

Readoption Review
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Indiana Department of Health
LSA Document #23-647

Description of Rule:

IC 16-41-37.5 requires the Indiana Department of Health (IDOH) to adopt rules under IC 4-22-2 pertaining to indoor air quality inspection, evaluation, and employee notification program to assist state agencies in improving indoor air quality. The rules ensure that indoor air quality in schools is safe for students and staff in the least restrictive manner possible.

I. Continued Need for the Rule

Yes. One in seven school age children have asthma and need the protection of this rule to reduce asthma attacks and school absences. We continue to receive and investigate complaints for air quality in schools and find schools with indoor air quality problems.

The rule has the minimum requirements for schools to ensure that indoor air quality in schools is safe for students and staff in the least restrictive manner. It does not duplicate, overlap, or conflict with other federal, state, or local laws. The rule is not complex and is easy to comprehend. There is no enforcement mechanism other than issuing notices of violations.

II. Analysis of fees, fines, and civil penalties under IC 4-22-2-19.6

The rule does not include any fees, fines, or civil penalties.

III. Complaints and Comments

The Indiana Department of Health has received limited complaints or comments about schools not having adequate space above drop ceilings to have the required duct returns. The Indiana Department of Health has prepared an interpretation of the rules that has helped schools achieve the best air quality under the circumstances.

IV. Difficulties Encountered

The rule requires ducted returns be used during renovation of school HVAC systems. It has been pointed out that some schools do not have adequate space above the drop ceiling to accomplish this. The department prepared an interpretation of the rule that reduced the impact of this requirement.

V. Changes in Technology, Economic Conditions, or Other Factors

Factors have not changes since the rule was last reviewed.

VI. Revised Regulatory Analysis

The regulatory analysis has not changed since the rule has not changed since last reviewed.