

**RCW 39.116.050 Technical work group. (Expires January 1, 2028.)**

(1) By December 1, 2024, the department must convene a technical work group that includes the following representatives:

- (a) One industry professional in design, one industry professional in structural design, one industry professional in specification, and one industry professional in construction who are recommended by leading associations of Washington business;
- (b) Two representatives each from Washington manufacturers of:
  - (i) Steel;
  - (ii) Wood; and
  - (iii) Concrete;
- (c) A representative from the department of enterprise services;
- (d) A representative from the department of transportation;
- (e) A representative from the department of ecology;
- (f) One representative each from three environmental groups that focus on embodied carbon and climate change;
- (g) Three representatives from labor unions, including two from unions that represent manufacturing workers and one representative from the building and construction trades;
- (h) A representative from the minority and women-owned business community;
- (i) A representative from the University of Washington college of built environments; and
- (j) Representatives of other agencies and independent experts as necessary to meet the objectives of the technical work group as described in this section.

(2) The department intends formation of subgroups with members who have subject matter expertise or industry experience to develop technical information, recommendations, and analysis specific to individual material types, and the feasibility of supply chain specific environmental product declarations. The recommendations must, where possible, align with state and national principles and laws for environmental product declaration development.

(3) The department may contract with the University of Washington college of built environments in convening the technical work group.

(4) The purpose of the technical work group is to identify opportunities for and barriers to growth of the use and production of low carbon materials, promote high labor standards in manufacturing, and preserve and expand low carbon materials manufacturing in Washington.

(5) By September 1, 2025, the technical work group must submit a report to the legislature and the governor that includes:

(a) A low carbon materials manufacturing plan that recommends policies to preserve and grow the in-state manufacturing of low carbon materials and accelerate industrial decarbonization. For this plan, the technical work group must:

(i) Examine barriers and opportunities to maintain and grow a robust in-state supply of low carbon building materials including, but not limited to, state and domestic supply of raw materials and other supply chain challenges, regulatory barriers, competitiveness of local and domestic manufacturers, cost, and data availability from local, state, national, and foreign product suppliers; and

(ii) Identify opportunities to encourage the continued conversion to lower carbon cements, including the use of performance-based specifications and allowing Type 1-L cement in specifications for public projects;

(b) Recommendations for consistent treatment in the reporting for covered products; and

(c) Consideration of how additional information relevant to reducing embodied carbon through strategies including, but not limited to, product life-cycle assessments could be incorporated into future reporting.

(6) (a) By September 1, 2026, the technical work group must submit a report on policy recommendations, including any statutory changes needed, to the legislature and the governor. The report must consider policies to expand the use and production of low carbon materials, preserve and expand low carbon materials manufacturing in Washington, including opportunities to encourage continued conversion to lower carbon blended cements in public projects, and support living wage manufacturing jobs.

(b) For this report, the technical work group must:

(i) Summarize data collected pursuant to RCW 39.116.020, the case study analysis funded by the 2021-2023 omnibus operating appropriations act, and the pilot projects funded by the 2021-2023 omnibus capital appropriations act. The summary must include product quantities, global warming potential, health product declarations, supplier codes of conduct, and any obstacles to the implementation of this chapter;

(ii) Evaluate options for collecting reported working condition information from product suppliers, including hourly wages, employee benefits, and total case incident rates, and for aligning these reporting requirements with existing reporting requirements for preferential tax rates, credits, exemptions, and deferrals;

(iii) Make recommendations for improving environmental production declaration data quality including, but not limited to, integrating reporting on variability in facility, product, and upstream data for key processes;

(iv) Make recommendations for consideration of scope 2 greenhouse gas emissions mitigation through green power purchases, such as energy attribute certificates and power purchase agreements;

(v) Make recommendations, if any, for changing or clarifying the definition of "actual production facilities" in RCW 39.116.010 to better define and refine reporting and compliance obligations under chapter 39.116 RCW;

(vi) Identify barriers and opportunities to the effective use of the database maintained under RCW 39.116.040 and the data collected pursuant to this chapter;

(vii) Identify emerging and foreseeable trends in local, state, federal, and private policy on embodied carbon and the procurement and use of low carbon materials and opportunities to promote consistency across public and private embodied carbon and low carbon materials policies, rules, and regulations; and

(viii) Recommend approaches to designing lower embodied carbon state building projects.

(7) (a) The department may update reporting standards and requirements based on input from the technical work group.

(b) The department must provide updated guidance on reporting standards by January 1, 2027.

(8) This section expires January 1, 2028. [2024 c 344 s 6.]