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March 10, 2026

The Honorable Melissa A. Murray, Chair  
Senate Committee on Health and Human Services  
State House  
82 Smith St.  
Providence, RI 02903

**RE: S 2885 – An Act Relating to Health and Safety – Asbestos Abatement**

Dear Chair Murray:

Please accept this letter regarding S 2885, legislation that would remove obsolete language and clarify asbestos abatement and radon control requirements. This act was introduced at the request of the Rhode Island Department of Health (RIDOH) and would take effect upon passage.

The mission of RIDOH's Asbestos Control Program is to protect Rhode Islanders from exposure to carcinogenic, airborne asbestos. An Asbestos Abatement Plan is a requires detailed description of how the presence of asbestos will be addressed in a building. The proposed amendments would remove obsolete references from the current statute and update language in the current statute for clarification purposes.

Routine Asbestos Abatement Plans are unique to Rhode Island. Some other states (Massachusetts) only require a plan for alternate work practices (non-standard work practices specified in Regulation.) Rhode Island is part of a formal regional agreement, Consortium of Northeast States (CONES), with the other five New England states for reciprocity of asbestos training courses that follow the EPA Model Accreditation Plan (MAP). If this legislation were enacted, these notification requirements will not change. Specifically, the proposal would eliminate confusion regarding the abatement plan expiration date by making it an absolute twelve (12) months from the date it is issued (or approved).

Proposed changes to the language about asbestos are as follows:

- **§ 23-24.5-2. Definitions.** Delete (3) "action criteria". This refers to the New Jersey Asbestos Policy Commission's Report to the Governor, March 1985, and is no longer available in its entirety online.
- **§ 23-24.5-5. Asbestos exposure standards.** Delete obsolete reference to the New Jersey Asbestos Policy Commission's Report to the Governor, March 1985, as it is no longer available in its entirety online.
- **§ 23-24.5-6. Asbestos abatement plans.** Change expiration date from 6 months to 12 months from plan approval date.
- **§ 23-24.5-12. Licensure of asbestos contractors.** Change annual newspaper publication of licensee list to posting on RIDOH's website.
- **§ 23-24.5-13. Competent persons.** Update language for clarity. Include presumed asbestos to be included in the periodic visual inspections.
- **§ 23-24.5-14. Training, curricula, and certification.** Update language to clarify difference between license and certification.
- **§ 23-24.5-25. Misrepresentation of asbestos licensure or certification.** Update language to include license/licensure.

With respect to radon amendments, the proposed legislation addresses unsafe levels of indoor radon gas, an environmental health concern. RIDOH's proposed amendments protect tenants from mitigation systems installed by an untrained, non-certified, unlicensed owner. A mitigation system that is incorrectly designed or installed can make the problem worse. The proposal is consistent with national criteria recommended by EPA to better protect tenants. RIDOH's proposed amendments to § 23-61-5(e) are more protective of public health for tenants.

American Association of Radon Standards and Technologies' (AARST's) Certification through Regulation Toolkit recommends radon testing and mitigation may only be done by an unlicensed owner if they occupy the property. Certification by National Radon Proficiency Program (NRPP) or National Radon Safety Board (NRSB) is a RIDOH requirement for licensure as a radon inspector/testing business and radon contractor/supervisor. Some New England States (Maine) license radon professionals similarly to Rhode Island. Some states that don't currently license radon professionals (Massachusetts) recommend the public hire individuals credentialed by NRPP or NRSB. Some states (Connecticut) have links to NRPP and NRSB on their website.

RIDOH's proposed changes to the language about radon are as follows:

§ 23-61-5(e) confirms that any individual can test their own living space for radon. Clarifies that an owner can only mitigate a private residence that they occupy.

§ 23-61-6 clarifies that the licensed radon contractor who installs the radon mitigation system (not the property owner) is responsible for submitting a start work notification to RIDOH.

The proposed amendments would strengthen RIDOH's ability to ensure oversight of asbestos abatement and radon control activities. RIDOH welcomes the opportunity to answer any questions Committee members have regarding this important public health legislation.

Sincerely,



Jerome M. Larkin, MD  
Director

CC: The Honorable Members of the Senate Committee on Health and Human Services  
The Honorable Stefano V. Famiglietti  
Kristen Silvia, Director of Legislation and Deputy Chief of Staff  
Patricia Resende, Director of Senate Policy