide written certification to the owner of any residential property which it has tested and inspected and found to be safe from excessive radon gas contamination that any radon gas present on the premises is within acceptable levels. It would further require the department to provide owners of homes whose properties, initially found to have excessive contamination, were decontaminated by remedial actions, with similar written certification that, as of the completion date of the project, prevailing radon gas levels were once more within acceptable limits.

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