

GG209-14

505.2.5, A105.3

Proponent: Jonathan Humble, AIA, NCARB, LEED AP-BD&C American Iron and Steel Institute, representing the American Iron and Steel Institute (jhumble@steel.org)

Revise as follows:

505.2.5 Indigenous Regional materials. ~~Indigenous-Regional~~ materials or components shall be composed of resources that are recovered, harvested, extracted ~~and or~~ manufactured within a 500 mile (800 km) radius of the building site. Where only a portion of a material or product is recovered, harvested, extracted and manufactured within 500 miles (800 km), only that portion shall be included. Where resources are transported by water or rail, the distance to the building site shall be determined by multiplying the distance that the resources are transported by water or rail by 0.25, and adding that number to the distance transported by means other than water or rail.

A105.3 Material selection project electives. Each of the following shall be considered a separate material selection project elective. The project electives are cumulative and compliance with each item shall be recognized individually.

1. Compliance with this project elective shall require compliance with Section 505.2, except that buildings and structures shall contain used, recycled content, recyclable, bio-based and ~~indigenous-regional~~ materials that comply with Sections 505.1 through 505.2.5 such that the aggregate total materials compliant with those sections constitute at least 70 percent of the total building products and materials used, based on mass, volume or cost, used singularly or in combination.
2. Compliance with Item 1 except that such materials shall be used for at least 85 percent of the total mass, volume or cost of materials in the project.

Reason: We are proposing to change the terminology from "indigenous" to "regional", and we propose to modify the intent by changing from "and" to "or" in the list of resource categories.

Indigenous versus Regional

The term "indigenous" is a term that does not accurately reflect the contents of the provision. When applying the more popular dictionary definitions we find the following definitions for "indigenous":
Merriam-Webster

1. Having originated in an being produced, growing, or living naturally in a particular region or environment
2. Being born or innate

The free dictionary

1. Originating and living or occurring naturally in an area or environment
2. Intrinsic, innate

However, the term "regional" we would stipulate is more appropriate for these provisions as the definition portrays the intent of the mandatory language, as shown below:

Merriam-Webster

1. Affecting a particular region
2. Or, relating to, characteristic of, or serving a region

The Free Dictionary

1. Of or relating to a large geographic region
2. Of or relating to a particular region or district

The Law Dictionary

1. This term refers to a small, geographical area.

Notice that the definition of indigenous does not accurately reflect the intent of this section. By definition it assumes that the components of a product or material are growing or found, manufactured, and processed in a single area or local environment. We view this as too restrictive as it may apply to only a few manufactures of products and thus creates a disparity for any manufacture not within, or who obtains materials that make up that product not within, that area demarcation. Our proposal is to modify the term to regional in order to reflect current and achievable results of products manufactured in a single area, and to recognize that not all components which may go into a product can be generated from that single regional area.

The use of the term indigenous suggests that all product acquisition and manufacturing take place within that demarcated circle, however the utilization of this method is flawed as it does not take into consideration economic and environmental feasibilities. The provision also emphasizes location over quality by illustrating preference to local products only. We feel that this use of the word "indigenous" is too restrictive and not conducive to the overall goal of sustainability in design and construction.

And versus Or

We believe that the application of the term "and" is too stringent in this section. By default, the provision assumes that all regions of the US and beyond contain enough raw and manufactured materials from which to supply the needs of any project within that designated project area (In this case 500 miles). This is not accurate. For example, geologically, we know that each region of the US is different and therefore cannot be expected to supply all the necessary materials for a complete building. Further, from a manufacturing perspective the use of the term "and" favors manufacturers which can operate small plants in a region, and does not favor the moderate or larger manufacturers which operate in specific areas of the continent. We would submit that it would be far more effective to temper the provisions with the use of the term "or" in order to take advantage of the potential of optimization the facilities which can operate effectively and efficiently in terms of production and environment.

Cost Impact: Will not increase the cost of construction

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