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## Capital Budget Committee

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### HB 2412

**Brief Description:** Creating the buy clean Washington act.

**Sponsors:** Representatives Doglio, DeBolt, Macri and Ormsby.

#### Brief Summary of Bill

- Requires maximum acceptable global warming potential for eligible materials used in a capital budget funded construction project.
- Requires public owners construction projects to require a successful bidder on a construction project to provide an environmental product declaration for eligible materials.
- Requires public owners to include in material specifications a global warming potential for eligible materials.

**Hearing Date:** 1/12/18

**Staff:** Steve Masse (786-7115).

#### **Background:**

##### Public Works Projects.

Public works projects include construction, renovation, remodeling, and repair, other than maintenance, of real property at the cost of the state or a municipality. The capital budget provides direct appropriations and grants to state agencies, other governmental entities, and nonprofit organizations for public works projects. Those projects consist of labor and materials to complete. Typical materials may include concrete, steel, and other materials. Most public works projects are procured using the design-bid-build procedure when a governmental entity selects an architectural engineering firm to develop drawings and specifications for the project, then the construction contract is awarded to the lowest responsible bidder. The contractor is required to follow the specifications and drawings and may use whatever means to do so as long as the materials meet the specifications. Generally, contractors will seek out the least costly

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materials that meet that specification. Project owners often provide third-party testing services to ensure the specifications of the materials are met.

### Global Warming Potential

The Global Warming Potential (GWP) compares the global warming impacts of different gases. It measures how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of carbon dioxide (CO<sub>2</sub>). The larger the GWP, the more a given gas warms the Earth compared to CO<sub>2</sub> over that time period. The time period usually used for GWPs is 100 years. GWPs provide a common unit of measure, which allows emissions estimates of different gases to be added up.

Greenhouse gases are those that absorb and emit infrared radiation in the wavelength range emitted by Earth. In order, the most abundant greenhouse gases in Earth's atmosphere are:

- Water vapor (H<sub>2</sub>O);
- Carbon dioxide (CO<sub>2</sub>);
- Methane (CH<sub>4</sub>);
- Nitrous oxide (N<sub>2</sub>O);
- Ozone (O<sub>3</sub>);
- Chlorofluorocarbons (CFCs); and
- Hydrofluorocarbons (incl. HCFCs and HFCs).

### Environmental Product Declaration

An Environmental Product Declaration (EPD) is an objective report providing what a product is made of and how it impacts the environment, including the manufacturing impacts, transportation impacts, and construction impacts. EPDs are created according to internationally recognized standards and are third-party verified. There are no restrictions regarding what products can have EPDs as there are no criteria on environmental performance that must be met. EPDs work for both goods and services and companies all sizes have registered EPDs.

### **Summary of Bill:**

For projects funded by the capital budget, over five thousand square feet, or a renovation project that is greater than fifty percent of the assessed value of the building, the Department of Enterprise Services must establish and publish the maximum acceptable global warming potential for each category of eligible materials. The maximum acceptable global warming potential must be expressed as a number for each eligible material category.

Governmental agencies that award public works construction projects with funds from the state capital budget must require the successful bidder to submit a facility-specific environmental product declaration, or similarly acceptable document, for each eligible material category to be used on the project. The governmental agencies must also include in the project specifications that the facility specific global warming potential for any eligible material category does not exceed the maximum acceptable global warming potential.

Eligible material categories include:

- carbon steel rebar;
- flat glass;
- mineral wool board insulation;

- structural steel;
- cement;
- structural timber;
- solar panels;
- refrigerants in new equipment;
- aluminum;
- gypsum; and
- concrete.

**Appropriation:** None.

**Fiscal Note:** Requested on January 8, 2018.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.