

ACT 234

S.B. NO. 2162

A Bill for an Act Relating to the Environment.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. During the past two decades, the legislature has focused much of its efforts to improve the quality of the environment on enacting legislation that makes cleaning up the ambient air and water, preventing further pollution, and remediating past pollution top priorities. These actions were taken to help prevent the unhealthy chronic exposure of Hawaii's people to pollutants. The programs established to regulate activities that introduce pollutants into the environment have been very successful in reducing human exposure to ambient pollutants. It is critical to the health of the State's population that the department of health continue its efforts to maintain and further reduce current levels of ambient pollutants.

The legislature finds that:

- (1) Americans spend up to ninety per cent of the day indoors and, as a result, have a significant potential for exposure to contaminants in the indoor air;
- (2) Exposure to indoor air contamination occurs in work places, schools, public buildings, residences, and transportation vehicles;
- (3) Recent scientific studies nationally indicate that pollutants in the indoor air include radon, asbestos, volatile organic chemicals, combustion by-products, metals and gases, respirable particles, biological contaminants, microorganisms, and other contaminants;
- (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;

- (5) Indoor air pollution poses serious threats to public health (including cancer, respiratory illness, multiple chemical sensitivities, skin and eye irritation, and related effects);
- (6) Indoor air contamination is estimated to cause significant increases in medical costs and declines in work productivity; and
- (7) Sources of indoor air pollution include conventional ambient air pollution sources, building materials, consumer and commercial products, combustion appliances, indoor application of pesticides, and other sources.

The legislature further finds that current national and local risk-ranking polls among knowledgeable environmental scientists and concerned citizens reveal that indoor air quality (IAQ) ranks very high on the list of unmet environmental health needs. These findings are based on the following facts and assumptions:

- (1) In the last several years, a growing body of scientific evidence has indicated that the air within homes and other buildings may be more seriously polluted than the outdoor air, even in the largest and most industrialized cities;
- (2) Other research indicates that people spend approximately ninety per cent of their time indoors. Consequently, for most people the health risks from exposure to indoor air pollution may be greater than that from outdoor pollution; and
- (3) Additionally, people who may be exposed to indoor air pollution for the longest periods of time are often those most susceptible to the adverse effects of indoor air pollution. These people include the young, the elderly, and the chronically ill, especially those suffering from respiratory or cardiovascular diseases.

The purpose of this Act is to establish an indoor air pollution program within the department of health to educate the public about IAQ and establish and coordinate a government-wide IAQ assessment network.

SECTION 2. Chapter 321, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

## **“PART . INDOOR AIR QUALITY**

**§321- Definitions.** As used in this part:

“Department” means the department of health.

“Director” means the director of health.

“Publicly owned building” means any building or structure, including a hospital or a school, that is owned, leased, or operated by the State; provided that it shall be a building or structure in which individuals employed by the State work during normal operations.

**§321- Indoor air quality program.** There is established an indoor air quality program within the department. The department may place this program within any appropriate division.

**§321- General functions, powers, and duties of the department.**

(a) The director shall provide information and educational material regarding indoor air pollution to the managers, owners, and occupants of publicly owned buildings, and may assist any manager, owner, or occupant of a publicly owned building to identify, assess, and correct indoor air pollution problems.

(b) The director may provide information and educational material regarding indoor air pollution to any manager, owner, or occupant of a building that is not a publicly owned building, and may assist any manager, owner, or occupant of a building that is not a publicly owned building to identify, assess, and correct indoor air pollution problems.

(c) The director shall establish and coordinate an indoor air quality assessment network of state agencies and facility managers of publicly owned buildings to identify, assess, and correct indoor air pollution problems.

(d) The director may establish a program for the approval of plans to construct ventilation systems, the inspection of ventilation system construction, and the monitoring of existing ventilation systems for proper maintenance.

(e) The director may adopt rules in accordance with chapter 91 to effectuate the purposes of this part."

**SECTION 3.** This Act shall take effect upon its approval.

(Approved June 22, 1994.)