



# Washington State Legislature

December 23, 2024

TO: Members of the WA State Building Code Council

**SUBJECT: 24-GP1-118-R4: IBC New Appendix Embodied Greenhouse Gas Emission Report and Reduction**

As you probably know, 2ESB 1282, adopted by the Legislature in 2024, requires firms selected by state agencies and institutions of higher education for large construction or building renovation contracts to report environmental product declarations (EPDs), health product declarations, working conditions, and other data. The bill also directs the Department of Commerce to continue its development of a public database for reported data and, importantly, establishes a technical work group to guide this examination.

The work group, which just convened, is directed under the bill to identify opportunities and barriers for using and producing low-carbon materials, promote high labor standards in manufacturing, and preserve and expand low carbon material manufacturing in Washington. A statement of intent was included in the bill indicating that the Commerce intends to form subgroups with members who have subject matter expertise or industry experience to develop technical information, recommendations, and analysis. The work group must submit two reports to the Legislature and Governor – one in 2025 and one in 2026. Moreover, Commerce is given the authority to update reporting standards and requirements based on input from the work group and must provide updated guidance on reporting standards by January 1, 2027.

The SBCC is currently considering adopting an appendix to the state building code (24-GP1-118-R4) without the benefit of and in contradiction to the 2ESB 1282 process. Given that the Legislature has strongly and directly weighed in how EPDs will and should be developed for Washington, we believe the SBCC's of moving 24-GP1-118-R4 forward is misplaced and preempts the Legislature's clear direction, process and policy creation for use of EPDs in Washington.

For industry to survive these proposed code changes, they have consistently asked for four edits:

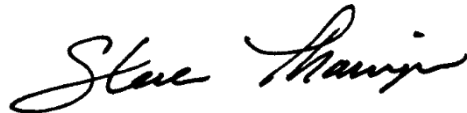
- Include language for an offramp clause if materials are not available or there is a lack of materials meeting specs for safety or performance.
- Remove the mechanism in the code that ratchets down the GWP values over time.
- Remove the 100% & 120% GWP values. 175% is consistent with what Cal Green has done.
- Limit application to the HB 1282 scope. HB 1282 is only applicable to an "Awarding Authority" which is defined as a higher education institute, several state departments and other state agencies that receive funding.

Given that these edits have not been accepted, we seek your support in not moving 24-GP1-118-R4 forward. The Legislature is invested in assisting the industry in establishing what we believe to be a meaningful and progressive embodied carbon policy through 2ESB 1282, which will be based on data that has been vetted by industry and experts. This will then inform the adoption of appropriate policy that has been well evaluated and is wholly understood – both from a policy and on the ground usage perspectives.

It is our position that the Building Code is not the place to run experimental building codes and standards, and we take the position that the State Building Code is where health and safety should be paramount.

Please do not continue any consideration of 24-GP1-118-R4 currently before the State Building Code and allow for the process that was put in place with 2ESB 1282 to do its work.

Thank you,

A handwritten signature in black ink, appearing to read "Steve Tharinger". The script is fluid and cursive.

Representative Steve Tharinger

A handwritten signature in black ink, appearing to be a stylized "PA" or similar initials. The script is bold and somewhat abstract.

Representative Peter Abbarno