

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the Department of General Services (“DGS”) to conduct assessments to identify environmental risks in all public buildings, to require DGS to develop, in consultation with the Department of Energy and Environment and the Department of Health, publicly available protocols for each assessment, to require DGS to, by September 30, 2017, post information online about the assessments required by this act, and to require DGS to submit 2 reports to the Council, describing its compliance with this act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Healthy Public Buildings Assessment Act of 2016”.

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) “DGS” means the Department of General Services.
- (2) “Hazardous waste” shall have the same meaning as provided in section 3(2) of the District of Columbia Hazardous Waste Management Act of 1977, effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1302(2)).
- (3) “Minimum risk pesticides” means pesticide products listed in 40 C.F.R. § 152.25(f).
- (4) “Organic pesticides” means pesticides including no active ingredients other than those published in the National List at 7 C.F.R. §§ 205.601 and 205.606.
- (5) “Public building” means any building owned by the District of Columbia where people regularly occupy the building, including assembly spaces, places of employment and education, child and adult care facilities, health care centers, foster care facilities, and homeless shelters.
- (6) “Toxic chemical” shall have the same meaning as provided in section 3(6A) of the District of Columbia Hazardous Waste Management Act of 1977, effective March 16, 1978 (D.C. Law 2-64; D.C. Official Code § 8-1302(6A)).

Sec. 3. Assessments of public buildings for environmental risks.

(a) DGS shall assess each public building for, at a minimum, the following to identify environmental risks:

- (1) Indoor air quality;
- (2) Outdoor air quality;
- (3) Ventilation and temperature control;
- (4) Mold or mildew;

- (5) Pests;
- pesticides;
- (6) The use of any pesticides that are not minimum risk pesticides or organic pesticides;
- (7) Toxic chemicals and hazardous waste;
- (8) Asbestos;
- (9) Lead-based paint;
- (10) Lead in drinking water;
- (11) Radon; and
- (12) Carbon monoxide.

(b) For each assessment listed in subsection (a) of this section, DGS shall establish protocols, in coordination with the Department of Energy and Environment and the Department of Health, by which DGS shall conduct the assessments required by subsection (a) of this section. The protocols shall describe, at a minimum:

- (1) The frequency and methods of assessment;
- (2) The threshold levels at which remediation measures shall be taken; and
- (3) The remediation and public disclosure measures that shall be taken when an assessment reveals levels that exceed a threshold level established pursuant to paragraph (2) of this subsection.

(c) Protocols already in existence for an assessment described in subsection (a) of this section may serve as the protocol for the relevant assessment under subsection (b) of this section if the protocol meets the requirements of subsection (b) of this section.

(d) DGS shall make available online:

- (1) The protocols established pursuant to subsection (b) of this section, including any updates to the protocols;
 - (2) By September 30, 2017, user-friendly information about the assessments described in subsection (a) of this section for each public building, including:
 - (A) If an assessment found an exceedance of a threshold established under subsection (b) of this section, a brief explanation of plans for remediation;
 - (B) Whether DGS is complying with the protocols for each assessment;
- and
- (C) If DGS is not complying with a protocol for an assessment, a brief explanation of its plans to come into compliance with the protocols.

(e)(1) By September 30, 2017, DGS shall submit a report to the Council describing its compliance with this act.

(2) By September 30, 2018, DGS shall submit another report to the Council describing its compliance with this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia