

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 15
Ways and Means

(Delegate Rice)

Task Force on Classroom Indoor Air Quality Standards

This bill establishes a task force to conduct a study of environmental health conditions in all classrooms, including portable classrooms, throughout the State. A report of its findings and recommendations is due to the Governor and the General Assembly by May 1, 2010. The Maryland Department of the Environment and the Department of Health and Mental Hygiene have to provide staff for the task force.

The bill takes effect June 1, 2008 and terminates May 31, 2010.

Fiscal Summary

State Effect: Any expense reimbursements for task force members and staffing costs for MDE and DHMH are assumed to be minimal and absorbable within existing budgeted resources.

Local Effect: The bill would not materially affect local operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: The study must • identify potentially unhealthy environmental conditions and their extent within classrooms in the State; • evaluate classroom design and construction specifications, ventilation systems, school maintenance practices, indoor air quality (IAQ), and potentially toxic contamination including mold and other

biological contaminants; and • identify and recommend best practices to prevent harmful environmental health conditions in classrooms.

Current Law: Governmental responsibility regarding indoor air quality has historically been allocated to MDE; DHMH; and the Department of Labor, Licensing, and Regulation. Local health departments are also often involved. Monitoring IAQ in public elementary and secondary schools is the responsibility of the local school systems.

Chapter 223 of 2007 required the Board of Public Works to adopt regulations establishing criteria designed to enhance IAQ in portable classrooms purchased or leased with State or local funds. The new statute applied only prospectively to portable classrooms purchased or leased after the October 1, 2007 effective date.

Background: According to the U.S. Environmental Protection Agency (EPA), threats to children's health in indoor school environments range from problems with indoor air quality to problems caused by specific chemicals. Students are at greater risk because of the hours spent in school facilities and because children are especially susceptible to pollutants. In its February 2004 final report, the Task Force to Study Public School Facilities documented a need for \$150.2 million in school improvements to bring existing public elementary and secondary schools up to established IAQ standards.

According to EPA, the effects of poor indoor air quality in portable classrooms are no different than those in permanent classrooms. All school buildings use similar construction and furnishing materials, so the types of chemicals present in indoor air are not likely to be different for portable versus permanent classrooms. However, pressed-wood products, which may contain higher concentrations of formaldehyde, are used more in the factory-built portable units than in buildings constructed on-site. As a result, levels of airborne chemicals may be higher in new portable classrooms, especially if ventilation is reduced. EPA advises that the most common problems with portable classrooms include:

- poorly functioning HVAC systems that provide minimal ventilation with outside air;
- poor acoustics from loud ventilation systems;
- chemical off-gassing from pressed wood and other high-emission materials, which may be of greater concern because of rapid occupancy after construction;
- water entry and mold growth; and
- site pollution from nearby parking lots or loading areas.

According to the Maryland State Department of Education, there are currently a total of 3,238 portable classrooms in use in the State.

MSDE and MDE advise that efforts are already underway at the local, State, and federal levels to address environmental health conditions in classrooms. According to MSDE, all Maryland public school systems have environmental safety coordinators on staff. At the State level, the Children's Environmental Health and Protection Advisory Council, established by Chapter 585 of 2000, meets six times a year to review and comment on proposed legislation and regulations. In 2006, the council was briefed by DHMH on IAQ in Maryland schools and by MDE on recent air quality regulations. The council, chaired by a designee of the Secretary of Health and Mental Hygiene, has also been engaged in a multiyear effort to develop a set of environmental health indicators.

At the federal level, EPA's IAQ Tools for Schools program provides free kits to help schools develop IAQ management plans. Further, MDE notes that the recently enacted federal Energy Independence and Security Act of 2007 includes grants to states to provide technical assistance related to IAQ in schools. Finally, the nonprofit Collaborative for High Performance Schools (CHPS) has developed a highly regarded manual of best practices that improve IAQ in schools while saving energy and reducing long-term costs.

State Expenditures: MSDE advises that in order to conduct the assessment of IAQ in Maryland classrooms, the task force would likely need to hire several consultants at a total cost of \$96,000. Legislative Services advises, however, that, given the extensive work that has already been done and the knowledge base that has accumulated in State and local agencies, a more efficient use of resources would be for the task force and its staff to synthesize existing local assessments of IAQ in schools. The task force can also make extensive use of resources available from EPA, CHPS, and other public and private entities in meeting its other statutory obligations. Therefore, DLS concludes that any staffing costs for MDE and DHMH can be absorbed within existing resources, and the task force can complete its work without any additional funding.

Additional Information

Prior Introductions: Several similar, but not identical, bills have been introduced since 2005. HB 243 of 2006 was heard by the House Health and Government Operations Committee, but no further action was taken. SB 1096 of 2006 passed the Senate but did not receive a hearing in the House. HB 350 of 2005 received an unfavorable report from the House Health and Government Operations Committee.

Cross File: None.

Information Source(s): Maryland Department of the Environment, Maryland State Department of Education, Department of Health and Mental Hygiene, U.S. Environmental Protection Agency, California Air Resources Board, Collaborative for High Performance Schools, Department of Legislative Services

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