

AMENDED IN ASSEMBLY APRIL 17, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 3018

Introduced by Assembly Members Lieber and Laird

February 24, 2006

An act to add Chapter 7.5 (commencing with Section 39935) to Part 2 of Division 26 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 3018, as amended, Lieber. Air pollution: indoor air pollution.

Under existing law, the State Air Resources Board is the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law requires the state board to identify toxic air contaminants that are emitted into the ambient air of the state. Existing law also requires the state board to adopt airborne toxic control measures to reduce the emissions of toxic air contaminants from nonvehicular sources.

This bill, in addition, would require the state board, in consultation with the State Department of Health Services, and ~~any other appropriate local, state, or federal agencies~~ ~~state agency~~ that the state board and the department determine appropriate, to develop and establish a program for the prevention and control of indoor air pollution that includes education and community outreach, *indoor air quality guidelines*, and emission standards or other measures that limit the emissions of air contaminants from ~~products that are primarily used or located indoors~~ ~~that may cause or contribute to adverse health effects~~ *indoor sources of air pollution that may cause or contribute to adverse health effects*. The bill would require the state board ~~to~~

~~prioritize specified air contaminants, and to utilize that priority listing to develop and adopt indoor air pollution prevention and control measures in order to reduce indoor exposures to pollutants to first develop and adopt emission standards, or other indoor air pollution prevention and control measures determined to be necessary, cost-effective, and technologically feasible for those contaminants given the highest priority by the state board as posing the greatest threat to human health. The bill would require that the state board adopt emission standards or other indoor air pollution prevention and control measures for at least 2 source categories by December 31, 2011. The bill would authorize the state board, after having addressed the high priority emission source categories, to develop and adopt additional emission standards or other measures determined to be necessary, cost-effective, and technologically feasible to reduce public exposure to emission source categories that are given lower priority by the board.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Public health, safety, and welfare may be endangered by
- 4 the emission of pollutants into the indoor air.
- 5 ~~(b) Pollutant levels indoors can be significantly higher than~~
- 6 ~~levels outdoors.~~
- 7 (b) *Studies conducted by the State Air Resources Board and*
- 8 *the federal Environmental Protection Agency have shown that*
- 9 *indoor levels of carcinogens, volatile organic compounds, and*
- 10 *other pollutants are often higher than outdoor levels, and that*
- 11 *these levels, can exceed health-based guidelines or standards.*
- 12 (c) Californians have been found to spend about 87 percent of
- 13 their time indoors. Vulnerable populations, including, but not
- 14 limited to, the elderly and children, may spend even more time
- 15 indoors. *Children may be especially vulnerable to poor indoor*
- 16 *air quality due to their underdeveloped physiology and immune*
- 17 *systems.*

1 ~~(d) Pollutants released indoors have been found to be 1,000~~
2 ~~times more dangerous in causing human exposure than the same~~
3 ~~release to outdoor air.~~

4 *(d) Scientists have estimated that pollutants emitted indoors*
5 *have a one-thousand-fold greater chance of being inhaled than*
6 *do those emitted outdoors.*

7 (e) Indoor air pollutants can cause cancer, respiratory disease,
8 and other adverse health effects, as well as trigger allergies and
9 asthma attacks. *In its July 2005 report to the Legislature, the*
10 *state board estimated that approximately 230 excess cancer*
11 *cases in California occur annually due to exposure to toxic air*
12 *contaminants emitted from indoor sources such as building*
13 *materials, appliances, and other products used indoors. This is*
14 *comparable to the estimated cancer burden from outdoor diesel*
15 *exhaust particles, and is more than double the cancer burden*
16 *from other outdoor air pollutants.*

17 (f) *The total cost of quantifiable morbidity and mortality*
18 *associated with exposure to indoor air pollution in California*
19 *homes, schools, and nonindustrial workplaces is estimated at*
20 *forty-five billion dollars (\$45,000,000,000) per year.*

21 ~~(f)~~

22 (g) Persons residing in California may be exposed to a
23 multiplicity of indoor air pollutants from numerous sources that
24 may act cumulatively to produce adverse effects, and this
25 phenomenon should be taken into account when evaluating the
26 health effects of individual compounds.

27 ~~(g)~~

28 (h) It is the public policy of the state that emissions of indoor
29 air pollutants be controlled to levels which prevent harm to the
30 public health.

31 ~~(h) While absolute and undisputed scientific evidence may not~~
32 ~~be available to determine the exact nature and extent of risk from~~
33 ~~indoor air pollutants, it is necessary to take action to protect~~
34 ~~public health.~~

35 (i) *There is no systematic program to improve indoor air*
36 *quality. There are relatively few regulations or standards that*
37 *specifically address indoor air quality problems, and few*
38 *resources are focused on effectively addressing problems and*
39 *promoting improvements. Current efforts to address indoor*

1 *pollution are not commensurate with the scope of the risk to*
 2 *health it poses to Californians.*

3 ~~(i)~~

4 (j) A statewide program to prevent and control indoor air
 5 pollution is necessary and desirable.

6 SEC. 2. Chapter 7.5 (commencing with Section 39935) is
 7 added to Part 2 of Division 26 of the Health and Safety Code, to
 8 read:

9

10 CHAPTER 7.5.

11 INDOOR AIR POLLUTION PREVENTION AND CONTROL

12

13 39935. (a) The state board, in consultation with the State
 14 Department of Health Services *and other appropriate local,*
 15 *state, or federal agencies,* shall develop and establish a program
 16 for the prevention and control of indoor air pollution that
 17 includes ~~both of, but is not limited to,~~ the following elements:

18 (1) Education and community outreach.

19 (2) Emission standards or other measures that limit the
 20 ~~emissions of air contaminants from products that are primarily~~
 21 ~~used or located indoors and that may cause or contribute to~~
 22 ~~adverse health effects.~~

23 ~~(b) The state board and the State Department of Health~~
 24 ~~Services shall, to the extent they deem appropriate, consult with~~
 25 ~~the Department of Industrial Relations, the State Energy~~
 26 ~~Resources Conservation and Development Commission, the~~
 27 ~~Office of Environmental Health Hazard Assessment, and any~~
 28 ~~other state agency in developing the program described in~~
 29 ~~subdivision (a).~~

30 ~~39936. In order to determine the pollutants that pose the~~
 31 ~~greatest potential threat to human health from indoor exposure,~~
 32 ~~the state board shall prioritize air contaminants for which the~~
 33 ~~state board has adopted ambient air quality standards, and those~~
 34 ~~air contaminants that have been identified as toxic air~~
 35 ~~contaminants pursuant to Sections 39657 and 39660.~~

36 ~~39937. The state board shall utilize the priority list developed~~
 37 ~~pursuant to Section 39936 in developing and adopting indoor air~~
 38 ~~pollution prevention and control measures in order to reduce~~
 39 ~~indoor exposures to pollutants. The state board shall first develop~~
 40 ~~and adopt indoor air pollution prevention and control measures~~

1 ~~on those contaminants given the highest priority as posing the~~
2 ~~greatest threat to human health, and then shall develop and adopt~~
3 ~~additional indoor air pollution and control measures on those~~
4 ~~contaminants given lower priority.~~ *emission of air contaminants*
5 *from indoor sources of air pollution that may cause or contribute*
6 *to adverse health effects, including contaminants that have been*
7 *identified as toxic air contaminants pursuant to Section 39655,*
8 *39657, or 39660, or contaminants for which the state board has*
9 *adopted ambient air quality standards.*

10 (3) *Development of indoor air quality guidelines.*

11 (b) *The state board shall first develop and adopt emission*
12 *standards or other indoor air pollution prevention and control*
13 *measures determined to be necessary, cost-effective, and*
14 *technologically feasible to reduce public exposure to the high*
15 *priority source categories of indoor air contaminants identified*
16 *pursuant to the report required by Section 39930. After*
17 *addressing the high priority source categories, the state board*
18 *may develop and adopt additional emission standards or other*
19 *measures determined to be necessary, cost-effective, and*
20 *technologically feasible to reduce public exposure to those*
21 *source categories that are given lower priority.*

22 (c) *The state board shall adopt emission standards or other*
23 *indoor air pollution prevention and control measures for at least*
24 *two source categories by December 31, 2011.*

25 (d) *Prior to adopting an emission standard or other indoor air*
26 *pollution prevention and control measure pursuant to this*
27 *section, the state board shall prepare, and make available for*
28 *public review, a report on the need for, and appropriate degree*
29 *of regulation for, the source category covered by the emission*
30 *standard or measure in consultation with appropriate state*
31 *agencies, affected emission sources, and interested members of*
32 *the public. The report shall address both of the following:*

33 (1) *The potential emissions, exposures, and health effects*
34 *associated with the source category covered by the standard or*
35 *measure.*

36 (2) *The availability, technological feasibility, and costs of*
37 *options to reduce or eliminate emissions from the source*
38 *category covered by the emission standard or measure.*

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