

# Colorado Construction

## Feature Story - November 2007

### Guard Against Greenwashing

Teams find ways to ensure green products, services are really green

*By Deb Wood*

Although no data exists to quantify how much greenwashing occurs, designers and contractors have become wary that as green building gains popularity, people or companies trying to jump on the trend will tout more greenness than they deliver.

Concerned about greenwashing, the national architectural firm Gensler, which has multiple U.S. Green Building Council LEED projects under way, is establishing a protocol for specifications and tools that look at performance, says Rives Taylor, director of sustainable design at Gensler in Houston.

"We want to know more about the products, and we never specify one product only," Taylor says. "We will look more and more at performance. The industry is moving that way, with third-party validators."

Betsy del Monte, a principal with Beck in Dallas, also expressed concern with potential greenwashers and encourages people to ask for details about claims that do not seem right, such as a company claiming something it sells is LEED certified or will guarantee a number of LEED points.

"There is no such thing as a LEED-certified product," del Monte says. "People who have dealt with the system extensively would spot these bogus claims like, 'I'll get you 14 LEED points,' a mile away."

#### How Big a Problem?

At this time, no one seems to know how many companies are professing sustainability when that is not the case. Del Monte says all reports have been anecdotal. She notices more companies at trade shows promising green attributes but when queried about their statements, many salespeople cannot back up the tag lines with data.

"There is such as rapid movement toward a greener approach that there is an opportunity for either well-intentioned people and organizations to make erroneous claims, out of lack of information and ignorance, or for profiteering," says Michelle Moore, vice president of policy and public affairs at the U.S. Green Building Council.

Moore says greenwashing is more common with products than services, with companies taking a conventional item

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and putting a green label on it. But the council has not quantified how often this occurs. When a manufacturer makes a false claim that comes to the USGBC's attention, the council will work with manufacturers to correct the allegations. Ashley Katz, spokesperson for the USGBC, says that the organization does not track complaints and has no idea if more allegations have been made than in years past.

USGBC board member Mick Dalrymple, a partner in Desert Moon Productions of Scottsdale, Ariz., heads up a board task force that will decide how the USGBC can help make product selection easier for purchasers. He says the group will likely recommend that an outside group certify green materials. "We don't want the government to step in," Dalrymple says.

Attorney Jay Freedman, a partner with Newmeyer & Dillion of Newport Beach, Calif., says that although few cases have come to trial, he expects the courts will eventually weigh in on what makes a green product or service. Potential problem areas, according to Freedman, include labeling products as recycled when they were produced new, claiming a product is organic when it is not, or that it came from a certified forest when that's not the case, or promoting greater energy efficiency or water usage than it delivers.

Freedman cautions that contractors also can greenwash if, for example, they take construction waste to a landfill when the job calls for recycling.

"It's an honor system," says Malcolm Lewis, president of CTG Energetics, a consulting engineering firm in Irvine, Calif. "There are many aspects of onsite green practices that are attested to by the contractor. If they don't do it, [others] may or may not discover it."

### **Communication is Key**

"There's been a lot of hype and misunderstandings in the industry because it's relatively new," adds Don Neff, president of La Jolla Pacific Ltd., a construction risk-management company in Irvine, Calif.

Communication is always important to avoiding misunderstandings but even more so in green projects, Freedman says. "Managing expectations is more important in green building," he says. "There's no defined meaning of the word 'green.'"

Elizabeth Heider, senior vice president of preconstruction for Skanska USA Building in Alexandria, Va., adds that "In order to pass judgment, which is what designating a claim to be 'greenwashing' really is, there should be a standard against which the green claim can be judged. All standards and rating systems, including LEED, are in their infancy and are evolving but provide a useful standard."

LEED certification aims to quantify a building's greenness. Projects earn points for different elements. Commissioning at the end of the job confirms compliance with the LEED standards.

"Third-party verification is an important requirement for those programs that are defensible," Neff says.

But even within LEED, the potential for conflicts exist.

"There are lots of different ways to get points," says Freedman, explaining that owners may place a higher importance on recycling while the design team focuses on energy use. "Both can get a LEED building, but there's a mismatch of expectations. At the end of the project, everyone could be unhappy."

Neff adds that it is better to under promise and over-deliver than to commit to an unachievable goal.

### **Don't Become a Victim**

Freedman recommends contractors do their homework and find out if a product has been successfully deployed on other jobs and shown to have green attributes.

"It takes research and knowledge of the marketplace," says Moore, who suggests watching for third-party or industry labels in which an independent entity verifies greenness or an item meets standards set by an industry consortium, rather than manufacturers' labels established in a vacuum by an individual company.

As the job gets under way, contractors must stay vigilant that deliveries match orders and that the vendor supplies documentation about the product's origins, Lewis says.

For instance, Lewis adds, if specs call for Forest Stewardship Council-certified wood, the paperwork must confirm that the wood came from a certified forest, one that the council has deemed meets its standards for forest management.

"Contractors are a crucial link in delivering a green building," CTG Energetics' Lewis says. "You can make or break the greenness by how the contractor approaches the construction process and procurement."

### **Tools for Finding Green Products**

Several tools exist to help owners, architects and contractors select products.

- LEED Reference Guides, published by the USGBC, include information about third-party resources, labeling programs and research about products;
- Online, subscription-supported GreenSpec of Brattleboro, Vt., lists more than 2,100 environmentally friendly products elected by BuildingGreen editors. It does not charge for listings or product reviews and does not accept advertising;
- The GREENGUARD Environmental Institute, an industry independent, nonprofit organization oversees GREENGUARD Certification programs. The Atlanta, Ga., group certifies low-emitting products and materials.
- The Pharos Project, an initiative of the Healthy Building Network of Washington, D.C., aims to create a consumer-driven community to develop a framework that will help compare products, which it hopes will lead to more responsible building material choices.

"As better metrics are established, those who mislead will be outed," Heider says. "In instances where a true metric is not yet available, a consumer, both of products and services, should look at a company's green behaviors at the ground level, in their offices and other facilities. Are they committed or just committed to the profit they are making on the green label? Companies that truly practice what they preach or sell will be transparent in what they are doing."

Moore also recommends contractors attend local USGBC chapter events to learn more about the green building process and materials.

For now, ensuring a project does not fall victim to greenwashing requires diligent research up front, says Moore, and vigilance during the job to avoid the risk of not delivering what was expected and contracted, according to Lewis.

The USGBC's Moore says she expects that finding green products and services will become easier in the future. "Green building is the way the industry is moving," she says.

### **Useful Resources**

#### **USGBC**

[www.usgbc.org](http://www.usgbc.org)

#### **GreenSpec Directory**

[www.buildinggreen.com](http://www.buildinggreen.com)

#### **Forest Stewardship Council**

<http://www.fscus.org>

#### **GREENGUARD Environmental Institute**

<http://www.greenguard.org>

#### **The Pharos Project**

<http://www.pharosproject.net>