

West's Annotated California Codes [Currentness](#)

Health and Safety Code ([Refs & Annos](#))

Division 103. Disease Prevention and Health Promotion ([Refs & Annos](#))

▣ [Part 5. Environmental and Occupational Epidemiology \(Refs & Annos\)](#)

→ [Chapter 7. Indoor Environmental Quality \(Refs & Annos\)](#)

→ **§ 105400. Legislative findings and declarations**

The Legislature finds and declares that:

- (a) The people of the State of California have a primary interest in the quality of the indoor environment in which they live.
- (b) As people spend greater portions of time each day indoors, the environmental quality of our buildings becomes increasingly important.
- (c) Changes in building design, materials, construction, and operation have resulted in significant changes in indoor environmental quality.
- (d) Activities and use of chemical products, appliances, power equipment, wear and tear of structural decorative materials, thermal factors, and mechanical ventilation are degrading the indoor environment, thereby creating mounting dangers to the public health, safety, and welfare.

§ 105405. Volatile organic compounds in newly constructed or remodeled office buildings; nonbinding guidelines

- (a) The department through its Indoor Air Quality Program shall develop nonbinding guidelines for the reduction of exposure to volatile organic compounds (VOC) from construction materials in newly constructed or remodeled office buildings. At a minimum, the department shall consider all of the following:
 - (1) The type of building to which the guidelines shall apply.
 - (2) The methodology for identifying indoor sources of VOC.
 - (3) The bake-out procedures prior to occupancy for newly constructed buildings.

(4) The procedures for VOC reduction during and after major remodeling of occupied buildings.

(5) The need to establish mandatory regulations rather than nonbinding guidelines for the procedures to reduce VOC exposure in newly constructed buildings and during the remodeling of buildings and, in addition, the need for regulation regarding the occupancy of a newly constructed building or a building undergoing remodeling where VOC reduction is to be a consideration.

(6) The need to establish an ad hoc group of building construction material manufacturers, builders, building owners and managers, organized labor, sheetmetal contractors, plumbing contractors, mechanical engineers, architects, and building inspectors to advise the department on procedures and costs related to implementing the proposed guidelines.

(b) The department shall develop and submit the nonbinding guidelines to the Legislature, and file copies with the Department of General Services and the State Building Standards Commission, by January 1, 1992.

(c) The guidelines developed by the department pursuant to this section shall be nonbinding and voluntary, and shall therefore, be exempt from the procedures for adoption of regulations, including the review and approval by the Office of Administrative Law, pursuant to Chapter 3.5 (commencing with [Section 11340](#)) of Part 1 of Division 3 of the Government Code.

§ 105410. Public intent; protection and enhancement

The Legislature, in view of the findings and declarations specified in [Section 105400](#), declares that the public interest shall be safeguarded by a coordinated, coherent state effort to protect and enhance the indoor environmental quality in residences, public buildings, and offices in the state.

§ 105415. Definition

For the purpose of this chapter, “indoor environmental quality” means the environment inside a residential dwelling, including a house or apartment, or inside a school, office, public building, or other facility to which the general public has access. The term “indoor environmental quality” shall not include industrial working environments.

§ 105420. Coordination of efforts

The department shall coordinate efforts to assess, protect, and enhance indoor environmental quality.

§ 105425. Research, investigations, experiments, demonstrations, surveys, and studies

The department shall conduct and promote the coordination of research, investigations, experiments, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of indoor pollution.

§ 105430. Radon levels in new buildings; assessment and mitigation plans; building permits; cost-effective controls; operative effect of section

(a) If model construction standards and techniques for controlling radon levels within new buildings are developed by the United States Environmental Protection Agency, the State Department of Health Services may adopt the standards and incorporate them into any radon assessment and mitigation plan which may be completed by the department and which becomes operative after January 1, 1990, unless the Department of Housing and Community Development adopts radon mitigation building standards, in which case the State Department of Health Services shall adopt no standards other than the standards adopted by the Department of Housing and Community Development.

Any radon assessment and mitigation plan shall include appropriate measures designed to detect, avoid, or dissipate dangerous levels of radon gas at potential building sites or during construction of new residential buildings in areas affected by radon. Any of those measures shall be appropriately delineated so as to apply only to certain at-risk buildings and geographic areas, and the plan shall specify construction projects, building characteristics, and geographical areas to which the measures apply, to assure ease of compliance and consistency with the findings and assessment of the United States Environmental Protection Agency regarding radon risks. The plan may include reasonable provisions for testing and detection of radon at potential building sites as well as measures to provide for the appropriate radon-dissipating ventilation and insulation of new residential construction consistent with prevailing techniques.

(b) If regulations are adopted by the department to implement any radon assessment and mitigation plan completed by the department after January 1, 1990, no city, county, or other governmental agency may issue a permit to construct any building subject to state department regulation to any applicant who does not first comply with testing or building standards which may be implemented pursuant to this section.

(c) Any building standards which may be adopted pursuant to this section shall become effective as provided by [Section 17958](#).

(d) In developing regulations pursuant to this section, the state department shall consider the methods and techniques which can provide an adequate level of safety at the lowest cost in order to reduce the impact on housing prices.

(e) Subdivisions (a) to (d), inclusive, shall only become operative if federal funds are available to the depart-

ment for the purposes specified in this section, as determined by the department.

OPERATIVE EFFECT

<Subds. (a) to (d) of this section are operative, under subd. (e), only if federal funds are available to the department.>

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