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MAYOR

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April 12, 1989

The Honorable, The City Council:

It is my intention to place an Order in Council on Monday, April 24, 1989, asking that this City Council endorse HR1530 introduced to Congress by Joseph P. Kennedy, II.

I hope that you will have time to review this Bill and attached summary before the Monday, April 24th Meeting.

Cordially,

Alfred E. Vellucci
Mayor

AEV/mev

cc: Joseph E. Connarton
City Clerk

101ST CONGRESS
1ST SESSION

H. R. 1530

To authorize a national program to reduce the threat to human health posed by exposure to contaminants in the air indoors.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 1989

Mr. KENNEDY (for himself, Ms. SCHNEIDER, and Mr. SCHEUER) introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Science, Space, and Technology

A BILL

To authorize a national program to reduce the threat to human health posed by exposure to contaminants in the air indoors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE AND TABLE OF CONTENTS

4 SECTION 1. TITLE.—(a) This Act, together with the
5 following table of contents, may be cited as the “Indoor Air
6 Quality Act of 1989”.

7 (b) TABLE OF CONTENTS.—

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings.
- Sec. 3. Purpose.
- Sec. 4. Definitions.
- Sec. 5. Indoor air quality research.
- Sec. 6. Indoor air contaminant health advisories.

- Sec. 7. National indoor air quality response plans.
- Sec. 8. Federal building response plan and demonstration program.
- Sec. 9. State indoor air quality programs.
- Sec. 10. Office of Indoor Air Quality.
- Sec. 11. Council on Indoor Air Quality.
- Sec. 12. Indoor air quality information clearinghouse.
- Sec. 13. Building assessment demonstration.
- Sec. 14. State and Federal authority.
- Sec. 15. Authorizations.

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FINDINGS

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SEC. 2. The Congress finds that—

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(1) Americans spend up to 90 per centum of a day indoors and, as a result, have a significant potential for exposure to contaminants in the air indoors;

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(2) exposure to indoor air contamination occurs in workplaces, schools, public buildings, residences, and transportation vehicles;

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(3) recent scientific studies indicate that pollutants in the indoor air include radon, asbestos, volatile organic chemicals (including, formaldehyde and benzene), combustion byproducts (including, carbon monoxide and nitrogen oxides), metals and gases (including, lead, chlorine, and ozone), respirable particles, environmental tobacco smoke, biological contaminants, microorganisms, and other contaminants;

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(4) a number of contaminants found in both ambient air and indoor air may occur at higher concentrations in indoor air than in outdoor air;

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(5) indoor air pollutants pose serious threats to public health (including cancer, respiratory illness, mul-

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1 tiple chemical sensitivities, skin and eye irritation, and
2 related effects);

3 (6) the National Academy of Sciences estimates
4 that up to 15 per centum of the United States popula-
5 tion may have heightened sensitivity to chemicals and
6 related substances found in the air indoors

7 (7) radon is among the most harmful indoor air
8 pollutants and is estimated to cause between five thou-
9 sand and twenty thousand lung cancer deaths each
10 year;

11 (8) other selected indoor air pollutants are esti-
12 mated to cause between three thousand five hundred
13 and six thousand five hundred additional cancer cases
14 per year;

15 (9) indoor air contamination is estimated to cause
16 significant increases in medical costs and declines in
17 work productivity;

18 (10) as many as 20 per centum of office workers
19 may be exposed to environmental conditions manifested
20 as "sick building syndrome";

21 (11) sources of indoor air pollution include con-
22 ventional ambient air pollution sources, building mate-
23 rials, consumer and commercial products, combustion
24 appliances, indoor application of pesticides and other
25 sources;

1 comprehensive and coordinated program of research
2 and development concerning the seriousness and extent
3 of indoor air contamination, the human health effects of
4 indoor air contaminants, and the technological and
5 other methods of reducing human exposure to such
6 contaminants;

7 (2) establish a process whereby the existing au-
8 thorities of Federal statutes will be directed and fo-
9 cused to assure the full and effective application of
10 these authorities to reduce human exposure to indoor
11 air contaminants where appropriate;

12 (3) provide support to State governments to dem-
13 onstrate and develop air quality management strate-
14 gies, assessments, and response programs; and

15 (4) to authorize activities to assure the general co-
16 ordination of indoor air quality-related activity, to pro-
17 vide for reports on indoor air quality to Congress, to
18 provide for assessments of indoor air contamination in
19 specific buildings by the National Institute for Occupa-
20 tional Safety and Health, to assure that data and infor-
21 mation on indoor air quality issues is available to inter-
22 ested parties, to provide training, education, informa-
23 tion, and technical assistance to the public and private
24 sector, and for other purposes.

25 DEFINITIONS

26 SEC. 4. For the purposes of this Act, the term—

1 (1) "Agency" means the United States Environ-
2 mental Protection Agency;

3 (2) "indoor" refers to the enclosed portions of
4 buildings including non-industrial workplaces, public
5 buildings, Federal buildings, schools, commercial build-
6 ings, residences, and the occupied portions of vehicles;

7 (3) "indoor air contaminant" means any solid,
8 liquid, semisolid, dissolved solid, biological organism,
9 aerosol, or gaseous material, including combinations or
10 mixtures of substances in indoor air which may reason-
11 ably be anticipated to have an adverse effect on human
12 health;

13 (4) "Federal agency" or "agency of the United
14 States" means any department, agency or other instru-
15 mentality of the Federal Government, including any in-
16 dependent agency or establishment of the Federal Gov-
17 ernment or government corporation;

18 (5) "Federal building" means any building which
19 is owned or leased by the Federal Government and
20 managed by the General Services Administration;

21 (6) "Administrator" means to the Administrator
22 of the Environmental Protection Agency;

23 (7) "Director" means the Director of the National
24 Institute of Occupational Safety and Health;

1 (B) conduct research, development and demonstra-
2 tion activities and cooperate with other Federal agen-
3 cies, with State and local government entities, inter-
4 state and regional agencies, other public agencies and
5 authorities, nonprofit institutions and organizations and
6 other persons in the preparation and conduct of such
7 research, development and demonstration activities;

8 (C) make grants to the States or to local govern-
9 ment entities, to other public agencies and authorities,
10 to nonprofit institutions and organizations, and to other
11 persons;

12 (D) enter into contracts or cooperative agreements
13 with public agencies and authorities, nonprofit institu-
14 tions and organizations, and other persons;

15 (E) conduct studies, including epidemiological
16 studies, of the effects of indoor air contaminants or po-
17 tential contaminants on mortality and morbidity and
18 clinical and laboratory studies on the immunologic, bio-
19 chemical, physiological, and toxicological effects includ-
20 ing the carcinogenic, teratogenic, mutagenic, cardiovas-
21 cular, and neurotoxic effects of indoor air contaminants
22 or potential contaminants;

23 (F) develop and disseminate informational docu-
24 ments on indoor air contaminants describing the nature

1 and characteristics of such contaminants in various
2 concentrations;

3 (G) develop effective and practical processes,
4 methods, and techniques for the prevention, detection,
5 and correction of indoor air contamination and work
6 with the private sector to encourage the development
7 of innovative techniques to improve indoor air quality;

8 (H) construct such facilities and staff and equip
9 them as may be necessary to carry out the provisions
10 of this section;

11 (I) call conferences concerning the potential or
12 actual contamination of indoor air giving opportunity
13 for interested persons to be heard and present papers
14 at such conferences;

15 (J) utilize, on a reimbursable basis, facilities and
16 personnel of existing Federal scientific laboratories and
17 research centers; and

18 (K) acquire secret processes, technical data, in-
19 ventions, patent applications, patents, licenses, and an
20 interest in lands, plants, equipment and facilities and
21 other property rights, by purchase, license, lease, or
22 donation.

23 (b) PROGRAM REQUIREMENTS.—The Administrator
24 shall conduct or assist research, investigations, studies, sur-

1 veys, or demonstrations with respect to, but not limited to,
2 the following—

3 (1) the effects on human health of contaminants or
4 combinations of contaminants at various levels whether
5 natural or anthropogenic, that are found or are likely
6 to be found in indoor air;

7 (2) the exposure of persons to contaminants that
8 are found in indoor air (including exposure to such sub-
9 stances from sources other than indoor air contamina-
10 tion including drinking water, diet, or other exposures);

11 (3) the identification of populations at increased
12 risk of illness from exposure to indoor air contaminants
13 and assessment of the extent and characteristics of
14 such exposure;

15 (4) the exposure of persons to contaminants in dif-
16 ferent building classes or types, and in vehicles, and
17 assessment of the association of particular contami-
18 nants and particular building classes or types and
19 vehicles;

20 (5) identification of building classes or types and
21 design features or characteristics which increase the
22 likelihood of exposure to indoor air contaminants;

23 (6) assessment of the exposure of workers in non-
24 industrial settings to indoor air contaminants, including
25 assessment of resulting health effects, declines in pro-

1 ductivity, such time use, increased use of employer
2 paid health insurance, and workers compensation
3 claims, and the costs of such declines in productivity,
4 sick time use, and benefits claims;

5 (7) identification of the sources of indoor air con-
6 taminants including association of contaminants with
7 outdoor sources, building or vehicle design, classes or
8 types of products, building management practices,
9 equipment operation practices, building materials, and
10 related factors;

11 (8) assessment of relationships between contami-
12 nant concentration levels in ambient air and the con-
13 taminant concentration levels in the indoor air;

14 (9) development of methods and techniques for
15 characterizing and modeling indoor air movement and
16 flow within buildings or vehicles, including the trans-
17 port and dispersion of contaminants in the indoor air;

18 (10) assessment of the fate, including degradation
19 and transformation, of particular contaminants in
20 indoor air;

21 (11) development of methods and techniques to
22 characterize the association of contaminants, the levels
23 of contaminants, and the potential for contamination of
24 new construction with climate, building location, sea-

1 sonal change, soil and geologic formations, and related
2 factors;

3 (12) assessment of indoor air quality in facilities of
4 local education agencies and development of measures
5 and techniques for control of indoor air contamination
6 in such buildings;

7 (13) development of methods, techniques and in-
8 struments for sampling indoor air to determine the
9 presence and level of contaminants including sample
10 collection and the storage of samples before analysis
11 and development of methods to improve the efficiency
12 and reduce the cost of analysis;

13 (14) development of air quality sampling methods
14 and instruments which are inexpensive and easy to use
15 and may be used by the general public;

16 (15) development of control technologies or other
17 measures to prevent the entrance of contaminants into
18 buildings or vehicles (for example, air intake protec-
19 tion, sealing, and related measures) and to reduce the
20 concentrations of contaminants indoors (for example,
21 control of emissions from internal sources of contami-
22 nation, improved air exchange and ventilation, and re-
23 lated measures);

24 (16) development of materials and products which
25 may be used as alternatives to materials or products

1 which are now in use and which contribute to indoor
2 air contamination;

3 (17) development of building or vehicle manage-
4 ment practices and related activities which will contrib-
5 ute to the reduction of indoor air contaminants;

6 (18) development of equipment and processes for
7 removal of contaminants from the indoor air; and

8 (19) research, to be carried out in conjunction
9 with the Secretary of Housing and Urban Develop-
10 ment, for the purpose of developing—

11 (A) methods for assessing the potential for
12 radon contamination of new construction, includ-
13 ing (but not limited to) consideration of the mois-
14 ture content of soil, porosity of soil, and radon
15 content of soil; and

16 (B) design measures to avoid indoor air
17 pollution.

18 (c) TECHNOLOGY DEMONSTRATION PROGRAM.—(1)

19 The Administrator may enter into cooperative agreements or
20 contracts, or provide financial assistance in the form of
21 grants, to public agencies and authorities, nonprofit institu-
22 tions and organizations, employee advocate organizations,
23 local educational institutions, or other persons, to demon-
24 strate practices, methods, technologies, or processes which
25 may be effective in controlling sources or potential sources of

1 indoor air contamination, preventing the occurrence of indoor
2 air contamination, and reducing exposures to indoor air
3 contamination.

4 (2) The Administrator may assist demonstration activi-
5 ties under paragraph (1) of this subsection only if—

6 (A) such demonstration activity will serve to dem-
7 onstrate a new or significantly improved practice,
8 method, technology or process or the feasibility and
9 cost effectiveness of an existing, but unproven, prac-
10 tice, method, technology, or process and will not dupli-
11 cate other Federal, State, local, or commercial efforts
12 to demonstrate such practice, method, technology, or
13 process;

14 (B) such demonstration activity meets the require-
15 ments of this section and serves the purposes of this
16 Act;

17 (C) the demonstration of such practice, technolo-
18 gy, or process will comply with all other laws and reg-
19 ulations for the protection of human health, welfare,
20 and the environment; and

21 (D) in the case of a contract or cooperative agree-
22 ment, such practice, method, technology, or process
23 would not be adequately demonstrated by State, local,
24 or private persons or in the case of an application for
25 financial assistance by a grant, such practice, method,

1 technology, or process is not likely to receive adequate
2 financial assistance from other sources.

3 (3) The demonstration program established by this sub-
4 section shall include solicitations for demonstration projects,
5 selection of suitable demonstration projects from among those
6 proposed, supervision of such demonstration projects, evalua-
7 tion of the results of demonstration projects, and dissemina-
8 tion of information on the effectiveness and feasibility of the
9 practices, methods, technologies and processes which are
10 proven to be effective.

11 (4) Within one hundred and eighty days after the date of
12 enactment of this Act, and no less often than every twelve
13 months thereafter, the Administrator shall publish a solicita-
14 tion for proposals to demonstrate, prototype or at full-scale,
15 practices, methods, technologies, and processes which are (or
16 may be) effective in controlling sources or potential sources of
17 indoor air contaminants. The solicitation notice shall pre-
18 scribe the information to be included in the proposal, includ-
19 ing technical and economic information derived from the ap-
20 plicant's own research and development efforts, and other in-
21 formation sufficient to permit the Administrator to assess the
22 potential effectiveness and feasibility of the practice, method,
23 technology, or process proposed to be demonstrated.

24 (5) Any person and any public or private nonprofit
25 entity may submit an application to the Administrator in re-

1 sponse to the solicitations required by paragraph (4) of this
2 section. The application shall contain a proposed demonstra-
3 tion plan setting forth how and when the project is to be
4 carried out and such other information as the Administrator
5 may require.

6 (6) In selecting practices, methods, technologies or proc-
7 esses to be demonstrated, the Administrator shall fully
8 review the applications submitted and shall evaluate each
9 project according to the following criteria—

10 (A) the potential for the proposed practice,
11 method, technology, or process to effectively control
12 sources or potential sources of contaminants which
13 present risks to human health;

14 (B) the consistency of the proposal with the rec-
15 ommendations provided pursuant to paragraph (8) of
16 section 7(d);

17 (C) the capability of the person or persons propos-
18 ing the project to successfully complete the demonstra-
19 tion as described in the application;

20 (D) the likelihood that the demonstrated practice,
21 method, technique, or process could be applied in other
22 locations and circumstances to control sources or
23 potential sources of contaminants, including con-
24 siderations of cost, effectiveness, and technological
25 feasibility;

1 (E) the extent of financial support from other per-
2 sons to accomplish the demonstration as described in
3 the application; and

4 (F) the capability of the person or persons propos-
5 ing the project to disseminate the results of the demon-
6 stration or otherwise make the benefits of the practice,
7 method, or technology widely available to the public in
8 a timely manner.

9 (7) The Administrator shall select or refuse to select a
10 project for demonstration under this subsection in an expedi-
11 tious manner. In the case of a refusal to select a project, the
12 Administrator shall notify the applicant of the reasons for the
13 refusal.

14 (8) Each demonstration project under this section shall
15 be performed by the applicant, or by a person satisfactory to
16 the applicant, under the supervision of the Administrator.
17 The Administrator shall enter into a written agreement with
18 each applicant granting the Administrator the responsibility
19 and authority for testing procedures, quality control, monitor-
20 ing, and other measurements necessary to determine and
21 evaluate the results of the demonstration project.

22 (9) The Administrator shall enter into arrangements,
23 wherever practicable and desirable, to provide for monitoring
24 testing procedures, quality control, and such other measure-
25 ments necessary to evaluate the results of demonstration

1 projects or facilities intended to control sources or potential
2 sources of contaminants.

3 (10) Each demonstration project under this section shall
4 be completed within such time as is established in the demon-
5 stration plan. The Administrator may extend any deadline
6 established under this subsection by mutual agreement with
7 the applicant concerned.

8 (11) Total Federal funds for any demonstration project
9 under this section shall not exceed 75 per centum of the total
10 cost of such project. In cases where the Administrator deter-
11 mines that research under this section is of a basic nature
12 which would not otherwise be undertaken, or the applicant is
13 a local educational agency, the Administrator may approve
14 grants under this section with a matching requirement other
15 than that specified in this subsection, including full Federal
16 funding.

17 (12) The Administrator shall, from time to time, publish
18 general reports describing the findings of demonstration
19 projects conducted pursuant to this section. Such reports
20 shall be provided to the Indoor Air Quality Information
21 Clearinghouse provided for in section 12 of this Act.

22 (d) **TECHNOLOGY AND MANAGEMENT PRACTICE AS-**
23 **SESSMENT BULLETINS.**—(1) The Administrator shall publish
24 bulletins providing an assessment of technologies and man-

1 agement practices for the control and measurement of con-
2 taminants in the air indoors.

3 (2) Bulletins published pursuant to this subsection shall,
4 at a minimum—

5 (A) describe the control or measurement technolo-
6 gy or practice;

7 (B) describe the effectiveness of the technology or
8 practice in control measurement of indoor air
9 contaminants;

10 (C) assess the feasibility of application of the tech-
11 nology or practice in buildings of different types, sizes,
12 ages, and designs; and

13 (D) assess the cost of application of the tech-
14 nology or practice in buildings of different types, sizes,
15 ages, and designs, including capital and operational
16 costs.

17 (3) The Administrator shall establish and utilize a stand-
18 ard format for presentation of the technology and manage-
19 ment practice assessment bulletins. The format shall be de-
20 signed to facilitate assessment of technologies or practices by
21 interested parties, including homeowners and building owners
22 and managers.

23 (4) The Administrator shall provide that bulletins pub-
24 lished pursuant to this subsection shall be published on a
25 schedule consistent with the publication of health advisories

1 pursuant to subsection 6(b) of this Act to the extent
2 practicable.

3 (5) In development of bulletins pursuant to this subsec-
4 tion, the Administrator shall provide for public review and
5 shall consider public comment prior to publication of
6 bulletins.

7 (6) Bulletins published pursuant to this subsection shall
8 be provided to the Indoor Air Quality Information Clearing-
9 house provided for in section 12 of this Act and, to the extent
10 practicable, shall be made available to architecture, design,
11 and engineering firms and building owners and managers and
12 to organizations representing such parties.

13 (e) CHILD CARE FACILITIES.—(1) The Administrator
14 shall develop protocols for the measurement of radon gas in
15 child care facilities within six months after the date of enact-
16 ment of this Act.

17 (2) The Administrator shall make available to the appro-
18 priate agency of each State, to organizations representing
19 child care facilities, and to the public, information concerning
20 appropriate techniques to measure radon levels in child care
21 facilities, areas and physical characteristics of buildings hous-
22 ing child care facilities with high radon risks and mitigation
23 measures for reducing radon levels.

24 (3) The Administrator is authorized to make available to
25 the appropriate agencies of the State, as designated by the

1 Governor of such State, canisters or other suitable devices
2 for use by such agencies in conducting tests for radon within
3 child care facilities in the State. The Administrator is author-
4 ized to make available to such agencies the use of laborato-
5 ries of the Environmental Protection Agency, or to recom-
6 mended laboratories, to evaluate any such canisters or de-
7 vices for the presence of radon levels.

8 (4) The Administrator is authorized to undertake diag-
9 nostic and remedial efforts to reduce the levels of radon in
10 nonresidential child care facilities. Such diagnostic and reme-
11 dial efforts shall be carried out with a view to developing
12 technology and expertise for the purpose of making such
13 technology and expertise available to any child care facility
14 and the several States.

15 (5) The Administrator shall submit a report to the Con-
16 gress on his actions to implement this subsection within
17 twelve months after the date of enactment of this Act and
18 annually thereafter.

19 (f) EXPOSURE ASSESSMENT.—(1) The Administrator
20 shall conduct a study of the appropriateness, feasibility, and
21 implications of considering human exposure to a pollutant in
22 indoor air in development of ambient air quality standards
23 under section 109 and national emissions standards for haz-
24 ardous air pollutants under section 112 of the Clean Air Act
25 (42 U.S.C. 7409, 7412).

1 (2) The Administrator shall establish an advisory group,
2 made up of representatives of the scientific community, in-
3 dustrial and commercial entities and consumer and environ-
4 mental groups to provide guidance and direction in the devel-
5 opment of the study.

6 (3) The Administrator shall report to the Congress the
7 results of the study not later than three years after the date
8 of enactment of this Act including any recommendations for
9 actions to implement the findings of the study.

10 (g) SCHOOL ASSESSMENTS.—(1) The Administrator
11 shall conduct a national assessment of the seriousness and
12 extent of indoor air contamination in buildings owned by local
13 educational agencies.

14 (2) The Administrator shall establish an advisory group
15 made up of representatives of school administrators, teachers,
16 parents and service employees and other interested parties to
17 provide guidance and direction in the development of the na-
18 tional assessment.

19 (3) The Administrator shall provide a report to Congress
20 of the results of the national assessment not later than two
21 years after the date of enactment of this Act. The report
22 required by this paragraph shall provide such recommenda-
23 tions for activities or programs to reduce and avoid indoor air
24 contamination in buildings owned by local educational agen-
25 cies as the Administrator determines to be appropriate.

1 (h) CLARIFICATION OF AUTHORITY.—Title IV of the
2 Superfund Amendments and Reauthorization Act of 1986 (42
3 U.S.C. 7401 note) is repealed.

4 INDOOR AIR CONTAMINANT HEALTH ADVISORIES

5 SEC. 6. (a) LIST OF CONTAMINANTS.—(1) Within two
6 hundred and forty days after the date of enactment of this
7 Act, the Administrator shall prepare and publish in the Fed-
8 eral Register a list of the contaminants which are known to
9 occur (or which are expected to occur) in indoor air. The list
10 may include combinations or mixtures of contaminants and
11 may refer to such combinations or mixtures by a common
12 name.

13 (2) The Administrator shall from time to time and as
14 necessary to carry out the provisions of this Act, but not less
15 often than biennially, review and revise such list adding other
16 contaminants pursuant to the requirements of this Act.

17 (3) The list provided for in paragraph (1) of this subsec-
18 tion shall include, at a minimum—

19 (A) any air pollutant listed pursuant to section
20 108(a)(1) of the Clean Air Act (42 U.S.C. 7408(a)(D));

21 (B) any hazardous air pollutant listed pursuant to
22 section 112(b)(1)(A) of the Clean Air Act (42 U.S.C.
23 7412(b)(1)(A)); and

24 (C) any other contaminants which are known to
25 occur (or which are expected to occur) in indoor air.

1 (4) In development of the list provided for in paragraph
2 (1) of this subsection or in revision of such list pursuant to
3 paragraph (2), the Administrator shall provide for public
4 review and shall consider public comment prior to issuance of
5 a final list.

6 (5) The listing of contaminants under this subsection is
7 not an agency rulemaking. In considering objections raised in
8 any judicial or related action, the Administrator's decision to
9 list a particular contaminant shall be upheld unless the ob-
10 jecting party can demonstrate that the decision was arbitrary
11 or capricious or otherwise not in accordance with the law.
12 The list of contaminants prepared in accordance with this
13 subsection shall not be construed to indicate that those con-
14 taminants not listed are safe for human exposure or without
15 adverse health effect.

16 (6) Upon application of the Governor of a State showing
17 that a contaminant or potential contaminant in the indoor air
18 which is not listed pursuant to paragraph (1) of this subsec-
19 tion may reasonably be anticipated to have an adverse effect
20 on human health as a result of its presence in the indoor air,
21 the Administrator shall, within ninety days, revise the list
22 established by paragraph (1) of this subsection to include such
23 contaminant or publish in the Federal Register the reasons
24 for not making such a revision.

1 (b) CONTAMINANT HEALTH ADVISORIES.—(1) The
2 Administrator shall, in consultation with the advisory panel,
3 provided for in subsection (c) of this section, and after provid-
4 ing for public review and comment, pursuant to paragraph
5 (7), publish advisory materials addressing the adverse human
6 health effects of individual contaminants listed pursuant to
7 subsection (a) of this section. Such advisory materials shall,
8 at a minimum, describe—

9 (A) the physical, chemical, biological, and radio-
10 logical properties of the contaminant;

11 (B) the adverse human health effects of the
12 contaminant in various indoor environments and in
13 various concentrations;

14 (C) an analysis of the risk posed by the contami-
15 nant to human health at various concentrations includ-
16 ing risk to subpopulations which may be especially sen-
17 sitive to exposure to the contaminant;

18 (D) the concentration of the contaminant at which
19 there is no known or anticipated human health effect,
20 with an adequate margin of safety;

21 (E) the extent to which the contaminant, or a
22 mixture of contaminants, is associated with a particular
23 substance or material and emissions rates which are
24 expected to result in varying levels of contaminant
25 concentration in indoor air; and

1 (F) any indoor air contaminant standards or relat-
2 ed action levels which are in effect under any authority
3 of a Federal statute or regulation, the authority of
4 State statutes or regulations, the authority of any local
5 government, or the authority of another country, in-
6 cluding standards or action levels suggested by appro-
7 priate international organizations.

8 (2) Health advisories published pursuant to this section
9 shall in no way limit or restrict the application of require-
10 ments or standards established under any other Federal
11 statute.

12 (3) The Administrator may publish health advisories for
13 contaminants for which a standard has been established pur-
14 suant to section 109 or 112 of the Clean Air Act (42 U.S.C.
15 7409, 7412).

16 (4) The Administrator shall establish and utilize a stand-
17 ard format of presentation of indoor air contaminant health
18 advisories. The format shall be designed to facilitate public
19 understanding of the range of risks of exposure to indoor air
20 contaminants and shall include a summary of the research
21 and information concerning the contaminant which is under-
22 standable to public health professionals and to those who lack
23 training in toxicology.

24 (5) The Administrator shall publish health advisories for
25 individual indoor air contaminants listed pursuant to subsec-

1 tion (a) of this section as expeditiously as possible. At a mini-
2 mum, the Administrator shall publish not less than six advi-
3 sories within eighteen months of the date of enactment of this
4 Act and shall publish an additional six advisories within
5 thirty six months of the date of enactment of this Act.

6 (6) Health advisories shall be based on the most current
7 available scientific and related findings or information and
8 shall be reviewed, revised, and republished to reflect new
9 scientific and related findings or information on a periodic
10 basis but not less frequently than every five years.

11 (7) In development and revision of health advisories pur-
12 suant to this subsection, the Administrator shall provide for
13 public review and comment, including provision of notice in
14 the Federal Register of the intent to publish a health adviso-
15 ry not less than ninety days prior to publication.

16 (c) **ADVISORY PANEL.**—The Indoor Air Panel of the
17 EPA Science Advisory Board shall advise the Administrator
18 with respect to the implementation of this section including,
19 but not limited to, the listing of contaminants, the contami-
20 nants for which advisories should be published, the order in
21 which advisories should be published, the content, quality,
22 and format of advisory documents, and the revision of such
23 documents. The Administrator shall provide that a represent-
24 ative of the Agency for Toxic Substances and Disease Regis-
25 try, and the National Institute for Environmental Health Sci-

1 ences shall participate in the work of the Board as ex officio
2 members.

3 NATIONAL INDOOR AIR QUALITY RESPONSE PLAN

4 SEC. 7. (a) AUTHORITY.—(1) The Administrator shall,
5 in consultation with appropriate Federal agencies, develop
6 and publish a national indoor air quality response plan.

7 (2) The response plan shall provide for implementation
8 of a range of response actions which will result in the reduc-
9 tion of human exposure to indoor air contaminations listed
10 pursuant to section 6(a) of this Act and attainment, to the
11 fullest extent practicable, of indoor air contaminant concen-
12 tration levels at which there is no known or anticipated
13 human health effect, with an adequate margin of safety.

14 (b) EXISTING AUTHORITY.—The Administrator shall
15 include in the plans provided for in subsection (a) of this sec-
16 tion a description of specific response actions to be imple-
17 mented based on existing statutory authorities provided in—

18 (1) the Clean Air Act (42 U.S.C. 7401 et seq.);

19 (2) the Toxic Substances Control Act (15 U.S.C.
20 201 et seq.);

21 (3) the Federal Insecticide, Fungicide, and Roden-
22 ticide Act (7 U.S.C. 136 et seq.);

23 (4) the Safe Drinking Water Act (42 U.S.C. 300
24 et seq.);

25 (5) the authorities of the Consumer Product
26 Safety Commission;

1 (6) the authorities of the Occupational Safety and
2 Health Administration; and

3 (7) other regulatory and related authorities provid-
4 ed under any other Federal statute.

5 (c) SUPPORTING ACTIONS.—The Administrator shall
6 include in the plans provided for in subsection (a) of this sec-
7 tion a description of specific supporting actions including, but
8 not limited to—

9 (1) programs to disseminate technical information
10 to public health, design, and construction professionals
11 concerning the risks of exposure to indoor air contami-
12 nants and methods and programs for reducing expo-
13 sures to such contaminants;

14 (2) development of guidance documents addressing
15 individual contaminants, groups of contaminants,
16 sources of contaminants, or types of buildings or struc-
17 tures and providing information on measures to reduce
18 exposure to contaminants including—

19 (A) the estimated cost of such measures;

20 (B) the technologic feasibility of such meas-
21 ures; and

22 (C) the effectiveness and efficiency of such
23 measures.

1 (3) education programs for the general public con-
2 cerning the health threats posed by indoor air contami-
3 nants and appropriate individual response actions;

4 (4) technical assistance to States and local air pol-
5 lution control organizations and related groups con-
6 cerning the risks of exposure to indoor air contami-
7 nants and methods and programs for reducing expo-
8 sures to such contaminants; and

9 (5) development of model building codes, including
10 ventilation rates, for various types of buildings de-
11 signed to reduce levels of indoor air contaminants.

12 (d) CONTENTS OF PLAN.—In describing specific actions
13 to be taken under subsections (b) and (c) of this section, the
14 Administrator shall—

15 (1) identify the contaminant or contaminants to be
16 addressed by a particular action;

17 (2) identify the statutory basis for the action;

18 (3) identify the schedule and process for imple-
19 mentation of the action;

20 (4) identify contaminants, or circumstances of con-
21 tamination, for which immediate action to protect
22 public health is necessary and appropriate and describe
23 the actions needed and the schedule for action;

24 (5) identify the Federal agency which will imple-
25 ment the action;

1 (6) identify the financial resources needed to im-
2 plement the specific action and the source of these
3 resources;

4 (7) identify contaminants, or circumstances of con-
5 tamination, where existing regulatory or statutory au-
6 thority is not adequate to address an identified con-
7 taminant or circumstance of contamination and recom-
8 mend legislation to provide needed authority; and

9 (8) identify contaminants, or circumstances of con-
10 tamination, where continued reduction of contamination
11 requires development of technology or technologic
12 mechanisms, and identify the Federal agency responsi-
13 ble for such development, the schedule for such devel-
14 opment effort, and an estimate of the cost of the devel-
15 opment effort.

16 (e) SCHEDULE.—The response plan provided for in sub-
17 section (a) shall be submitted to Congress within twenty-four
18 months of enactment of this Act and biennially thereafter.

19 (f) REVIEW.—(1) The Administrator shall provide for
20 public review and comment on the response plan provided for
21 in this section, including provision of notice in the Federal
22 Register for public review and comment not less than three
23 months prior to submission to the Congress. The Administra-
24 tor shall include in the response plan a summary of public
25 comments.

1 (2) The Administrator shall provide for the review and
2 comment on the response plan by the Council on Indoor Air
3 Quality provided for under section 11 of this Act. The Ad-
4 ministrator shall include in the response plan a letter and any
5 supporting materials providing the comments of the Council
6 on Indoor Air Quality.

7 **FEDERAL BUILDING RESPONSE PLAN AND**

8 **DEMONSTRATION PROGRAM**

9 **SEC. 8. (a) AUTHORITY.**—The Administrator and the
10 Administrator of the General Services Administration shall
11 develop and implement a program to respond to and reduce
12 indoor air contamination in Federal buildings and to demon-
13 strate methods of reducing indoor air contamination in new
14 Federal buildings.

15 **(b) FEDERAL BUILDING RESPONSE PLAN.**—(1) The
16 Administrator of the General Services Administration, in
17 consultation with the Administrator, shall prepare a response
18 plan addressing indoor air quality in Federal buildings and
19 shall provide for the implementation of such plan. The plan
20 shall, to the fullest extent practicable, be developed in con-
21 junction with the response plan pursuant to section 7 of this
22 Act.

23 (2) The response plan shall provide for implementation
24 of a range of response actions which will result in the reduc-
25 tion of human exposure to indoor air contaminants listed pur-
26 suant to section 6(a) of this Act and attainment, to the fullest

1 extent practicable, of indoor air contaminant concentration
2 levels at which there is no known or anticipated human
3 health effect, with an adequate margin of safety.

4 (3) Federal building response plans provided for in para-
5 graph (1) of this subsection shall include—

6 (A) a list of all Federal buildings;

7 (B) a description and schedule of general response
8 actions including general management practices, prod-
9 uct purchase guidelines, air quality problem identifica-
10 tion practices and methods, personnel training pro-
11 grams, and other actions to be implemented to reduce
12 exposures to indoor air contaminants in those buildings
13 listed in paragraph (A);

14 (C) a list of individual Federal buildings listed in
15 paragraph (A) for which there is sufficient evidence of
16 indoor air contamination or related employee health ef-
17 fects to warrant assessment of the building pursuant to
18 section 13 of this Act and a schedule for development
19 and submittal of building assessment proposals pursu-
20 ant to subsection 13(d) of this Act;

21 (D) a description and schedule of specific response
22 actions to be implemented in each specific building
23 identified in paragraph (C) and assessed pursuant to
24 section 13 of this Act;

1 (E) an identification of the Federal agency respon-
2 sible for funding and implementation of each response
3 action identified in paragraphs (B) and (D); and

4 (F) an identification of the estimated costs of each
5 response action identified in paragraphs (B) and (D)
6 and the source of these resources.

7 (4) The response plan provided for in this subsection
8 shall address each Federal building identified in paragraph
9 3(A), except that specific buildings may be exempted from
10 coverage under this subsection. Such buildings may be ex-
11 empted on the grounds of—

12 (A) national security;

13 (B) anticipated demolition or termination of Feder-
14 al ownership within three years; and

15 (C) specialized use of a building which precludes
16 necessary actions to obtain applicable standards or con-
17 centration levels.

18 (5) The Administrator of the General Services Adminis-
19 tration shall provide, by regulation, a method and format for
20 filing of comments and complaints concerning indoor air qual-
21 ity in Federal buildings by workers in such buildings and by
22 the public. The Administrator of the General Services Ad-
23 ministration shall provide a listing of each such filing and an
24 analysis of such filings in the plan required pursuant to this
25 section.

1 (6) The plan provided for in subsection (b) shall be sub-
2 mitted to Congress within twenty-four months of enactment
3 of this Act and biennially thereafter.

4 (7) The Administrator of the General Services Adminis-
5 tration shall provide for public review and comment on the
6 response plan provided for in this section, including provision
7 of notice in the Federal Register not less than three months
8 prior to submission to the Congress. The response plan shall
9 include a summary of public comments. The Council on
10 Indoor Air Quality, provided for under section 11 of this Act,
11 shall review and comment on the plan and such comments
12 and any supporting materials shall be included in the plan.

13 (c) INDOOR AIR QUALITY RESERVE.—(1) The Admin-
14 istrator of the General Services Administration shall reserve
15 0.5 per centum of any funds appropriated for construction of
16 new Federal buildings for design and construction of meas-
17 ures to reduce indoor air contaminant concentrations within
18 such buildings.

19 (2) Measures which may be funded with the reserve pro-
20 vided for in this subsection may include, but are not limited
21 to—

22 (A) development and implementation of general
23 design principles intended to avoid or prevent contami-
24 nation of indoor air;

1 (B) design and construction of improved ventila-
2 tion techniques or equipment;

3 (C) development and implementation of product
4 purchasing guidelines;

5 (D) design and construction of contaminant detec-
6 tion and response systems;

7 (E) development of building management guide-
8 lines and practices; and

9 (F) training in building and systems operations for
10 building management and maintenance personnel.

11 (3) Upon completion of construction of each Federal
12 building covered by this section, the Administrator of the
13 General Services Administration shall file with the Adminis-
14 trator, with the Clearinghouse established under section 12 of
15 this Act, and with the Council established under section 11 of
16 this Act, a report describing the uses made of the reserve
17 provided for in this subsection. Such report shall be in suffi-
18 cient detail to provide design and construction professionals
19 with models and general plans of various indoor air contami-
20 nant reduction measures adequate to assess the appropriate-
21 ness of such measures for application in other buildings.

22 (4) The Administrator of the General Services Adminis-
23 tration, with the concurrence of the Administrator, may
24 exempt a planned Federal building from the requirements of
25 this section if he finds that such exemption is required on the

1 grounds of national security or that the intended use of the
2 building is not compatible with the authority of this section.

3 (d) NEW EPA BUILDING.—Any new building con-
4 structed for use by the Environmental Protection Agency as
5 headquarters shall be designed, constructed, maintained, and
6 operated as a model to demonstrate principles and practices
7 for protection of indoor air quality.

8 STATE AND LOCAL INDOOR AIR QUALITY PROGRAMS

9 SEC. 9. (a) MANAGEMENT AND ASSESSMENT STRATE-
10 GY DEMONSTRATION.—(1) The Governor of a State may
11 apply to the Administrator for a grant to support demonstra-
12 tion of the development and implementation of a management
13 strategy and assessment with respect to indoor air quality
14 within such State.

15 (2) State indoor air quality management strategies
16 shall—

17 (A) identify a lead agency and provide an institu-
18 tional framework for protection of indoor air quality;

19 (B) identify and describe existing programs, con-
20 trols or related activities concerning indoor air quality
21 within State agencies including regulations, educational
22 programs, assessment programs, or other activities;

23 (C) identify and describe existing programs, con-
24 trols, or related activities concerning indoor air quality
25 of local and other sub-State agencies and assure co-

1 ordination among local, State, and Federal agencies in-
2 volved in indoor air quality activities in the State; and

3 (D) assure coordination of indoor air quality pro-
4 grams with ambient air quality programs and related
5 activities.

6 (3) State indoor air quality assessment programs shall—

7 (A) identify indoor air contaminants of concern
8 and, to the extent practicable, assess the seriousness
9 and the extent of indoor air contamination by contami-
10 nants listed in section 6(a) of this Act;

11 (B) identify the classes or types of buildings or
12 other indoor environments in which indoor air contami-
13 nants pose the most serious threat to human health;

14 (C) if applicable, identify geographic areas in the
15 State where there is a reasonable likelihood of indoor
16 air contamination as a result of the presence of con-
17 taminants in the ambient air or the existence of sources
18 of a contaminant;

19 (D) identify methods and procedures for indoor air
20 contaminant assessment and monitoring;

21 (E) provide for periodic assessments of indoor air
22 quality and identification of indoor air quality changes
23 and trends; and

24 (F) establish methods to provide information con-
25 cerning indoor air contamination to the public and to

1 educate the public and interested groups, including
2 building owners and design and engineering profession-
3 als, about indoor air contamination.

4 (4) As part of a management strategy and assessment
5 pursuant to this subsection, the applicant may develop con-
6 taminant action levels, guidance, or standards and may draw
7 on health advisories developed pursuant to section 6 of this
8 Act.

9 (5) States which are selected to demonstrate the devel-
10 opment of management and assessment strategies shall pro-
11 vide a management strategy and assessment pursuant to sub-
12 sections (2) and (3) to the Administrator within thirty-six
13 months of selection and shall certify to the Administrator that
14 the strategy and assessment meet the requirements of this
15 Act.

16 (6) States shall provide for public review and comment
17 on the management strategy and assessment prior to submis-
18 sion of such strategy and assessment to the Administrator.

19 (b) RESPONSE PROGRAMS.—(1) A Governor of a State
20 or the executive officer of a local air pollution control agency
21 may apply to the Administrator for grant assistance to devel-
22 op a response program designed to reduce human exposure to
23 an indoor air contaminant or contaminants in the State, or in
24 a specific class or type of building in that State, or in a spe-
25 cific geographic area of that State.

1 (2) A response program shall—

2 (A) address a contaminant or contaminants listed
3 pursuant to section 6(a) of this Act;

4 (B) identify existing data and information
5 concerning the contaminant or contaminants to be
6 addressed, the class or type of building to be
7 addressed, and the specific geographic area to be
8 addressed;

9 (C) describe and schedule the specific actions to
10 be taken to reduce human exposure to the identified
11 contaminant or contaminants;

12 (D) identify the State or local agency or public or-
13 ganization which will implement the response actions;

14 (E) identify the Federal, State, and local financial
15 resources to be used to implement the response pro-
16 gram; and

17 (F) provide for the assessment of the effectiveness
18 of the response program.

19 (3) As part of a response program pursuant to this sub-
20 section, an applicant may develop contaminant action levels,
21 guidance, or standards based on health advisories developed
22 pursuant to section 6 of this Act.

23 (c) GRANT MANAGEMENT.—(1) Grants under subsec-
24 tion (a)(1) of this subsection shall not be less than \$75,000 for
25 each fiscal year.

1 (2) In selecting States for demonstration and implemen-
2 tation of management strategies and assessments under sub-
3 section (a)(1) the Administrator shall consider—

4 (A) the previous experience of the State in ad-
5 dressing indoor air quality issues;

6 (B) the seriousness of the indoor air quality issues
7 identified by the State; and

8 (C) the potential for demonstration of innovative
9 management or assessment measures which may be of
10 use to other States.

11 (3) In selecting States for demonstration of management
12 strategies and assessments under subsection (a)(1), the Ad-
13 ministrator shall focus resources to assure that sufficient
14 funds are available to selected States to provide for the de-
15 velopment of comprehensive and thorough management
16 strategies and assessments in each selected State and to ade-
17 quately demonstrate implementation of such strategies and
18 assessments.

19 (4) Grants under subsection (b)(1) of this section shall
20 not exceed \$250,000 per fiscal year and shall be available to
21 the State for a period of not to exceed three years.

22 (5) In selecting response programs developed under
23 subsection (b) for grant assistance, the Administrator shall
24 consider—

- 1 (A) the potential for the response program to
2 bring about reductions in indoor air contaminant levels;
- 3 (B) the contaminants to be addressed, giving pri-
4 ority to contaminants for which health advisories have
5 been developed pursuant to section 6 of this Act;
- 6 (C) the type of building to be addressed, giving
7 priority to building types in which substantial human
8 exposures to indoor air contaminants occur;
- 9 (D) the potential for development of innovative re-
10 sponse measures or methods which may be of use to
11 other States or local air pollution control agencies; and
- 12 (E) the State indoor air quality management strat-
13 egy and assessment, giving priority to States with
14 complete indoor air management strategies and assess-
15 ments.
- 16 (6) The Federal share of grants under subsections (a)
17 and (b) of this section shall not exceed 75 per centum of the
18 costs incurred in demonstration and implementation of such
19 activities and shall be made on the condition that the non-
20 Federal share is provided from non-Federal funds.
- 21 (7) Funds granted pursuant to subsections (a) and (b) in
22 a fiscal year shall remain available for obligation for the next
23 fiscal year in which obligated and for the next following fiscal
24 year.

1 (8) No grant shall be made under this section in any
2 fiscal year to a State or local air pollution control agency
3 which in the preceding year received a grant under this sec-
4 tion unless the Administrator determines that such agency
5 satisfactorily implemented such grant activities in such pre-
6 ceding fiscal year.

7 (9) States and air pollution control agencies shall pro-
8 vide such information in applicants for grant assistance and
9 pertaining to grant funded activities as the Administrator
10 requires.

11 OFFICE OF INDOOR AIR QUALITY

12 SEC. 10. (a) ESTABLISHMENT.—The Administrator
13 shall establish an Office of Indoor Air Quality within the
14 Office of Air and Radiation at the Environmental Protection
15 Agency.

16 (b) RESPONSIBILITIES.—The Office of Indoor Air
17 Quality shall—

18 (1) list indoor air contaminants and develop health
19 advisories pursuant to section 6 of this Act;

20 (2) develop national indoor air quality response
21 plans as provided for in section 7 of this Act;

22 (3) manage Federal grant assistance provided to
23 air pollution control agencies under section 9 of this
24 Act;

25 (4) assure the coordination of Federal statutes and
26 programs administered by the Agency relating to

1 indoor air quality and reduce duplication or inconsisten-
2 cies among these programs;

3 (5) work with other Federal agencies to assure
4 the effective coordination of programs related to indoor
5 air quality; and

6 (6) work with public interest groups and the pri-
7 vate sector in development of information related to
8 indoor air quality including the health threats of human
9 exposure to indoor air contaminants, the development
10 of technologies and methods to control such contami-
11 nants, and the development of programs to reduce con-
12 taminant concentrations.

13 (c) ORGANIZATION.—The Office of Indoor Air Quality
14 shall—

15 (A) be directed by a director who shall be a
16 member of the Senior Executive Service;

17 (B) include a staff of not less than ten permanent,
18 full-time employees; and

19 (C) be supported by not less than one permanent,
20 full-time employee in each Agency regional office.

21 COUNCIL ON INDOOR AIR QUALITY

22 SEC. 11. (a) AUTHORITY.—There is established a
23 Council on Indoor Air Quality.

24 (b) RESPONSIBILITIES.—THE COUNCIL ON INDOOR
25 AIR QUALITY SHALL—

1 (1) provide for the full and effective coordination
2 of Federal agency activities relating to indoor air
3 quality;

4 (2) provide a forum for resolution of conflicts or
5 inconsistencies in policies or programs related to indoor
6 air quality;

7 (3) review and comment on the national indoor air
8 response program developed pursuant to section 7 of
9 this Act and the Federal Building Response Plan de-
10 veloped pursuant to section 8(b); and

11 (4) prepare a report to Congress pursuant to sub-
12 section (d) of this subsection.

13 (c) ORGANIZATION.—(1) The Council on Indoor Air
14 Quality shall include senior representatives of Federal agen-
15 cies involved in indoor air quality programs including—

16 (A) the Environmental Protection Agency;

17 (B) the Department of Health and Human
18 Services;

19 (C) the Department of Labor;

20 (D) the Department of Housing and Urban
21 Development;

22 (E) the Department of Energy;

23 (F) the Department of Transportation;

24 (G) the Consumer Product Safety Commission;

25 and

1 (H) the General Services Administration.

2 (2) The Environmental Protection Agency shall chair
3 the Council.

4 (3) The Council shall be served by a staff to include an
5 Executive Director and not less than three full-time equiva-
6 lent employees.

7 (d) REPORT TO CONGRESS.—(1) The Council shall
8 submit to the Congress, within eighteen months of enactment
9 of this Act, and biennially thereafter, a report which shall—

10 (A) describe and assess the seriousness, extent,
11 and characteristics of indoor air contamination through-
12 out the country;

13 (B) summarize the major research issues concern-
14 ing the protection of indoor air quality, describe the re-
15 search accomplishments of Federal agencies over the
16 previous two years, and provide an agenda of indoor
17 air quality research for individual Federal agencies
18 over a three-year period;

19 (C) provide a general description of the activities
20 to be conducted by Federal agencies to address indoor
21 air quality problems over the following three-year
22 period; and

23 (D) make recommendations for any actions needed
24 to assure the quality of indoor air, including recommen-

1 dations relating to institutional structures, funding, and
2 legislation.

3 (2) The Council shall provide for public review and com-
4 ment on the report required by this subsection.

5 INDOOR AIR QUALITY INFORMATION CLEARINGHOUSE

6 SEC. 12. (1) The Administrator is authorized and direct-
7 ed to establish a national indoor air quality clearinghouse to
8 be used to disseminate indoor air quality information to other
9 Federal agencies, State, and local governments, and private
10 organizations and individuals.

11 (2) The clearinghouse shall be a repository for reliable
12 indoor air quality related information to be collected from and
13 made available to government agencies and private organiza-
14 tions and individuals. At a minimum, the clearinghouse estab-
15 lished by this section shall make available reports, programs,
16 and materials developed pursuant to the requirements of this
17 Act.

18 (3) The clearinghouse shall operate a toll-free "hotline"
19 on indoor air quality which shall be available to provide to
20 the public general information about indoor air quality and
21 general guidance concerning response to indoor air quality
22 contamination problems.

23 (4) The Administrator may provide for the design, de-
24 velopment, and implementation of the clearinghouse through
25 a contractual agreement with a nonprofit organization.

1 BUILDING ASSESSMENT DEMONSTRATION

2 SEC. 13. (a) AUTHORITY.—(1) The Director of the Na-
3 tional Institute for Occupational Safety and Health shall, in
4 consultation with the Administrator, implement a Building
5 Assessment Demonstration Program to support development
6 of methods, techniques, and protocols for assessment of
7 indoor air contamination in nonresidential, nonindustrial
8 buildings and to provide assistance and guidance to building
9 owners and occupants on measures to reduce indoor air
10 contamination.

11 (2) In implementation of this section, the Director shall
12 have the authority to conduct on-site assessments of individ-
13 ual buildings, including Federal, State, and municipal
14 buildings.

15 (3) Nothing in this section shall in any way limit or
16 constrain existing authorities pursuant to the Occupational
17 Safety and Health Act of 1970 (29 U.S.C. 651).

18 (b) ASSESSMENT ELEMENTS.—Assessments of individ-
19 ual buildings conducted pursuant to this section shall, at a
20 minimum, provide—

21 (A) an identification of suspected contaminants in
22 the air in the building and the level of such
23 contaminants;

24 (B) an assessment of the probable sources of con-
25 taminants in the air in the building;

1 (C) a review of the nature and extent of health
2 concerns and symptoms identified by building
3 occupants;

4 (D) an assessment of the probable association of
5 indoor air contaminants with the health and related
6 concerns of building occupants including assessment of
7 occupational and environmental factors which may
8 relate to the health concerns;

9 (E) identification of appropriate measures to con-
10 trol contaminants in the air in the building, to reduce
11 the concentration levels of contaminants, and to reduce
12 exposure to contaminants; and

13 (F) evaluation of the effectiveness of response
14 measures in control and reduction of contaminants and
15 contaminant levels, the change in occupant health con-
16 cerns and symptoms, the approximate costs of such
17 measures, and any additional response measures which
18 may reduce occupant's health concerns.

19 (c) ASSESSMENT REPORTS.—(1) The Director shall
20 prepare—

21 (A) a preliminary report of each building assess-
22 ment which shall document findings concerning assess-
23 ment elements (A) through (E) of subsection (b); and

24 (B) a final report which shall provide an overall
25 summary of the building assessment including informa-

1 tion on the effectiveness and cost of response meas-
2 ures, and the potential for application of response
3 measures to other buildings.

4 (2) Preliminary assessment reports shall be prepared not
5 later than one hundred and eighty days after the selection of
6 a building for assessment. Final assessment reports shall be
7 prepared not later than one hundred and eighty days after
8 completion of the preliminary report.

9 (3) Preliminary and final reports shall be made available
10 to building owners, occupants, and the authorized representa-
11 tives of occupants.

12 (d) BUILDING ASSESSMENT PROPOSAL.—(1) The Di-
13 rector shall consider individual buildings for assessment under
14 this section in response to a proposal identifying the building
15 and the building owner and providing preliminary, back-
16 ground information about the nature of the indoor air con-
17 tamination, previous responses to air contamination prob-
18 lems, and the characteristics, occupancy, and uses of the
19 building.

20 (2) Building assessment proposals may be submitted by
21 a building owner or occupants or the authorized representa-
22 tives of building occupants, including the authorized repre-
23 sentatives of employees working in a building.

1 (e) BUILDING ASSESSMENT SELECTION.—(1) In selec-
2 tion of buildings to be assessed under this section, the Direc-
3 tor shall consider—

4 (A) the seriousness and extent of apparent indoor
5 air contamination and human health effects of such
6 contamination;

7 (B) the proposal for a building assessment submit-
8 ted pursuant to subsection (d) of this section;

9 (C) the views and comments of the building
10 owners;

11 (D) the potential for the building assessment to
12 expand knowledge of building assessment methods in-
13 cluding identification of contaminants, assessment of
14 sources, and development of response measures; and

15 (E) the listing of a building pursuant to paragraph
16 (C) of section 8(b)(3).

17 (2) The Director shall provide a preliminary response
18 and review of building assessment proposals to applicants and
19 the applicable building owner within sixty days of receipt of a
20 proposal and, to the extent practicable, shall provide a final
21 decision concerning selection of a proposal within one hun-
22 dred and twenty days of submittal.

23 (f) BUILDING ASSESSMENT SUPPORT.—(1) The Direc-
24 tor may enter into agreements with private individuals, firms,
25 State and local governments, or academic institutions for

1 services and related assistance in conduct of assessments
2 under the authority of this section.

3 (2) The Director may enter into agreements with other
4 Federal agencies for the assignment of Federal employees to
5 a specific building assessment project for periods of up to one
6 hundred and eighty days.

7 (g) SUMMARY REPORT.—(1) The Director shall pro-
8 vide, on an annual basis, a report on the implementation of
9 this section to the Administrator of the Environmental Pro-
10 tection Agency and to the Council on Indoor Air Quality
11 established pursuant to section 11 of this Act.

12 (2) The Director shall, from time to time and in consul-
13 tation with the Administrator, publish general reports con-
14 taining materials, information, and general conclusions con-
15 cerning assessments conducted pursuant to this section. Such
16 reports may address concerns related to remediation of indoor
17 air contamination problems, assessment of health related con-
18 cerns, and prevention of such problems through improved
19 design, materials and product specifications, and management
20 practices.

21 (3) Reports prepared pursuant to this subsection and
22 subsection (c) of this section shall be provided to the Indoor
23 Air Quality Information Clearinghouse provided for in section
24 12 of this Act and, to the extent practicable, such reports

1 shall be made available to architectural, design and engineer-
2 ing firms and to organizations representing such firms.

3 STATE AND FEDERAL AUTHORITY.

4 SEC. 14. Nothing in this Act shall be construed, inter-
5 preted, or applied to preempt, displace, or supplant any other
6 State or Federal law, whether statutory or common or any
7 local ordinance.

8 AUTHORIZATIONS

9 SEC. 15. (a)(1) For the purpose of carrying out sections
10 5 and 6 of this Act there is authorized to be appropriated
11 \$20,000,000 for each of the fiscal years ending Septem-
12 ber 30, 1990, 1991, 1992, 1993, and 1994. Of such sums
13 appropriated, one quarter shall be reserved for implementa-
14 tion of section 6 of this Act and one quarter shall be reserved
15 for implementation of section 5(c) of this Act.

16 (2) For the purpose of carrying out sections 7, 8, 10,
17 and 12 there is authorized to be appropriated \$10,000,000
18 for each of the fiscal years ending September 30, 1990,
19 1991, 1992, 1993, and 1994. Of such sums appropriated,
20 one-fifth shall be reserved for implementation of section 12
21 and one-fifth shall be reserved for implementation of sec-
22 tion 8.

23 (3) For the purpose of carrying out section 9 of this Act,
24 there is authorized to be appropriated \$12,000,000 for each
25 of the fiscal years ending September 30, 1990, 1991, 1992,
26 1993, and 1994. Of such sums appropriated, one-third shall

1 be reserved for the purpose of carrying out section 9(b) of this
2 Act.

3 (4) For the purpose of carrying out section 11 of the Act
4 there is authorized to be appropriated \$1,500,000 for each
5 fiscal year ending September 30, 1990, 1991, 1992, 1993,
6 and 1994.

7 (5) For the purpose of carrying out section 13 of this
8 Act there is authorized to be appropriated \$5,000,000 per
9 year for each fiscal year ending September 30, 1990, 1991,
10 1992, 1993, and 1994.

○

1. G-288

Comm. from Mayor Alfred E. Vellucci, in connection with Order #4 of this evening, transmitting a copy of H.R.1530, as introduced by Congressman Joseph P. Kennedy, II Re: regulating contaminants in indoor air.

In City Council,

April 24, 1989

4-24-89

Referred to Council

Order No. 4 of April

24, 1989

Order No. 4 Adopted

on 4-24-89