SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES First Regular Session



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SENATE S. No. **1352**

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 16 states:

The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Indoor Air Quality (IAQ) deals with the content of interior air that could affect health and comfort of building occupants. The IAQ may be compromised by microbial contaminants (mold, bacteria), chemicals (such as carbon monoxide, radon), allergens, or any mass or energy stressor that can induce health effects. Indoor air pollutants are associated with many health risks including asthma.

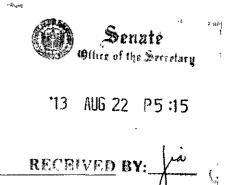
Recent findings have demonstrated that indoor air is often more polluted than outdoor air (albeit with different pollutants). In fact, indoor air is often a greater health hazard than the corresponding outdoor setting. Using ventilation to dilute contaminants, filtration, and source control are the primary methods for improving indoor air quality in most buildings.

In accordance with the constitutional provision above, the National Government must set policy directions with regard to indoor air quality. This bill addresses the issue head on.*

MIRIAM DEFENSOR SAT

^{*} This bill was originally filed in the Fourteenth Congress, Second Regular Session.

SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES First Regular Session



SENATE S. No. 1352

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Introd	luced	by	Senator	Miriam	Defensor	Santiago

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AN ACT TO PROTECT INDOOR AIR QUALITY

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Definition of Terms. - As used in this Act, the term-

A. "Building" means an occupied structure of greater than twenty-five thousand (25,000) square feet of floor space, using mechanical ventilation providing outdoor air, recirculated air, or a mixture of outdoor and re-circulated air, excluding a residential structure containing six (6) or fewer dwelling units.

8 B. "Owner" means any individual, partnership, corporation, mortgagee, assignee of 9 rents, receiver, executor, trustee, lessee, or any other person, firm, or corporation in control of a 10 building.

11 SECTION 2. Responsibilities of the Building Owner. –

A. The owner of a building shall be responsible for developing and maintaining an indoorair quality plan for the building. The plan shall contain the following components:

- 14 (1) A detailed description of the building's heating, ventilation, and air-conditioning
 15 system, its operation, and procedures and schedules for necessary maintenance;
- 16 (2) An inventory of toxic substances used in the building, including copies of
 17 applicable material safety data sheet;
- 18 (3) A plan detailing modifications and renovation on indoor air quality ventilation
 19 and other factors relevant to air quality;

- 1 (4) Prior to commencing construction or renovation projects, a plan to minimize 2 exposure to contaminants and mitigate adverse effects on building occupants 3 during and after construction or renovation;
- 4 (5) A procedure for maintaining and providing access (including inspection and 5 copying) to written records or logs pursuant to paragraph B of this section; and
- 6 (6) A system to respond to requests for information, investigate and respond to
 7 complaints of indoor air quality problems and adverse health effects by occupants
 8 consistent with paragraph D of this section.
- 9 B. The owner shall be responsible for developing and maintaining the following 10 records and logs as part of the indoor air quality plan:
- A written record of maintenance performed on the building's heating, ventilation,
 and air-conditioning system;
- 15 (3) A written record of modifications and renovations to the building, including but 16 not limited to modification of the heating, ventilation, and air-conditioning 17 system, construction and modifications of walls and interior space which could 18 affect air flow to building occupants; and
- (4) A log of complaints of indoor air quality problems and reports of adverse health
 effects and actions and responses to complaints and reports.
- C. The owner of a building shall designate a person or group of persons who shall be
 responsible for coordinating the indoor air quality plan including:
- (1) Operating and maintaining the building's heating, ventilation, and airconditioning system;
- 25 (2) Maintaining the indoor air quality plan pursuant to paragraph A of this section;
- 26 (3) Developing and maintaining the written records and logs pursuant to paragraph B
 27 of this subdivision; and
- 28 (3) Receiving and responding to complaints of indoor air quality problems and
 29 requests for information pursuant to paragraph D of this section.

D. The owner of the building shall post in the lobby of the building, or conspicuously where building occupants have access to it, a notice stating the procedures for making requests and complaints under this paragraph and the name and telephone number of the person or persons designated pursuant to paragraph C of this section.

5 E. A building owner may contract with a management company, lessee or other 6 party responsible for the building's operation and maintenance to carry out the responsibilities 7 enumerated in this section.

8 F. A building owner shall provide building occupants with reasonable access to the 9 indoor quality plan pursuant to paragraph A of this section; provided, however, that a building 10 owner may exclude from that access any information the disclosure of which would pose a 11 security risk.

G. Where the owner operates more than one similar building on a contiguous site, the
owner may prepare a plan which includes more than one building.

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SECTION 3. Indoor Air Quality Standards. - Within one (1) year after this Act shall take 14 15 effect, the Secretary of Health, in consultation with the Secretary of Labor and Employment, the Secretary of Environment and Natural Resource, and the Secretary of the Interior and Local 16 17 Government, shall adopt regulations establishing standards of ventilation for new and existing buildings. The standards shall take into consideration building arrangement, structure, size, use, 18 19 age, and occupancy. The Secretary of Health may establish a procedure where any provision or 20 requirement of the indoor air quality regulations may be varied or modified in cases where strict 21 compliance would entail practical difficulties or unnecessary hardship or would otherwise be unwarranted. Request for variance shall be resolved within sixty (60) days of the date of 22 application unless a longer period is required for good cause shown. 23

SECTION 4. *Indoor Air Investigation.* – Upon receipt of a complaint or complaints – excluding complaints in relation to the temperature of indoor air quality relating to a building – from three or more occupants of the building or from a tenant of all or part of the building, the building owner shall initiate an investigation of the complaint or complaints. The building owner

shall respond in writing within thirty (30) days indicating the results of the initial investigation
 and any corrective actions taken or pending.

3 SECTION 5. *Training Course*. – The Secretary of Health, in consultation with the 4 Secretary of Labor, and nationally recognized societies of industrial hygiene, fire prevention and 5 heating, refrigeration, and air-conditioning, shall model courses in the operation and maintenance 6 of heating, ventilation and air-conditioning systems. The Secretary of Health shall have authority 7 to approve programs in heating, ventilation, and air-conditioning operation and maintenance and 8 shall maintain a list of approved programs, which shall be made available to interested parties 9 upon request.

10 SECTION 6. Separability Clause. – If any provision of this Act is declared 11 unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby 12 shall continue to be in full force and effect.

SECTION 7. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or
 parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or
 modified accordingly.

SECTION 8. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
 following its publication in at least two (2) newspapers of general circulation.

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Approved,

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