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Maine Indoor Air Quality Council Testimony in Opposition to LD 1877: Resolve to Improve Air Quality and Ventilation in Newly Constructed Schools

The Maine Indoor Air Quality Council (“MIAQC” or the “Council”) is a 501(c)(3) nonprofit organization dedicated to creating healthy, productive, and environmentally sustainable indoor environments in Maine through education, communications, and advocacy. We are a membership organization of diverse professionals who design, construct, operate, maintain, investigate and remediate buildings of all types, including public health and environmental health professionals and practitioners.

Senator Rafferty, Representative Murphy and members of the Joint Standing Committee on Education and Cultural Affairs:

COVID-19 has made us all much more aware of things in the indoor environment that can make us sick. COVID further raised awareness that the primary tool in the IAQ toolbox to both reduce exposures to airborne illness and pollutants indoors and increase student learning and productivity is ventilation. The Maine Indoor Air Quality Council opposes any initiatives that would weaken provisions for the health, safety and productivity of students and staff in school facilities.

Technical Concerns of This Bill and the Rules It Proposes to Amend:

- 1) Application of standards for new school construction (at least for ventilation) is already required by Maine’s Uniform Building & Energy Code (MUBEC), which is established through rulemaking by the Maine Bureau of Building Codes and Standards.
- 2) In researching the underlying rules LD 1877 aims to amend, we uncovered a technical issue within the rules themselves. The relevant rule language reads as follows:

“The school administrative unit will utilize the best-available practice national standards of the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) for inspection, maintenance, ventilation and filtration.”
(note that this language is the same in Chapter 60, 61, and 125)

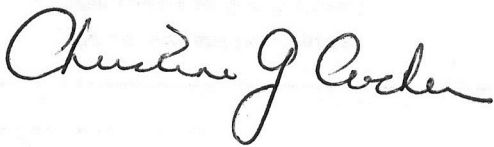
So many questions about this language: what does “best available” mean? Which ASHRAE standards exactly? And which version of which standards? **The lack of clarity in this language makes it so that no school—new or existing—could ever comply.**

Options:

1. Leave the provisions for existing schools in place, but amend this bill to request that the language in the rules for this section be clarified to identify which standards (and which version of which standards) apply to which types of buildings.
2. Refer this rulemaking issue over to the Board of Occupational Safety & Health to resolve, since for a year now they have been working with a team of local, regional, national, and international professionals to set IAQ standards for public buildings (including schools).

The Maine Indoor Air Quality Council can be available for the work session to answer any questions or provide further comment.

Respectfully submitted by:

A handwritten signature in black ink, reading "Christine G. Crocker". The signature is fluid and cursive, with the first name "Christine" being more prominent than the last name "Crocker".

Christine G. Crocker, Executive Director

Maine Indoor Air Quality Council

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