



California Construction and Industrial Materials Association

December. 8, 2025

Hanjiro Ambrose
CA Air Resources Board
1001 I Street
Sacramento, CA 95812

Re: Covered Building Materials Reporting concepts

Dear Hanjiro Ambrose:

Thank you for taking the time to speak with CALCIMA members at our Education Conference. They greatly appreciated you taking the time to discuss the regulatory concepts.

We would also like to acknowledge aspects of the concepts that address suggestions made in earlier comments, including utilization of environmental product declarations (EPD) and limiting reporting to annually rather than quarterly for the “covered building materials” aspect. Also, we appreciate the inclusion of the whole building life cycle assessment method (WBLCA), consideration of wildfire risk data, and assessing potential tradeoffs in embodied and operational emissions in the “covered projects” aspect.

In general, too, we would continue to encourage reporting and processes that facilitate reporting and utilize existing mechanisms as much as possible. We highly recommend solutions that operate within the existing framework for how embodied carbon and materials choices are designed, selected, and procured through codes, specifications, and the construction chain of owners, contractors, designers, and suppliers. We will continue to encourage that the final strategy recognizes advances made in lowering the carbon of materials prior to baseline periods.

We must stress the variability and regionality of materials and products such as aggregates, concrete, and asphalt. The input of rock, sand, cement, binder, alternative materials and additives into concrete and asphalt can vary by region and distance relative to the project. There is also the variability of product use and application, which can vary depending on structural and environmental attributes sought.

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Below are comments on specific questions posed at the October 30 workshop.

1. *Are there ways that we could structure our tools so that data can be submitted more easily?*

Environmental Product Declaration (EPD) Criteria

Although we appreciate the retention and utilization of EPDs through the Method 1 pathway, there is concern regarding the modified requirements, which appear to be outside those defined by the International Organization for Standardization (ISO) Standard 14025. In particular, there is concern about basing EPDs on a 2-year data set, since this may be difficult to achieve in the short term, and even by 2030. The current Product Category Rules (PCR) for materials have a five-year duration, and updates and modifications to PCRs can themselves be a lengthy process. In the case of concrete, a new PCR is about to be released, which has been a considerable effort. Furthermore, PCRs are created through a collaborative process by experts and specialists in life cycle assessment (LCA) from academia, non-governmental organizations, and producers. This includes guidelines on how to create quality data, and it is unclear if a two-year cycle would meet those quality standards. In view of there being a collaborative and established process to update PCRs that apply universally, changes to the criteria should not be made outside that process or particular to California only.

And, once a PCR is published, there is a certain amount of time required for producers to update EPDs, since EPDs also have a 5-year life. So, while the two-year data goal may be a good idea for obtaining a more current embodied carbon values, there may be some practical considerations in achieving the criteria suggested.

It is also important to recognize that PCRs have a self-correcting mechanism, whereby producers are required to update, or refresh, their EPDs as they have new data available. Thus, EPDs are not static; they have a mechanism to update when appropriate.

In sum, there is an entire infrastructure nationally and internationally governing development of EPDs, which have become a universal mechanism in many jurisdictions. We urge CARB to maintain the current process of updating and 5-year validity of EPDs.

Cost, Price, and Revenue Data

A major concern is the proposed input of cost, price, and revenue data in the reporting concepts. While we understand there is provision in statute to address "cost-impact," we see no requirement in the Health and Safety Code section 38561.3 to report granular cost, price, and revenue data by material producers. This is particularly a concern since cost and revenue data can be difficult to parse out given that certain materials, such as concrete and asphalt, can have numerous mix designs, and each

varying by type of projects, specifications and codes, changing inputs, products, customers, end uses, and daily and seasonal business fluctuations.

Cost and price data is also highly sensitive in business sectors with many competitors operating within a regional market. Submitting financial data could expose risks in aggregates, concrete, and asphalt manufacture where there is already heightened anti-trust focus.

Furthermore, the best way to consider costs is in the overall cost of a project. Beyond the manufacture of the material, there remains much variability depending on transportation to the site, weather, time for placing and curing of the materials, labor, and delays in construction timelines.

There may also be considerable construction cost data available to CARB from other state agencies, since the state is a significant builder. This data may be available from Caltrans, Division of State Architect, Department of General Services, Housing and Community Development Agency, Office of Statewide Health Planning and Development, and the Department of Water Resources.

Recommendations:

- We assert there is not a requirement in the statute to collect cost, price, and revenue data.
- We recommend that "cost impact" be viewed in the broad sense provided in Health & Safety Code section 38561.3 (f)(2)(A), where it is defined as "...a significant overall material or operational cost increase or schedule delay..."
- We also recommend state agency data sources be explored for construction costs.

Reporting Mechanism

We support having both options for reporting. But, whether using Method 1 (EPD reporting) or Method 2 (facility specific data), there is concern that reporting per mix or product reporting will be difficult given the large number of mix designs, the large number of plants, data integration, and confidentiality of business data.

In particular, the data CARB is requesting on production, revenue, and cost from each plant per product mix is separate within companies from the generation of EPDs. In other words, company business and financial systems are separate from the third-party consultants that companies hire to generate EPDs. So, at this point, it is extremely difficult to reconcile these separate operations, particularly when trying to assess multiple plants, products, and mixes.

Recommendation:

- We recommend that CARB instead utilize facility-specific average EPD data in Module I or facility-specific annual data in Module II. This is preferred since it could be achieved more easily from current reporting requirements that add up total material throughput and total sales volume. In some instances, this mean data is reported to U.S. EPA's Toxics Release Inventory (TRI). In addition, the data could more easily be utilized by the current EPD consultants to assign a facility-specific average EPD. Combined with volume of materials produced or sold, companies could more easily establish an embodied carbon per plant per year. In sum, we recommend companies be allowed to report their total annual production and represent the embodied carbon by using the facility specific average EPD, or equivalent annual facility data.

We believe this will streamline reporting, reduce economic burden, protect proprietary financial data, and still provide CARB the relevant information to assess the progress on lower embodied carbon. This is because averages should decrease overtime as new materials, processes, or increased recycling, lower each facility's average EPD. We would also ask that CARB consider making this an on-going reporting mechanism.

6. Are there specific concerns with phasing out Method 2 reporting for 2030 reported data?

In the context that not all producers or materials having EPDs, that it may take a while to update PCRs and EPDs to the proposed criteria, and that Method 2 may offer a less public means of reporting, we recommend this option be kept open as a permanent option.

8. Are there alternative annual revenue thresholds that should be considered for exemption from reporting for manufacturers or for importers?

Since there are often plants that are used only seasonally or intermittently at projects, CARB may want to consider volume thresholds based on yardage or tonnage. This might more accurately reflect product manufacture and embodied carbon.

9. How much time or monetary cost do you anticipate it will take your organization to complete the reporting requirements as discussed today – for both facility specific data and for EPDs that meet CARB standards? • Do you have additional suggestions for reducing reporting time and/or costs?

While it is difficult to estimate exactly the costs for the reporting as proposed, it can be expected that considerable time and resources would be required if need to get data per mix or product and also to obtain financial data per those mixes

and products and for every plant. If simplified per the recommendation above, the costs will be minimized.

11. Does your organization already report similar or related data for other purposes not discussed today that CARB could build upon or use to meet reporting requirements?

As noted above, the U.S. Toxic Release Inventory (TRI) is applicable to some production facilities. Also, data readily available for EPD consultants may be facilitate embodied carbon calculations, rather than trying to have to incorporate financial data from within companies, and otherwise not available to EPD consultants.

Again, we appreciate the outreach and education on CARB's part, and look forward to continuing dialogue on how best to structure a reporting systems that is workable for producers and informative re embodied carbon.

Sincerely,



Charles L. Rea
Vice President, Policy & Communications