

## The Buy Clean California Act

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### Issue

This report summarizes the 2017 Buy Clean California Act.

### The Buy Clean California Act

Enacted in October 2017, California's Buy Clean California Act ([Assembly Bill 262](#)) requires the state's Department of General Services, by January 1, 2019, to establish a maximum acceptable global warming potential for certain "eligible materials" (carbon steel rebar, flat glass, mineral wool board insulation, and structural steel). This figure must be (1) the industry average of facility-specific global warming potential emissions for each material, as determined by consulting nationally or internationally recognized databases of environmental product declarations; (2) expressed as a number that states the maximum acceptable facility-specific global warming potential for each type of material; and (3) published in the State Contracting Manual.

#### *Global Warming Potential*

According to the U.S. [Environmental Protection Agency](#), "global warming potential" is a figure developed to allow comparisons of the global warming impacts of different gases. More specifically, it measures how much energy the emissions of one ton of a gas will absorb over a given period, relative to the emissions of one ton of carbon dioxide.

By January 1, 2019, the department must submit a report to the state legislature describing the method used to develop the figure. The department must review the figure at least once every three years, starting by January 1, 2022, and may adjust it downward to reflect industry improvements. By January 1, 2022, the department must also report to the legislature on any obstacles to implementing the act's requirements and the act's effectiveness at reducing global warming potential.

Starting with contracts entered into on or after July 1, 2019, the act requires the bid specifications of “awarding authorities” (state agencies and higher education institutions awarding certain contracts for public works projects) to state that the facility-specific global warming potential for any of the eligible materials used on the project cannot exceed the applicable level set by the Department of General Services, or an even lower threshold set by the awarding authority.

Under the act, an awarding authority must require the winning bidder to submit a current facility-specific Environmental Product Declaration, Type III, as defined by the International Organization for Standardization (ISO) standard 14025, or a similar statement, for each eligible material to be used in the project. The bidder cannot install the eligible material on the project until it submits the declaration. The act also requires awarding authorities to strive to continuously reduce emissions over time.

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