

LEGISLATIVE RESEARCH UNIT

PATRICK D. O'GRADY, EXECUTIVE DIRECTOR

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INDOOR AIR QUALITY LAWS

asked on your behalf for information on the Indoor Air Quality Act and other more recent Illinois legislative measures to address indoor air quality.

The Act became effective on January 1, 1994. Since that time there have been no bills introduced in the General Assembly to amend it. The Illinois Department of Public Health has developed and published extensive indoor air quality guidelines as directed in the Act.

A May 2008 report on the state indoor air quality laws compiled from the Environmental Law Institute's database of state indoor air quality laws is enclosed. It reports on a wide variety of laws from some 46 states and the District of Columbia.

Indoor Air Quality Act

The Indoor Air Quality Act was enacted by Public Act 88-318 (H.B. 2057, Blagojevich—Smith-Stern-Trotter-Farley). It became effective on January 1, 1994. The Act attempts to address the problem of indoor air pollution by imposing certain requirements on the Illinois Board of Health—a 17-member board appointed by the governor that advises the director of the Illinois Department of Public Health (IDPH).

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The Act requires the Board to ensure the development of:

- criteria for acceptable indoor air quality,
- recommendations for achieving acceptable indoor air quality,
- indoor air quality educational activities for public and private agencies, and
- a program to certify indoor air quality inspectors.¹

The Board is also directed to develop statewide indoor air quality guidelines. These guidelines are to include:

- ventilation standards, including criteria for acceptable indoor air quality;
- source control guidelines for indoor air contaminants, including building material selection, and construction/remodeling procedures;
- occupancy control guidelines; and
- suggestions for air cleaning procedures.²

(Note: The provisions summarized above are found in Section 15 of the Act. The heading for this section is "Indoor Air Pollution Advisory Council." Nothing in this section, or any other portion of the Act, mentions such a group. The Act's provisions are directed solely at the Board of Health.)

Bills Amending the Act

The bill that became the Indoor Air Quality Act was introduced and approved in the spring 1993 session of the 88th Illinois General Assembly.

Since that time there have been no bills introduced in the legislature to amend or modify the Act.

IDPH Indoor Air Quality Guidelines

The Illinois Department of Public Health has developed and published guidelines for acceptable indoor air quality, recommendations for achieving acceptable indoor air quality, and a recommended approach for indoor air quality investigations.

The guidelines are summarized briefly below. They are available on the Internet at:

http://www.idph.state.il.us/envhealth/factsheets/indoorairqualityguide_fs.htm

Criteria for Acceptable Indoor Air Quality

The criteria address several common factors/pollutants affecting indoor air quality. These include: (1) humidity and temperature, (2) carbon dioxide, (3) carbon monoxide, (4) hydrogen sulfide, (5) ozone, (6) particulates, (7) formaldehyde, (8) nitrogen dioxide, and (9) tobacco smoke.

Standards promulgated by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) are noted as the basis for the IDPH guidelines.

Recommendations for Achieving Acceptable Indoor Air Quality

Recommended steps include the use of well-maintained heating, ventilation, and air conditioning (HVAC) systems, the use of positive internal air pressure to reduce the infiltration of outside contaminants into a building, and using local exhaust systems in areas likely to emit indoor air contaminants.

Educational Activity

The guidelines present a number of IDPH regional contact numbers that people can call for educational materials and guidance concerning indoor air quality. They also present information on other agencies and groups capable of providing similar materials and guidance. These include the American Lung Association, the National Institute for Occupational Safety and Health (NIOSH), the Illinois Department of Labor, the Occupational Safety and Health Administration (OSHA), and the federal Environmental Protection Agency.

Recommended Approach for Indoor Air Quality Investigations

The IDPH approach follows methods developed by NIOSH. It is described as a technique of exclusion. An investigation tries to narrow the range of possible causes by excluding likely sources of poor indoor air quality. Six major sources of indoor air quality problems are identified:

- inadequate ventilation,
- humidity and temperature,
- inside contamination,
- outside contamination,
- microbial contamination, and
- new building materials.

Indoor Air Quality Laws in Other States

The Environmental Law Institute (ELI), with support from the U.S. Environmental Protection Agency, has developed a database that includes a broad cross-section of state laws addressing indoor air quality.

The database includes laws that address indoor air quality generally. The database does not cover laws dealing with assessment and cleanup of contaminated sites. Laws that address "green building" are included only if they cover school facilities. The database does not include laws governing lead, asbestos, environmental tobacco smoke, and pesticides. It does include laws addressing other individual pollutants like radon and mold.

A May 2008 summary of the complete ELI database of state indoor air quality laws is enclosed. For each entry there is a brief summary and a citation to the complete statute.

We hope this information is helpful.

Sincerely,



Robert L. Bayless
Senior Staff Scientist

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Enclosure

Environmental Law Institute, "Database of Indoor Air Quality Laws: Complete Database" (May 2008).

Notes

1. 410 ILCS 87/15(a)(i) through (iv).
2. 410 ILCS 87/15(b)(1) through (4).