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SENATE BILL NO. 272

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 25, 2022)

(Patron Prior to Substitute—Senator Hashmi)

A BILL to review and recommend policies related to the climate impact of concrete.

Be it enacted by the General Assembly of Virginia:

1. § 1. A. The Department of General Services (DGS) shall convene a stakeholder work group (Work Group) to review the climate impact of concrete and recommend policies and practices to incentivize the reduction of air emission impact of the production of concrete procured by agencies of the Commonwealth for Commonwealth-funded projects.

B. The Work Group shall be selected by the Director of DGS and shall consist of at the following: two licensed professional engineers, two licensed registered architects, one representative of the construction industry, one representative of the concrete producer industry, one representative of the concrete testing and validation industry, one representative of an accredited school of civil engineering, two representatives of environmental non-governmental organizations, one representative of the Department of Transportation, one representative of DGS, and one representative of DEQ.

C. The Work Group shall consult with any relevant associations that set industry standards for the procurement of low carbon concrete and shall consult with affected contractors and subcontractors to consider the air emissions and related impacts, as well as the health and safety impacts, of concrete.

D. The Work Group shall consider:

1. The use of environmental product declarations to measure the climate impact of concrete procured by agencies of the Commonwealth;

2. The use of performance incentives to encourage the adoption of low carbon materials and methods by concrete manufacturers that provide concrete for Commonwealth-funded projects;

3. The establishment of an expedited product evaluation, testing, and approval protocol for low carbon concrete projects; and

4. The implementation of performance-based specification standards for concrete, including requirements that a structural material achieve specified performance based outcomes from the use of the structural material, such as outcomes related to material, strength, durability, permeability, and other attributes related to the function of the building material for the applied uses, as opposed to requiring that a structural material be produced using a specified manufacturing process, design feature, technology, or proportion of materials. The Advisory Group shall examine the use of methods of compliance, including maximum cement content specifications and specifications based on maximum potential for global warming.

E. The Work Group and DGS shall allow for the submission of public comments to the Work Group, and shall report its findings, including any public comments received, and recommendations to the Governor and the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources no later than November 1, 2023.