

**Minutes** (tentative as of 8-22-18)  
**GBI Consensus Body Meeting #37**  
**BSR/GBI 01-201X**  
**Webinar**

**Attendance:**

No	Name	Organization(s)	1-30-18	4/27/18	5/10/18	6/19/18	8/8/19
1	Gregg Bergmiller	S/L/A/M Collaborative	X	X	X (by proxy)	X	X
2	Paul Bertram	PRB Connect	X (by proxy)	X	X	X	X
3	Allan Bilka	International Code Council	X	X	X	X	Absent
4	Jeff Bradley	American Wood Council	X	X	X	X	Absent
5	William Carroll	American Chemistry Council	X	Absent	X (by proxy)	Absent	Absent
6	John Cross	American Institute of Steel Construction	Absent	X	X	Absent	X
7	Mike Cudahy	Plastic Pipe and Fittings, Association	X	X	X	X	X
8	Chris Dixon	NBBJ (rep. self)	X	X	X	X	X
9	Nicole Dovel-Moore	CTA Architects Engineers	Absent	X	(by alternate)	Absent	X
10	David Eldridge	Grumman/Butkus Assoc.	X	Absent	X (by proxy)	Absent	X
11	William Freeman	Resilient Floor Covering Institute	X	X	X (by proxy)	Absent	Absent
12	Susan Gitlin	U.S. EPA	X	X	Absent	X	X
13	Don Horn	GSA	X	X	X	X	X
14	Josh Jacobs	UL Environment	X	X	X	X	X
15	Greg Johnson	Johnson Consulting Services, Greenscape Alliance	X	X	X	X	X (By proxy)

16	Rachel Minnery	AIA	X	absent	absent	X	X
17	Charles Kibert	University of Florida	X	X	X (Serving as chair nonvoting member)	Absent	X
18	Gary Keclik	Keclik Associates	X	absent	Absent	X	Absent
19	Thomas Pape	Alliance for Water Efficiency	X	X	X	X	X
20	Tien Peng	National Ready Mix Concrete Assn.	X	X	X	X (by proxy for first half hour)	Absent
21	Jane Rohde	JSR Assoc. Inc., Vinyl Institute	X	X (by proxy)	X	X	X
22	Gord Shymko	G.F. Shymko & Associates, Inc.	X	X	X	X (by proxy)	X
23	Kent Sovocool	Southern Nevada Water Authority	X	Absent	X	X	X
24	Steve Strawn	JELD-WEN	Absent	Absent	Absent	Absent	Absent
25	George Thompson	Chemical Compliance Systems, Inc.	X (by proxy)	X	X	X	X
26	Angela Tin	American Lung Assn.	Absent	X	X	X	X
27	Douglas Tucker	Misubishi Electric Cooling & Heating	X	X	Absent	Absent	X
	Abby Brokaw	American Lung Assn. (voting Alternate for Angela Tin)					
	Ashleigh Powell	CTA Architects Engineers			X		
	Paul Karrer	AIA (Alternate for Rachel Minnery)					

	Bill Hoffman	UL Environment (Voting Alternate for Josh Jacobs)					
	Lance Davis	GSA (Voting Alternate for Don Horn)					
	D'Lane Wisner	D'Lane Wisner (Voting Alternate for William Carroll)					
TOTALS			20/27	19/27	20/27	19/27	20/27
	Martha VanGeem	Self (Principal Engineer)	X	X	X	X	
	Ric Doedens	Logison		X			
	Richard Willis	NAPA					
	Kyle Thompson	IAPMO					
	Michael Jouaneh	Lutron Electronics Co., Inc.			X		
	Christine Subasic	Self				X	
	Barbara Clarke	JL Architects	X				
	Brent Mecham	Irrigation Association	X				
	Dave Panning	BIFMA	X	X	X		
	Emily Lorenz						X
	Niklas Moeller	LogiSon					
	Michael Lehman	Chair	X	X	Absent	X	X
	Vicki Worden	Executive Director, GBI					
	Micah Thomas	Staff, GBI	X	X	X	X	X

	Sara Rademacher	Staff, GBI	X	X	X	X	X
	Maria Woodbury	Secretariat, GBI	X	X	X	X	X
	Kim Goldsworthy	Roberts-Rules Consulting	X	X	X	X	X

### **August 8, 2018**

#### **Welcome & Roll Call**

Secretariat, Maria Woodbury welcomed participants and conducted roll call to establish quorum. The anti-trust statement and code of conduct were reviewed, and participants were requested to comply with both fully. There were no changes to the membership roster since the last meeting. The meeting was recorded for purpose of preparing minutes. No objects or concerns were raised.

Woodbury reminded members that all are welcome to participate in the discussion. Only Consensus Body members can make motions or vote on motions.

#### **Administrative Items**

Chair Michael Lehman made his opening comments, thanking everyone for their time and expertise. Lehman provided an overview of the agenda for the day and reminded members that discussion will be lead in the order. He recommended that participants focus on the topic at hand. The chair provided an overview of the agenda for the meeting.

Consensus Body Meeting #36 Minutes were approved by consent with no objections or edits.

### **First Round Objections**

#### **43-26. Substantive. Section 10.4.1.1**

**Comment:** Modify as follows:

Product Sustainable Attribute Material =

Pre-consumer recycled content

+

Post-consumer recycled content

+

Biobased content

+

Third Party Sustainable Forestry Certification

+

Regional content (extracted within 1500 miles if transported via water and 500 miles if transported via land)

**Reason:** Three reasons to support the addition of regional content:

- Reduces impacts due to transportation
- Stimulates regional/national economy
- Increases the likelihood, for a U.S. standard, that the material will be produced under the Clean Air and Water Act (pollution controls)

**Objection:** Disagree with rejection and reasoning. Regional content is just as significant as the other single attribute criteria and should be included. Three significant reasons to support the addition of regional content:

- Reduces impacts due to transportation
- Stimulates regional/national economy
- Increases the likelihood, for a U.S. standard, that the material will be produced under the Clean Air and Water Act (pollution controls)

If this comment is not accepted then the section 10.4.1.1 should be deleted because it is incomplete. Single attribute criteria have known shortcomings and are no longer used in LEED.

**Action or Inaction at Issue:** Comment should be accepted or section 10.4.1.1 should be deleted. See above. After discussions with materials subcommittee, the appropriate modification would be (additional changes shown in double underline): + Regional content (extracted/harvested/recovered or manufactured within 1500 miles if transported via water or 500 miles if transported via land)

**Status:** Unresolved

**Recommended Response:** Thank you for your comment. Your comment has been rejected. While the Consensus Body appreciates your input, your proposed change was not implemented in draft Standard for the stated reason: there is not objective proof or research that indicates that this provides an improved outcome by way of reduced impacts for a project. Counter arguments from prior discussion and consensus on this topic include concerns that if, for example the most efficient products are from other countries it does not represent an improvement in efficiency to opt for a less efficient product because it is extracted and produced within a 500 mile radius.

**MOTION: The Motion was made and seconded to accept the proposed response.**

The Secretariat clarified that both items on the agenda are unresolved objections to first round public comment responses. The Consensus Body has not voted on a response to these two unresolved objections which is required by GBI procedures.

**Discussion took place on the motion:**

- A participant stated that we have discussed this technical issue at length. There was no new information provided to merit changing the response.
- The question was raised regarding what is meant by efficiency being referred to here. An example was provided in response. That you could buy an AC system in US or one from Japan that is far more efficient resulting in long term energy savings over the life cycle of the system.
- Agreement was expressed that the language “most efficient product” is too vague. However disagreement was expressed with this response. If for example, there are two

AC units that are equal in terms of efficiency but one is made locally and the other is made in Japan, the Standard would recommend both equally.

- Another speaker appreciated the previous statement adding that we are trying to base this Standard on science not speculation. It's not a matter of allowing efficiency products. Without a compelling argument that showed that this is a better approach it should not be included.
- A speaker in opposition to the motion stated that if you have a far superior product you want to look at that product. If you're balancing a series of considerations, you'll go with the far superior efficient product. The purpose of this Standard is to get people to consider other things, "Also think about this particular issue – e.g. transportation emissions associated with that product."
- Speaking in favor of the original comment, it was stated that in the same line of thinking, some recycled products might have negative air emissions. The proposed language is not a mandate that all products must come from a specific distance. Simple math can calculate the mileage and emissions of transportation to the site.
- In agreement with the previous speaker but in opposition to including the proposed language, it was added that weight of the products being transported should be considered as well – in addition to the type of transportation used. There wasn't any scientific evidence or data provided in the objection to include the transportation emissions. There wasn't anything offered that could quantify this.
- Another speaker stated that if this issue comes up again in continuous maintenance with data provided quantifying the impact of regional content, including use of other types of transportation such as rail and other options it should be considered for inclusion.

**VOTE: The Motion carried with 10 in favor, 5 opposed and 3 abstained.**

Opposed: Don Horn, John Cross, Rachel Minnery, Susan Gitlin, and Nicole Dovel-Moore

Abstain: Josh Jacobs, Kent Sovocool, and Gregg Bergmiller

### **52-42.Substantive. Section 10**

**Comment:** Green building standards should incentivize product manufacturers to assess chemicals in their products.

Possible Sample Language for a Complete Chemical Assessment is presented below:

Credit shall be given for the specification and installation of products in the following building product categories - paints, coatings, adhesives, sealants, elastomers, binders, spray and extruded polyurethane, polyisocyanurate, and polystyrene foams, pressed wood, plywood, and wallboard – that have undergone a complete chemical assessment as follows:

All chemical constituents intentionally added, to the extent known or reasonably ascertainable, in the manufacture of a product shall undergo assessment, using one of the following screening-level hazard assessment tools (#1-4) and/or framework (#5) to consider the availability and use of safer alternatives:

1. EPA's Sustainable Futures tool suite

2. EPA's Safer Choice (formerly known as Design for the Environment or DfE) Program

Standard and Criteria for Safer Chemical Ingredients 3. GreenScreen® for Safer Chemicals

#### 4. SUBSPORT Restricted and Priority Substances Database

#### 5. BizNGO's Chemical Alternatives Assessment Protocol

Please note: a different, yet equivalently robust hazard assessment strategy using recognized and reliable data sources as identified by other parties during vetting of standard's criteria may also be acceptable to the tools listed above.

**Reason:** EPA acknowledges that the feasibility of a complete chemical assessment, and the specific tool to be used, will greatly depend on the product being assessed. As with the disclosure of a product's chemical inventory, chemical assessments should follow similar principles:

- The chemical assessment should be as complete and comprehensive as possible, covering all chemicals, whether used intentionally or otherwise known to be present, in all life cycle stages of the product.
- In cases where it is not feasible to conduct a complete assessment, the assessment should cover chemical life cycle stages thought to present the greatest hazards/exposures to workers, consumers, the general population, and environmental species.

**Objection:** The CB's response is inconsistent with GBI's claim of supporting sustainability.

**Action or Inaction at Issue:** The CB's reason for rejecting this comment was the following: "The suggestion is to orient the Standard towards a hazard based approach that does not include the use or exposure of potential of the product or its constituents. The Consensus Body has chosen to take a risk based approach that includes both conditions of usage and exposure potential."

In response, we note that risk assessment and hazard assessment are both useful tools that help EPA fulfill its human and environmental health protection mission. EPA uses risk assessment in a regulatory setting to manage chemical risks by setting levels at which exposure to a given chemical poses an acceptable risk. Risk assessment is, in effect, a regulatory floor. In voluntary programs that aim to encourage environmental leadership and improved environmental performance, as the Green Building Initiative and its Green Globes claim to strive for, hazard assessment should be used to identify the safest chemicals that can satisfy a functional need. EPA believes this higher bar (e.g., not allowing carcinogens, developmental and reproductive toxicants, or persistent and bioaccumulative chemicals) is appropriate for recognizing top performers in chemical safety. This approach would allow GBI to incentivize use of the safest products available, promote innovation, and help project teams identify safer products.

Factors like hazard are generally part of the intrinsic nature of the product, process, or system, while exposure is generally part of the circumstantial or conditional state of a product, product or system. Risk is most often managed by changing the circumstances or conditions that lead to exposure. The problem is that those circumstantial "fixes" are prone to failure and when they fail, the risk (as a probability function) goes to its maximum because the underlying hazard has not been addressed. Reduction in the hazard therefore offers a better path toward sustainable products, processes and systems.

The CB's response is inconsistent with GBI's claims to support environmental leadership and it apparently fails to consider the environmental and health benefits of rewarding builders for an increased focus on hazard assessment.

**Status:** Unresolved

**Discussion took place before the motion:**

The Chair provided an overview of the comment, the objection, and the lack of a proposed response. The Consensus Body is procedurally required to provide a response to the objector. The Consensus Body will need to discuss and draft a response.

**MOTION: The motion was made and seconded to take language from original response “The Consensus Body has chosen to take a risk based approach that includes both conditions of usage and exposure potential.”**

**Discussion took place on the motion:**

- A Consensus Body member speaking against a risk-based only approach stated they agree the Subcommittee and Consensus Body have consistently voted in favor of that approach. The language in the response needs to be changed to better reflect that.
- The person who made the motion clarified that the language pasted from above included more than what was intended in the motion and asked that the first sentence in the proposed response be struck, as this was the intent of the motion. The editorial error was corrected, and the sentence was struck through on screen.
- Another participant stated that the response needs to be expanded. First, we need to establish that the proposed language is hazard based. Then the response should state that the Consensus Body has chosen to go with a risk based approach. A proposed amendment to the response is to add “the proposed revision is a hazard based approach” just before the first sentence.

**AMENDMENT: The amendment was made and seconded to add “The proposed revision is a hazard based approach”**

No objections

**Discussion took place on the amended motion:**

- The commenter was on the call and stated the original comment asked that builders do chemical assessments of products used. The suggested approach encourages people to look at the content of products used. Risks are a regulatory floor, but if the Standard can encourage minimizing intrinsic hazard of a product it creates a safer environment for the occupants of these buildings. That’s what is meant by that comment about “supporting sustainability,” because the Standard is looking at the floor (risk) and not also the hazard. The response the Consensus Body provided to the first round comment doesn’t make sense because hazard is a component of risk. The comment and objection are trying to encourage chemical assessments.
- Another participant stated that the last comment is right but not exactly right. It’s possible that exposure can happen during the manufacturing process, but not afterwards. Many items are no longer hazards in their final state. This is a very complicated topic and always has been. Risk assessment requires that you take chemical inventory as part of risk assessment, so that is already there. Risk assessment is a much more comprehensive assessment than just focusing on chemical content or chemical hazards.
- Putting a more everyday spin on the issue, multiple tools in the comment would say that a pane of glass is poisonous because of the chemical components used to make it. But in everyday use, the chemical never gets to the end user.



**VOTE ON AMENDED MOTION: The Motion carried with 15 in favor, 4 opposed, and 1 abstained.**

Opposed: Don Horn, Susan Gitlin Thomas Pape, Kent Sovocool

Abstained: Josh Jacobs

**MOTION: The motion was made and seconded to adjourn. There were no objections.**

**---Meeting adjourned 2:57 pm ET---**