

CHANGE REQUEST COVER SHEET

Change Request Number: 12-02

Date Received: 3/23/2011

Title: FAA Green Procurement Plan

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Policy OR Guidance: Guidance

Section/Text Location Affected: T3.6.3, Sections A.2, A.8 and Appendix 2

Summary of Change: Replace FAA Affirmative Procurement Program with updated FAA Green Procurement Plan

Reason for Change: Promulgate the FAA Green Procurement Plan

Development, Review, and/or Concurrence: AGC-500, AEE-400 and FAA Contracting Offices at HQ, Centers and Service Areas

Target Audience: FAA contracting and program offices

Potential Links within FAST for the Change: none

Briefing Planned: No

ASAG Responsibilities: None

Potential Links within FAST for the Change: none

Links for New/Modified Forms (or) Documents (LINK 1) [null](#)

Links for New/Modified Forms (or) Documents (LINK 2) [null](#)

Links for New/Modified Forms (or) Documents (LINK 3) [null](#)

SECTIONS EDITED:

Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Appendix

Section 2 : Appendix - FAA Green Procurement Plan [\[Old Content\]](#) [\[New Content\]](#) [\[RedLine Content\]](#)

Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Environment, Conservation, Occupational Safety, and Drug Free Workplace

Section 2 : Responsibilities [\[Old Content\]](#) [\[New Content\]](#) [\[RedLine Content\]](#)

Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Environment, Conservation, Occupational Safety, and Drug Free Workplace

Section 7 : Preference for Recycled Content and Biobased Products [\[Old Content\]](#) [\[New Content\]](#) [\[RedLine Content\]](#)

SECTIONS EDITED:

Section 2 : Appendix 2 - FAA Affirmative Procurement Program

Old Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace Appendix

Section 2 : Appendix 2 - FAA Affirmative Procurement Program

FAA Affirmative Procurement Program (APP)

a. The Affirmative Procurement Program (APP) is designed to increase and expand markets for recovered materials through greater Government preference and demand for products made with such materials that are consistent and cost-effective. Expanding markets will reduce the amount of solid waste requiring disposal through the purchase and use of products containing recovered materials.

b. FAA's APP ensures that items composed of recovered material (also known as recycled content products) will be purchased to the maximum extent practicable, and is consistent with EPA's Comprehensive Procurement Guidelines (CPG) and Recovered Materials Advisory Notices (RMAN). FAA may modify its minimum content standards if it determines that a different standard will allow the purchase of products containing the maximum practicable level of recycled content.

c. The following documents establish the requirements FAA has elected to follow for the APP:

(1) Resource Conservation and Recovery Act, Section 6002.

(2) Executive Order 13423, "Strengthening Federal Environmental, Energy, and Transportation Management."

(3) Environmental Protection Agency Comprehensive Procurement Guidelines; and Farm Security and Rural Investment Act of 2002, Section 9001, 9002.

(4) FAA Administrator's Policy Statement on Pollution Prevention.

d. The APP applies to all FAA program offices, operations offices, facilities, and applicable contractors.

e. FAA has chosen to comply with EPA's procurement guidelines (whose total annual purchases (for each designated item) exceeded \$10,000 in the current fiscal year or exceeded \$10,000 in the previous fiscal year). The procurement requirements identified in EPA's guidelines will be applied to FAA as a whole and all FAA program offices, operation offices, facilities, and applicable contractors should be responsible for implementing the procurement requirements outlined in both AMS/FAST and EPA's guidelines.

f. Pursuant to E.O. 13423 and under the APP, FAA has designated an Agency Environmental Executive, (AEP-1), responsible for, among other things:

(1) Agency implementation of the buy-recycled requirements and other requirements;

(2) Working with the Federal Environmental Executive (FEE) and the Task Force through DOT in furthering implementation of E.O 13423.; and

(3) Tracking the Agency's purchases of EPA-designated guideline items and reporting through DOT the FAA's purchases of such items to the FEE.

g. *Future EPA-designated Items.* FAA intends to incorporate additional items into its APP within one year after EPA has designated new items.

h. Office Supplies. FAA policy encourages the purchase of office supplies through the Strategic Sourcing for the Acquisition of Various Equipment and Supplies (SAVES) program. Environmentally preferable products are available through SAVES and are especially annotated.

New Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Appendix

Section 2 : Appendix - FAA Green Procurement Plan

1. Purpose

a. The purpose of the Green Procurement Plan (GPP) is to enhance and sustain the FAA mission through cost-effective acquisition that complies with applicable requirements, reduces resource

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consumption, and minimizes waste generation. Green procurement is purchasing environmentally preferable products and services according to one or more of the established Federal “green” procurement preference requirements. This plan supplements requirements in the FAA Strategic Sustainability Performance Plan, FAA’s Acquisition Management System (AMS), and FAA Order 1050.10C, *Prevention, Control, and Abatement of Environmental Pollution at FAA Facilities*.

b. FAA’s GPP supports acquiring products and services through the use of sustainable environmental practices, including procuring biobased, environmentally preferable, low or non-toxic, energy-efficient, water-efficient, and recycled-content products.

Below are goals, objectives, and sustainable practices that FAA’s GPP impacts either directly or indirectly:

1.1. Sustainable Acquisition

Ensure that 95% of new contracts, task orders, and delivery orders for products and services are energy-efficient (ENERGY STAR® or Federal Energy Management Program ((FEMP)-designated), water-efficient, biobased, environmentally preferable, Electronic Product Environmental Assessment Tool (EPEAT)-certified, non-ozone depleting, contain recycled-content, or non-toxic or less toxic alternatives when such products and services meet agency performance requirements, as applicable.

1.2. Pollution Prevention and Waste Reduction

- a. Reduce using chemicals and toxic materials and purchase lower risk chemicals and toxic materials;
- b. Minimize generating waste and pollutants through source reduction (i.e., purchasing less); and
- c. Reduce printing paper use and acquire uncoated printing and writing paper containing at least 30% post-consumer fiber.

1.3. Sustainable Buildings

- a. Construct or renovate buildings according to sustainability strategies, including resource conservation, reduction, use, siting and indoor environmental quality;
- b. Enhance indoor environmental quality through purchasing low-emitting materials; and
- c. Reduce environmental impact of materials and construction waste; purchase recycled-content, biobased and non-ozone-depleting products.

2. Roles and Responsibilities

This section outlines the roles and responsibilities in developing requirements for commodity purchases to meet GPP goals and objectives.

2.1. FAA Acquisition Executive (FAE)

The FAA Acquisition Executive (FAE) and associated staff are responsible for:

- a. Overseeing and facilitating implementation of FAA's GPP;
- b. Issuing procurement policies, guidance, and contract clauses and provisions consistent with green procurement requirements;
- c. Ensuring Contracting Officers conduct compliance monitoring for their contract's consistency with green procurement requirements, and assist in any necessary corrective actions; and
- d. Reviewing contracts for quarterly data requests.

2.2. Office of Environment and Energy (AEE)

The Office of Environment and Energy (AEE), coordinating with the FAE, is responsible for:

- a. Facilitating environmental programs in the areas of acquisitions, facilities management, standards, waste prevention, recycling, and logistics activities as they relate to GPP;
- b. Distributing information on best practices through awareness and outreach programs to facilitate markets for environmentally preferable products, services, and new technologies;
- c. Facilitating and coordinating educational and promotional programs for agency employees and contractors, as appropriate;
- d. Promoting internally and externally FAA's GPP. This includes making recycled content suppliers aware of the FAA's preference program, educating program and acquisition offices about requirements to procure recycled content products, and providing FAA employees and contractors with information on sources of recycled products; and

The Office of Environment and Energy (AEE), in coordination with AFN Contracting Officers, is responsible for:

- e. Annually, the organizations will establish and document collaborative methods for setting, maintaining, and annually reviewing and updating objectives and targets for GPP performance that are appropriate for the nature and quantity of purchases made.

2.3. Contracting Officers

Contracting Officers (COs) are responsible for:

- a. Ensuring contractor and program office awareness of GPP requirements applicable to their contracts;
- b. Reviewing and approving the Request for Procurement Exemption, if required, and providing Life Cycle Cost Analysis assistance to the program offices, if necessary;
- c. Providing guidance and facilitating acquisition planning for environmentally preferable goods and services including those available through Federal sources;
- d. Assisting in any market research necessary to determine the availability of environmentally preferable good and services;
- e. Ensuring that solicitations and contracts contain the appropriate FAA AMS clauses and provisions;
- f. Ensuring contractual record keeping and reporting requirements for contractors and all subcontractors are incorporated into evaluation factors for contract award, if applicable;
- g. Ensuring all contract actions from development through award, execution, and close-out meet GPP requirements, when appropriate;
- h. Working with program offices to provide contractual green procurement data for compilation and distribution; and
- i. Maintaining required documents in the contract file to include estimates, certifications, and written justifications for exceptions when required.

2.4. Program Offices

Program offices (including requisitioners) are responsible for the following:

- a. Reviewing and revising procurement specifications or requirements during the planning phase of the acquisition to support FAA's procurement of environmentally preferable, energy- and water-efficient and recycled-content products. If the product or service involves the environmental attributes identified in Section 5. Environmental Attributes, then the specifications, and/or purchase requisition will be reviewed for conformance, and modified, as appropriate;
- b. Eliminating requirements for virgin materials, express preference for recovered materials to the maximum extent practicable, and maximize the purchase of products containing recovered material;
- c. Identifying and documenting whether recycled-content, biobased content, and energy- and water-efficient products, alternative fuel vehicles, and products containing non-ozone-depleting substances are not readily available;

- d. Determining if recycled-content and biobased products satisfy local requirements for price, availability, and performance and if FEMP-designated or ENERGY STAR® products are life-cycle cost effective and reasonably available;
- e. Consulting early in the procurement process with appropriate parties (e.g., environmental specialists, contracts specialist) to facilitate the process of procurement planning, including Life-Cycle Cost Analysis;
- f. Utilizing statements of work (SOWs) or specifications which eliminate virgin material requirements, promote the reuse of products, require the use of alternative fuels and alternative fueled vehicles, products containing recovered materials (e.g. U.S. Environmental Protection Agency (EPA) or U.S. Department of Agriculture (USDA)-designated products), products that are ENERGY STAR® or energy-efficient, products that are water-efficient, biobased products, products that are environmentally preferable, low or non-toxic products, EPEAT-certified products, and non-ozone depleting products;
- g. Preparing any Request for Procurement Exemption or justification documentation; and
- h. Providing oversight of contract execution to ensure green procurement requirements are addressed in accordance with the terms of the contract.

3. Requirements

- a. The scope of FAA's GPP covers all agency acquisitions, including purchase card transactions. The GPP applies to contractors that construct/operate FAA facilities (see circular).
- b. The following requirements establish the framework for FAA's GPP:
 - 1. Resource Conservation and Recovery Act (RCRA) Section 6002, as amended, (42 U.S.C. 6962)
 - 2. Farm Security and Rural Investment Act (FSRIA) of 2002, Section 9002
 - 3. The Energy Policy Act (EPA) of 2005
 - 4. Food, Conservation, and Energy Act (FCEA) of 2008
 - 5. Executive Order (EO) 13150, Federal Workforce Transportation
 - 6. EO 13221, Energy Efficient Standby Power Devices
 - 7. EO 13423, Strengthening Federal Environmental, Energy, and Transportation Management
 - 8. Instructions for Implementing Executive Order 13423
 - 9. EO 13514, Federal Leadership in Environmental, Energy, and Economic Performance

10. 40 Code of Federal Regulations (CFR) Part 247, Comprehensive Procurement Guideline for Products Containing Recovered Materials

11. FAA's Acquisition Management System (AMS):

(i) Policy 4.8: Environmental, Occupational Safety and Health, and Energy Considerations

(ii) Policy 3.6.3: Environment, Conservation, Occupational Safety, and Drug Free Workplace

(iii) Guidance T3.6.3: Environment, Conservation, Occupational Safety, and Drug Free Workplace

4. Implementation

FAA personnel involved in acquisitions will consider environmental and energy factors from requirement identification through the life-cycle acquisition process. This will enable FAA to reduce costs, improve efficiency, and reduce environmental impacts resulting from agency-procured products and services. Their actions will be consistent with the "waste management hierarchy:" reduce, reuse, and recycle, in that order.

5. Environmental Attributes

Through the acquisition process, the following environmental attributes should be considered, as a result of the potentially significant environmental impacts:

1. Alternative fuels and alternative fuel vehicles

2. Biobased products

3. Energy Star® and energy-efficient products

4. Environmentally preferable products

5. EPEAT-registered electronics

6. Priority Chemicals

7. Non-ozone depleting substances

8. Recovered material

9. Renewable energy

10. Water-efficient products

11. Use of green meetings and conferences

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For additional information, see Section 13. Information Resources.

6. Federal Supply Sources

a. Established Federal supply sources, such as the SAVES Program, General Services Administration (GSA), Government Printing Office (GPO), Ability One Program, Defense General Supply Center (DGSC), and UNICOR are competitive sources for green products and services. Procuring environmentally preferable products and services through these sources offers the following advantages:

1. Products have been competitively bid;
2. Products meet or exceed EPA minimum content standards for recovered materials; and
3. Electronic catalogs identifying green products.

b. For items not available through federal supply sources, GPP requirements will be incorporated during the acquisition planning phase. In developing plans, drawings, statements of work, specifications or other product descriptions, Program Offices will consider the following factors: energy efficiency, elimination of virgin material requirements, use of recovered materials or biobased components, reuse of product, life-cycle cost, recyclability, use of environmentally preferable products, waste prevention (including reduction or elimination of hazardous waste), and ultimate disposal.

7. Procurement Exemption

a. AMS Procurement Guidance T3.6.3.A.8, requires 100 percent of purchases of EPA or USDA-designated items contain recycled content, unless the items:

1. Are not available competitively;
2. Are not available within a reasonable time frame;
3. Do not meet reasonable performance standards; or
4. Are only available at an unreasonable price.

b. The program office and/or CO as appropriate are responsible for documenting the decision not to buy recycled content products. The requisitioner is responsible for submitting a copy of the form to the responsible program manager. Written justification is not required for purchases below the threshold level of \$10,000.

8. Life-Cycle Cost Analysis

A life-cycle cost analysis, wherever feasible and appropriate, is used to assist in selecting products and services. Whenever possible, cost will be calculated applying life-cycle cost

concepts to determine cost effectiveness of green alternatives over the life of the item, not just the initial, up-front cost. When comparing alternative products, the initial cost of the acquisition, as well as maintenance costs, installation costs, operational costs, and disposal costs over the lifetime of the product will be considered in the analysis. A product having a higher initial cost may have lower operational cost or a higher resale value and will, therefore, prove to be a better value and more cost-effective compared to the alternatives.

9. Promotion Program

FAA will promote the purchase of environmentally preferable products by:

- a. Including explicit recovered materials preference standards for EPA or USDA-designated items in appropriate specifications, solicitations and contract language; and
- b. Providing informational materials, vendor and product information, and training to program and procurement offices regarding FAA's recovered materials preference program through: electronic media such as FAA websites, memos, publications, newsletters, and at appropriate conferences, workshops, and meetings.

10. Procedures for Vendor Certification, Estimation, and Verification

COs should ensure that vendors (1) provide written certification that their products meet the minimum requirements in the solicitation documents; (2) maintain copies of certification documents; and (3) produce copies of the written certification upon request by the FAA. RCRA Section 6002 requires procuring agencies to obtain estimates and certifications of the recycled content in the products to be supplied under a contract, and to verify those estimates and certifications.

11. Compliance Monitoring

- a. The Resource Conservation and Recovery Act of 1976 and the Farm Security and Rural Investment Act of 2002 require Federal agencies to establish affirmative procurement programs for purchasing EPA- and USDA-designated recycled content and biobased products, respectively. One required element of these programs is annual review and monitoring of the program (i.e., compliance monitoring).

- b. FAA will review and evaluate the effectiveness of the GPP annually. FAA will take the actions to track its procurement of recycled content products consistent with AMS T3.6.3A.8:

See additional information on compliance monitoring options already in use within the federal government.

- c. FAA will review new contracts, task orders, and delivery orders to ensure that, when applicable, 95% include products and services that are energy-efficient (ENERGY STAR® or Federal Energy Management Program ((FEMP)-designated), water-efficient, biobased, environmental preferable, Electronic Product Environmental Assessment Tool (EPEAT)-

certified, non-ozone depleting, contain recycled-content, or non-toxic or less toxic alternatives where such products and services meet agency performance requirements.

12. Data Tracking and Reporting

The FAA will establish compliance monitoring procedures, in accordance with Department of Transportation (DOT) specifications and Office of Management and Budget (OMB) scorecard requirements, to ensure that green purchasing activities are consistent and that data are accurate. Corrective actions will be implemented, as necessary to improve the data quality that will be used in the OMB scorecard and annual reports. The FAA Procurement Policy Team (AJA-A11) will track the Agency's purchasing of items within the scope of this GPP, and report this information to AEE, at established intervals. AEE will report on FAA's compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of environmentally preferable products.

13. Information Resources

- a. The Acquisition section of the Federal government's comprehensive environmental stewardship and compliance assistance Web site is the portal for federal green purchasing programs. This site provides links to, and highlights from programs which enable agencies to meet green procurement goals, including but not limited to: Environmentally Preferable Purchasing (EPP), Comprehensive Procurement Guidelines (CPG), the ENERGY STAR® Program, and FEMP.
- b. Routinely used government supply sources have green products, but these products must be sought and specifically requested. Products are available through supply catalogs published by the GSA and local contractors serving as AbilityOne Program distributors ().
- c. GSA offers a variety of environmental products and services to its Federal customers to assist them in their efforts to comply with procurement responsibilities outlined in federal environmental laws and regulations. Environmental products can be viewed and purchased from the GSAAAdvantage!® and GSA Global Supply online purchasing systems.
- d. EPA's Database of Environmental Information for Products and Services provides a quick reference guide to the various programs and products. The EPA database provides links to contract language, specifications, and policies; environmental standards and guidelines; vendor lists of product brands; and other useful sources of information (e.g., fact sheets, guidance, case studies).
- e. EPA maintains a list of designated recycled-content products and recommends the percentages of recycled content that the products must contain. Agencies can refer to EPA for a complete list of designated products, EPA's recommendations, and additional information.
- f. USDA designates biobased products and provides guidance to assist agency purchasing of these products.

g. EPA's "Buying "Green" with the Government Credit Card" factsheet provides tips when using the government credit card that focus on buying products with recycled-content, buying products with reduced packaging; looking for the ENERGY STAR® label; asking if the product contains hazardous materials or toxic chemicals; and looking for other information on the environmental features of products.

h. Appendix B of OMB Circular A-123, Chapter 10 Environmental Requirements, prescribes policies and procedures to agencies regarding how to maintain internal controls that reduce the risk of fraud, waste, and error in government charge card programs. The requirement for compliance with OMB Circular A-123, Appendix B is contained in the Management Plan for the FAA Purchase Card Program.

i. EPA's ENERGY STAR® Program provides a current list of qualified products.

j. EPA Priority Pollutant List provides a current list of regulated chemical pollutants.

k. EPA information on resource conservation for construction and demolition.

l. FEMP products and requirements.

m. The EPA Acquisition Regulation (EPAAR) establishes policy and procedures for acquiring environmentally preferable meeting and conference services.

n. FedCenter provides a compilation of the products for which EPA, DOE, and USDA have provided environmental or energy attribute recommendations.

o. The Defense Logistics Agency (DLA) provides a catalog with environmental products.

14. Definitions

Alternative Fuel – Fuel defined by Section 301 of the Energy Policy Act of 1992, as modified periodically by the Secretary of Energy by rule.

Biobased Product – A product determined by the Secretary of Agriculture to be a commercial or industrial product (other than food or feed) that is composed, in whole or in part, of biological products or renewable domestic agricultural materials (including plant, animal, and marine materials) or forestry materials.

Certification – Provided by offerors/bidders/vendors, it is written documentation certifying the percentage of recovered materials contained in products or to be used in the performance of the contract is at least the amount required by applicable specifications or other contractual requirements. Certification on multi-component or multi-material products should verify the percentage of post-consumer materials and recovered material contained in the major constituents of the product. [US Environmental Protection Agency (EPA) Guidelines]

Comprehensive Procurement Guidelines – Regulations issued by EPA pursuant to Section 6002 of RCRA, as amended, (42 U.S.C. 6962) identifying items produced (or which can be produced) with recovered materials. [EO 13101 and Section 6002 of RCRA, as amended, (42 U.S.C. 6962)]

Designated Item – A product or category of products designated by EPA in the Comprehensive Procurement Guideline and whose procurement by government agencies will help to create markets for materials recovered from solid waste.

Energy-Efficient or FEMP-designated Product – a product designated by the Federal Energy Management Program, Department of Energy as being among the highest 25 percent of equivalent products for energy efficiency.

ENERGY STAR® Product – A product that is rated for energy efficiency under an ENERGY STAR® Program established by Sec. 324A of the Energy Policy and Conservation Act.

Environmentally Preferable Products and Services – Products or services having a lesser or reduced effect on human health and the environment when compared with competing products or services, serving the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal.

Electronic Product Environmental Assessment Tool (EPEAT) – A procurement tool designed to help institutional purchasers in the public and private sectors evaluate, compare and select electronic products based on their environmental attributes. The first EPEAT standard applies to computer desktops, laptops and monitors.

EPEAT-Registered Products – Products which meet the and Electrical Engineers (IEEE) 1680-2006 Standard for the Environmental Assessment of Personal Computer Products, and products registered under similar standards developed after the date of this Policy Letter, and are listed on the EPEAT Product Registry located at www.epeat.net.

Green Hierarchy – The logical order by which waste prevention and effective environmental practices are applied.

Greenhouse Gases – Carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Green Products/Services – Products and services meeting the requirements of one or more of the components of federal green procurement preference programs as defined in RCRA Section 6002; FSRIA (“Farm Bill”) section 9002; the Energy Policy Act of 2005 (EP Act 2005); and 13150; Electronic Stewardship requirements; and any federal Green Procurement Program implemented after the date of this document.

Life-Cycle Assessment – The comprehensive examination of a product's environmental and economic effects throughout its lifetime including new material extraction, transportation, manufacturing, use, and disposal.

Life-Cycle Cost – The amortized annual cost of a product, including costs associated with capital, installation, operations, maintenance, and disposal, discounted over the lifetime of the product.

Ozone-depleting Substances – Any substance designated as a Class I or Class II substance by the Environmental Protection Agency in 40 CFR Part 82.

Postconsumer Material – A material or finished product that has served its intended use and has been discarded for disposal or recovery having completed its life as a consumer item. “Postconsumer material” is a part of the broader category of “recovered materials.”

Preference – When two products or services are equal in performance characteristics and price, the Government, in making purchasing decisions, will favor the more environmentally-sound or energy-efficient product.

Procurement Preference Program – The first element of an agency affirmative procurement program, in which an agency expresses a preference for purchasing recycled content products designated by EPA. [Section 6002 of RCRA, as amended, (42 U.S.C. 6962)]

Recovered Material – Waste materials and by-products recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within, an original manufacturing process.

Recyclability – The ability of a product or material to be recovered or otherwise diverted from the solid waste stream for the purpose of recycling.

Recycled Material – A material utilized in place of raw or virgin material in product manufacturing (See “Recovered Material.”)

Recycling – The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use as raw materials in the manufacture of new products (other than fuel for producing heat or power by combustion).

Renewable Energy – Energy produced by solar, wind, biomass, landfill gas, hydrokinetic, ocean (including tidal, wave, current and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

Scope 1 – Direct greenhouse gas emissions from sources that are owned or controlled by the federal agency.

Scope 2 – Indirect greenhouse gas emissions resulting from the generation of electricity, heat, or steam purchased by a federal agency.

Scope 3 – Indirect greenhouse gas emissions from sources not owned or directly controlled by a federal agency but related to agency activities such as vendor supply chains, delivery services, and employee travel and commuting.

Solid Waste – Garbage, refuse, sludge, and other discarded solid materials, including those from industrial, commercial, and agricultural operations, and from community activities. This excludes solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flow, etc. [RCRA, Section 1004)

Specification – A clear and accurate description of the technical requirements for materials, products, or services including the minimum requirement for materials' quality and construction and any equipment necessary for an acceptable product. In general, specifications are in the form of written descriptions, drawings, prints, commercial designations, industry standards, and other descriptive references. [EPA Guidelines]

Sustainable – To create and maintain conditions, under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic, and other requirements of present and future generations.

Verification – Procedures used by procuring agencies to confirm both vendor estimates and certifications of the percentages of recovered material contained in the products supplied to them or to be used in the performance of a contract. [EPA Guidelines]

Virgin Material – A mined or harvested raw material to be used in manufacturing.

Waste Prevention – Any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their toxicity before they become municipal solid waste. Waste prevention also refers to the reuse of products or materials.

Waste Reduction – Preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products.

Water-Efficient Product or Service – A product or service that uses less water than competing products or services that serve the same purpose, including those meeting EPA's WaterSense standards.

Red Line Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Appendix

Section 2 : Appendix 2- FAA ~~Affirmative~~Green Procurement ~~Program~~Plan

FAA Affirmative Procurement Program¹

(APP) Purpose

a.- The Affirmative purpose of the Green Procurement Program Plan (APPGPP) is designed to increase enhance and expand markets sustain for recovered materials the FAA mission through greater cost-effective acquisition Government that complies with applicable requirements, reduces resource consumption, and minimizes waste generation. Green procurement is purchasing environmentally preferable products and services according to one or more of the established Federal "green" procurement preference requirements. This plan supplements requirements in the FAA Strategic Sustainability Performance Plan, FAA's Acquisition Management System (AMS), and FAA Order 1050.10C, Prevention, Control, and demand Abatement for of Environmental Pollution at FAA Facilities.

b. FAA's GPP supports acquiring products made with such materials that are and services through the use of consistent sustainable environmental practices, including procuring biobased, environmentally preferable, low or non-toxic, energy-efficient, water-efficient, and cost recycled-effective content products.

Below Expanding are goals, markets objectives, will reduce the and sustainable practices amount that FAA's GPP impacts either directly or indirectly:

1.1. Sustainable Acquisition

Ensure that 95% of solid new contracts, task orders, and delivery orders for products and services are energy-efficient (ENERGY STAR® or Federal Energy Management Program ((FEMP)-designated), water-efficient, biobased, environmentally preferable, Electronic Product Environmental Assessment Tool (EPEAT)-certified, non-ozone depleting, contain recycled-content, or non-toxic or less toxic alternatives when such products and services meet agency performance requirements, as applicable.

1.2. Pollution Prevention and Waste Reduction

a. Reduce using chemicals and toxic materials and purchase lower risk chemicals and toxic materials;

b. Minimize generating waste requiring disposal and pollutants through the source purchase reduction (i.e., purchasing less); and

c. Reduce printing paper use and acquire uncoated printing and writing paper containing at least 30% post-consumer fiber.

1.3. Sustainable Buildings

a. Construct or renovate buildings according to sustainability strategies, including resource conservation, reduction, use, siting and indoor environmental quality;

b. Enhance indoor environmental quality through purchasing low-emitting materials; and

c. Reduce environmental impact of materials and construction waste; purchase recycled-content, biobased and non-ozone-depleting products.

2. ~~containing~~ Roles and ~~recovered~~ Responsibilities

This ~~materials~~ section outlines the roles and responsibilities in developing requirements for commodity purchases to meet GPP goals and objectives.

b2.1. FAA Acquisition Executive (FAE)

The FAA Acquisition Executive (FAE) and associated staff are responsible for:

a. Overseeing and facilitating implementation of FAA's ~~APP~~GPP;

b. Issuing ~~ensures~~ procurement ~~that~~ policies, items ~~guidance~~, composed and contract clauses and provisions consistent with green procurement requirements;

c. Ensuring Contracting Officers conduct compliance monitoring for their contract's consistency with green procurement requirements, and assist in any necessary corrective actions; and

d. Reviewing contracts for quarterly data requests.

2.2. Office of ~~recovered~~ Environment ~~material~~ and Energy (also ~~AEE~~)

The Office of Environment and Energy (AEE), coordinating with the FAE, is responsible for:

a. Facilitating environmental programs in the areas of acquisitions, facilities management, standards, waste prevention, recycling, and logistics activities as they relate to GPP;

b. Distributing information on best practices through awareness and outreach programs to facilitate markets for environmentally preferable products, services, and new technologies;

c. Facilitating and coordinating educational and promotional programs for agency ~~known~~ employees and contractors, as appropriate;

d. Promoting internally and externally FAA's GPP. This includes making recycled content products ~~suppliers will be aware of~~ purchased the FAA's preference program, educating program and acquisition offices about requirements to the maximum extent practicable procure recycled content products, and ~~is providing consistent~~ FAA employees and contractors with EPA's ~~information Comprehensive Procurement~~ sources Guidelines of recycled products; and

The Office of Environment and Energy (CPG/AEE), in coordination with AFN Contracting Officers, is responsible for:

e. Annually, the organizations will establish and Recovered document Materials collaborative methods for setting, maintaining, and annually reviewing and updating objectives and targets for GPP performance Advisory that are appropriate for the nature and quantity of purchases made.

2.3. Notices Contracting Officers

Contracting Officers (RMANCOs) are responsible for:

a. Ensuring FAA may modify its minimum content contractor and program office awareness of standards GPP requirements applicable to their contracts;

b. Reviewing and approving the Request for Procurement Exemption, if it required, and providing determines Life Cycle Cost Analysis assistance to the program offices, if necessary;

c. Providing guidance and facilitating acquisition planning for environmentally preferable goods and services including those available through Federal sources;

d. Assisting in any market research necessary to determine the availability of environmentally preferable good and services;

e. Ensuring that solicitations and contracts contain the appropriate FAA AMS clauses and provisions;

f. Ensuring contractual record keeping and reporting requirements for contractors and all subcontractors are incorporated into evaluation factors for contract award, if applicable;

g. Ensuring all contract actions from development through award, execution, and close-out meet GPP requirements, when appropriate;

h. Working with program offices to provide contractual green procurement data for compilation and distribution; and

i. Maintaining required documents in the contract file to include estimates, certifications, and written justifications for exceptions when required.

2.4. Program Offices

Program offices (including requisitioners) are responsible for the following:

a. different standard Reviewing and will revising procurement specifications or allow requirements during the purchase planning phase of the acquisition to support FAA's procurement of environmentally preferable, energy- and water-efficient and recycled-content

products, ~~containing~~*If the product or service involves the environmental attributes identified in Section 5. Environmental Attributes, then the specifications, and/or purchase requisition will be reviewed for conformance, and modified, as appropriate;*

b. Eliminating requirements for virgin materials, express preference for recovered materials to the maximum extent practicable, ~~level~~and maximize the purchase of products containing recovered material;

c. Identifying and documenting whether recycled-content, biobased content, and energy- and water-efficient products, alternative fuel vehicles, and products containing non-ozone-depleting substances are not readily available;

d. Determining if recycled-content and biobased products satisfy local requirements for price, availability, and performance and if FEMP-designated or ENERGY STAR® products are life-cycle cost effective and reasonably available;

e. Consulting early in the procurement process with appropriate parties (e.g., environmental specialists, contracts specialist) to facilitate the process of procurement planning, including Life-Cycle Cost Analysis;

ef. ~~The~~Utilizing following documents~~statements of establish~~work (SOWs) or specifications which eliminate virgin material requirements, promote the reuse of products, require the use of alternative fuels and alternative fueled vehicles, products containing recovered materials (e.g. U.S. Environmental Protection Agency (EPA) or U.S. Department of Agriculture (USDA)-designated products), products that are ENERGY STAR® or energy-efficient, products that are water-efficient, biobased products, products that are environmentally preferable, low or non-toxic products, EPEAT-certified products, and non-ozone depleting products;

g. Preparing any Request for Procurement Exemption or justification documentation; and

h. Providing oversight of contract execution to ensure green procurement requirements are addressed in accordance with the terms of the contract.

3. Requirements

a. The scope of FAA's ~~has~~GPP covers all agency acquisitions, ~~elected~~including purchase card transactions. The GPP applies to ~~follow~~contractors that ~~for~~construct/operate FAA facilities (see www.whitehouse.gov/omb/circulars/a102/a102.html).

b. The following requirements establish the ~~APP~~framework for FAA's GPP:

(1). Resource Conservation and Recovery Act, (RCRA) Section 6002, as amended, (42 U.S.C. 6962)

(2). Farm Security and Rural Investment Act (FSRIA) of 2002, Section 9002

3. The Energy Policy Act (EPA) of 2005

4. Food, Conservation, and Energy Act (FCEA) of 2008

5. Executive Order (EO) 13150, Federal Workforce Transportation

6. EO 13221, Energy Efficient Standby Power Devices

7. EO 13423, "Strengthening Federal Environmental, Energy, and Transportation Management

8. "Instructions for Implementing Executive Order 13423

(3)9. EO 13514, Federal Leadership in Environmental, Protection Energy, Agency and Economic Performance

10. 40 Code of Federal Regulations (CFR) Part 247, Comprehensive Procurement Guidelines Guideline for Products Containing Recovered Materials

11. FAA's Acquisition Management System (AMS):

(i) Policy 4.8: Environmental, Occupational Safety and Farm Health, Security and Energy Considerations

(ii) Policy 3.6.3: Environment, Conservation, Occupational Safety, and Rural Investment Drug Free Act Workplace

(iii) Guidance of T3.6.3: 2002 Environment, Section Conservation, Occupational 9001 Safety, 9002 and Drug Free Workplace

4. Implementation

FAA personnel involved in acquisitions will consider environmental and energy factors from requirement identification through the life-cycle acquisition process. This will enable FAA to reduce costs, improve efficiency, and reduce environmental impacts resulting from agency-procured products and services. Their actions will be consistent with the "waste management hierarchy:" reduce, reuse, and recycle, in that order.

5. Environmental Attributes

Through the acquisition process, the following environmental attributes should be considered, as a result of the potentially significant environmental impacts:

1. Alternative fuels and alternative fuel vehicles (www.eere.energy.gov/vehiclesandfuels)

2. Biobased products (www.biobased.oce.usda.gov)

3. ENERGY STAR® and energy-efficient products (www.energystar.gov)

4. Environmentally preferable products (www.epa.gov/epp)

5. EPEAT-registered electronics (www.epeat.net)

6. ~~FAA~~Priority Administrator's Chemicals Policy(www.epa.gov/epawaste/hazard/wastemin/priority.htm)

7. ~~Statement~~Non-~~ozone~~ on Pollution~~depleting substances~~ Prevention(www.epa.gov/ozone/snap/)

8. TheRecovered APPmaterial applies(www.epa.gov/cpg)

9. ~~to all~~Renewable energy ~~FAA~~(www.eere.energy.gov/femp)

10. ~~program~~Water-efficient officesproducts (www.epa.gov/watersense)

11. Use of green meetings and conferences (www.epa.gov/oppt/greenmeetings)

For additional information, ~~operations~~see Section ~~offices~~13. Information Resources.

6. Federal Supply Sources

a. Established Federal supply sources, ~~facilities~~such as the SAVES Program, General Services Administration (GSA), Government Printing Office (GPO), Ability One Program, Defense General Supply Center (DGSC), and ~~applicable~~UNICOR ~~contractors~~are competitive sources for green products and services. Procuring environmentally preferable products and services through these sources offers the following advantages:

e1. ~~FAA~~Products ~~has chosen to~~have been competitively ~~comply~~bid;

2. ~~with~~Products meet or exceed EPA's ~~procurement~~minimum guidelines~~content standards for recovered materials~~; and

3. Electronic catalogs identifying green products.

b. For items not available through federal supply sources, GPP requirements will be incorporated during the acquisition planning phase. In developing plans, drawings, statements of work, specifications or other product descriptions, Program Offices will consider the following factors: energy efficiency, elimination of virgin material requirements, use of recovered materials or biobased components, reuse of product, life-cycle cost, recyclability, use of environmentally preferable products, waste prevention (~~whose total~~including reduction ~~annual~~or elimination of hazardous waste), and ultimate disposal.

7. Procurement Exemption

a. AMS Procurement Guidance T3.6.3.A.8, requires 100 percent of purchases (for of EPA each or USDA-designated item) items exceeded contain \$10 recycled content,000 in unless the current items:

1. Are not available competitively;

2. Are not available within a reasonable time frame;

3. Do not meet reasonable performance standards; or

4. Are only available at an unreasonable price.

b. The fiscal year program office and/or exceeded CO as appropriate are responsible for documenting the decision not to buy recycled content products. The requisitioner is responsible for submitting a copy of the form to the responsible program manager. Written justification is not required for purchases below the threshold level of \$10,000.

8. Life-Cycle Cost Analysis

A life-cycle cost analysis, wherever feasible and appropriate, is used to assist in selecting products and services. Whenever possible, cost will be calculated applying life-cycle cost concepts to determine cost effectiveness of green alternatives over the previous life of fiscal the year) item, not just the initial, up-front cost. The procurement requirements When comparing alternative identified products, the initial cost of the acquisition, as well as maintenance costs, installation costs, operational costs, and disposal costs over the lifetime of the product will be considered in EPA the analysis. �s guidelines A product having a higher initial cost may have lower operational cost or a higher resale value and will, therefore, prove to be applied a better value and more cost-effective compared to the alternatives.

9. Promotion Program

FAA as will promote the purchase of environmentally preferable products by:

a. whole Including explicit recovered materials preference standards for EPA or USDA-designated items in appropriate specifications, solicitations and all contract FAA language; and

b. Providing informational materials, vendor and product information, and training to program and procurement offices regarding FAA's recovered materials preference program through: electronic media such as FAA websites, operation memos, offices publications, facilities newsletters, and applicable contractors at appropriate should conferences, be workshops, responsible and meetings.

10. Procedures for implementing Vendor Certification, Estimation, and Verification

COs should ensure that vendors (1) provide written certification that their products meet the procurement minimum requirements outlined in the solicitation documents; (2) maintain copies

of certification documents; and (3) produce copies of the written certification upon request by the FAA. RCRA Section 6002 requires procuring agencies to obtain estimates and certifications of the recycled content in both the AMS/FAST products to be supplied under a contract, and to verify those estimates and certifications.

11. Compliance Monitoring

a. The Resource Conservation and Recovery Act of 1976 and the Farm Security and Rural Investment Act of 2002 require Federal agencies to establish affirmative procurement programs for purchasing EPA- and USDA-designated recycled content and biobased products, respectively. 40 CFR 160.106's guidelines One required element of these programs is annual review and monitoring of the program (i.e., compliance monitoring).

b. FAA will review and evaluate the effectiveness of the GPP annually. FAA will Pursuant take the actions to E track its procurement of recycled content products consistent with AMS T3.06.3A.8:

For 13423 and additional information under on compliance monitoring options already in use within the APP federal government, see the following Web site:
http://www.fedcenter.gov/Documents/index.cfm?id=14830&pge_prg_id=29045&pge_id=1820

c. FAA has designated an will review new Agency contracts, Environmental task Executive orders, and delivery orders to ensure that, when applicable, 95% include products and services that are energy-efficient (ENERGY STAR® or Federal Energy Management Program ((AEPFEMP)-1 designated), responsible water-efficient, for biobased, among environmental other preferable, things: Electronic Product Environmental Assessment Tool (EPEAT)-certified, non-ozone depleting, contain recycled-content, or non-toxic or less toxic alternatives where such products and services meet agency performance requirements.

12. Data Tracking and Reporting

The FAA will establish compliance monitoring procedures, in accordance with Department of Transportation (DOT) Agency specifications implementation and Office of Management and Budget (OMB) scorecard requirements, to ensure that green purchasing activities are consistent and that data are accurate. Corrective actions will be implemented, as necessary to improve the buy data quality that will be used in the OMB scorecard and annual reports. The FAA Procurement Policy Team (AJA-recycled A11) requirements will track the Agency's purchasing of items within the scope of this GPP, and other report this information to AEE, at established intervals. AEE will report on FAA's compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of environmentally preferable products. ;

13. Information Resources

a. The Acquisition (2 www.fedcenter.gov/programs/buygreen) Working with section of the Federal Environmental government's Executive comprehensive environmental stewardship and

compliance assistance Web site is the portal for federal green purchasing programs. This site provides links to, and highlights from programs which enable agencies to meet green procurement goals, including but not limited to: Environmentally Preferable Purchasing (EPP), and Comprehensive Procurement Guidelines (CPG), the ENERGY STAR® Program, and FEMP.

b. Routinely used government supply sources have green products, but these products must be sought and specifically requested. Products are available through DOT supply in furthering implementation catalogs published by of the GSA and local contractors serving as AbilityOne Program distributors
(www.jwod.gov/jwod/Documents/2008/buyers_guide_2008.pdf).

c. GSA 13423 offers a variety of environmental products and services to its Federal customers to assist them in their efforts to comply with procurement responsibilities outlined in federal environmental laws and regulations.
(www.gsa.gov/portal/content/104543). Environmental products can be viewed and purchased from the GSAAAdvantage!®; (www.gsaadvantage.gov/advgsa/advantage/main/start_page.do) and GSA Global Supply
(www.gsaglobalsupply.gsa.gov/advgsa/advantage/main/start_page.do?store=FSS) online purchasing systems.

d. EPA's Database of Environmental Information for Products and Services
(<http://yosemite1.epa.gov/oppt/eppstand2.nsf>) Tracking provides a quick reference guide to the Agency various programs and products. The EPA database provides links to contract language, specifications, and policies; environmental standards and guidelines; vendor lists of product brands; and other useful sources of information (e.g., fact sheets, guidance, case studies).

e. EPA maintains a list of designated recycled-content products and recommends the percentages of recycled content that the products must contain. Agencies can refer to
www.epa.gov/cpg for a complete list of designated products, EPA's purchases recommendations, and additional information.

f. USDA designates biobased products and provides guidance to assist agency purchasing of these products. Information on these products can be obtained at www.biobased.oce.usda.gov

g. EPA's "Buying "Green" with the Government Credit Card" factsheet provides tips when using the government credit card that focus on buying products with recycled-designated content, guideline buying items products with reduced packaging; looking for the ENERGY STAR® label; asking if the product contains hazardous materials or toxic chemicals; and reporting through looking for DOT other information on the environmental features of products (www.epa.gov/opptintr/epp/tools/creditcard.htm).

h. Appendix B of OMB Circular A-123, Chapter 10 Environmental Requirements, prescribes policies and procedures to agencies regarding how to maintain internal controls that reduce the risk of fraud, waste, and error in government charge card programs. The requirement for

compliance with OMB Circular A-123, Appendix B is contained in the Management Plan for the FAA ~~Purchase Card Program~~. The management plan is available at the Web site: <http://faapcard.amc.faa.gov>.

~~i. EPA ’s purchases~~ ENERGY STAR® Program provides a current list of such ~~items~~ qualified products ~~to~~ (www.energystar.gov/index.cfm).

~~j. the~~ EPA Priority Pollutant List provides a current list of regulated chemical pollutants (<http://water.epa.gov/scitech/methods/cwa/pollutants.cfm>).

~~k. EPA information on resource conservation for construction and demolition~~ ~~FEF~~ debris (www.epa.gov/osw/conserve/rrr/imr/cdm).

~~g~~

~~1. FEMP~~ Future products and requirements are available at: <http://www1.eere.energy.gov/femp/procurement>

~~m. The~~ EPA Acquisition Regulation (EPAAR) establishes policy and procedures for acquiring environmentally preferable meeting and conference services. (<http://edocket.access.gpo.gov/2007/pdf/E7-designated3114.pdf>)

~~n. FedCenter~~ provides a compilation of the products for which EPA, DOE, and USDA have ~~Items~~ provided environmental or energy attribute recommendations (www.fedcenter.gov/Documents/index.cfm?id=11767&pge_prg_id=27868&pge_id=1820).

~~o. FAA~~ The Defense Logistics Agency intends (DLA) provides a catalog with environmental products (www.dscr.dla.mil/userweb/dscrld/epa/epinfo.htm).

14. Definitions

Alternative Fuel – Fuel defined by Section 301 of the Energy Policy Act of 1992, as modified periodically by the Secretary of Energy by rule.

Biobased Product – A product determined by the Secretary of Agriculture to ~~incorporate~~ be a commercial ~~additional~~ or industrial product (other than food or feed) that is composed, in whole or in part, of biological products or renewable domestic agricultural materials (including plant, animal, and marine materials) or forestry materials.

Certification – Provided by offerors/bidders/vendors, it is written documentation certifying the percentage of recovered materials contained in products or to be used in the performance of the contract is at least the amount required by applicable specifications or other contractual requirements. Certification on multi-component or multi-material products should verify the percentage of post-consumer materials and recovered material contained in the major constituents of the product. [US Environmental Protection Agency (EPA) Guidelines]

Comprehensive Procurement Guidelines – Regulations issued by EPA pursuant to Section 6002 of RCRA, as amended, (42 U.S.C. 6962) identifying items ~~into~~produced ~~its~~(or APP within ~~one~~which can be ~~year~~produced) ~~after~~with recovered materials. [EO 13101 and Section 6002 of RCRA, as amended, (42 U.S.C. 6962)]

Designated Item – A product or category of products designated by EPA ~~has~~in the Comprehensive Procurement Guideline and whose procurement by government agencies will help to create markets for materials recovered from solid waste.

Energy-Efficient or FEMP-designated ~~new~~Product ~~items~~– a product designated by the Federal Energy Management Program, Department of Energy as being among the highest 25 percent of equivalent products for energy efficiency.

h

ENERGY STAR® Product – A product that is rated for energy efficiency under an ENERGY STAR® Program established by Sec. ~~Office~~324A of the Energy Policy and Conservation Act.

Environmentally Preferable Products and Services – Products or services having a lesser or reduced effect on human health and the environment when compared with competing products or services, serving the ~~Supplies~~same purpose. ~~FAA policy~~This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal.

Electronic Product Environmental Assessment Tool (EPEAT) – A procurement tool designed to help institutional ~~encourages~~purchasers in the public and private sectors evaluate, compare and select electronic products based on their environmental attributes. ~~purchase~~The first EPEAT standard applies to computer desktops, laptops and monitors.

EPEAT-Registered Products – Products which meet the and Electrical Engineers (IEEE) 1680-2006 Standard for the Environmental Assessment of Personal Computer Products, and products registered under similar standards developed after the date of this Policy Letter, and are listed on the EPEAT Product Registry located at www.epeat.net.

Green Hierarchy – The logical order by which waste prevention and effective environmental practices are applied.

Greenhouse Gases – Carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

Green Products/Services ~~office~~– Products and ~~supplies~~through services meeting the ~~Strategie~~requirements of one or more of the components of federal green procurement preference programs as defined in RCRA Section 6002; FSRIA (“Farm Bill”) section 9002; the Energy Policy Act of 2005 (EP Act 2005); and 13150; Electronic Stewardship requirements; and any federal Green Procurement Program implemented after the date of this document.

Life-Cycle Assessment – The comprehensive examination of a product's environmental and economic effects throughout its lifetime including new material extraction, transportation, manufacturing, use, and disposal.

Life-Cycle Cost – The amortized annual cost of a product, including costs associated with capital, installation, operations, maintenance, and disposal, discounted over the lifetime of the product.

Ozone-depleting Substances – Any substance designated as a Class I or Class II substance by the Environmental Protection Agency in 40 CFR Part 82.

Postconsumer Material – A material or finished product that has served its intended use and has been discarded for disposal or recovery having completed its life as a consumer item. “Postconsumer material” is a part of the broader category of “recovered materials.”

Preference – When two products or services are equal in performance characteristics and price, the Government, in making purchasing decisions, will favor the more environmentally-sound or energy-efficient product.

Procurement Preference Program – The first element of an agency affirmative procurement program, in which an agency expresses a preference for purchasing recycled content products designated by EPA. [Section 6002 of RCRA, as amended, (42 U.S.C. 6962)]

Recovered Material – Waste materials and by-products recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within, an original manufacturing process.

Recyclability – The ability of a product or material to be recovered or otherwise diverted from the solid waste stream for the purpose of recycling.

Recycled Material – A material utilized in place of raw or virgin material in product manufacturing (See “Recovered Material.”)

Recycling – The series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use as raw materials in the manufacture of new products (other than fuel for producing heat or power by combustion).

Renewable Energy – Energy produced by solar, wind, biomass, landfill gas, hydrokinetic, ocean (including tidal, wave, current and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

Scope 1 – Direct greenhouse gas emissions from sources that are owned or controlled by the federal agency.

Scope 2 – Indirect greenhouse gas emissions resulting from the generation of electricity, heat, or steam purchased by a federal agency.

Scope 3 – Indirect greenhouse gas emissions from sources not owned or directly controlled by a federal agency but related to agency activities such as vendor supply chains, delivery services, and employee travel and commuting.

Solid Waste – Garbage, refuse, sludge, and other discarded solid materials, including those from industrial, commercial, and agricultural operations, and from community activities. This excludes solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flow, etc. [RCRA, Section 1004]

Specification – A clear and accurate description of the technical requirements for materials, products, or services including the minimum requirement for materials' quality and construction and any equipment necessary for an acceptable product. In general, specifications are especially in the form of written descriptions, drawings, prints, commercial designations, industry standards, and other descriptive references. [EPA Guidelines]

Sustainable – To create and maintain conditions, under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic, and other requirements of present and future generations.

Verification – Procedures used by procuring agencies to confirm both vendor estimates and certifications of the percentages of recovered material contained in the products supplied to them or to be used in the performance of a contract. [EPA Guidelines]

Virgin Material – A mined or harvested raw material to be used in manufacturing.

Waste Prevention – Any change in the design, manufacturing, purchase, or use of materials or products (including packaging) annotated to reduce their toxicity before they become municipal solid waste. Waste prevention also refers to the reuse of products or materials.

Waste Reduction – Preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products.

Water-Efficient Product or Service – A product or service that uses less water than competing products or services that serve the same purpose, including those meeting EPA's WaterSense standards.

Section 2 : Responsibilities

Old Content: Procurement Guidance:

*T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace
Environment, Conservation, Occupational Safety, and Drug Free Workplace*

Section 2 : Responsibilities

a. Program Office/Requisitioner Responsibilities.

(1) Program offices are responsible for identifying hazardous materials and any safety controls that may be required in the delivery of supplies, services, or construction to FAA.

(2) When preparing specifications and purchase descriptions for the acquisition of supplies, services, and construction, program offices should:

(a) Specify environmentally friendly products and ensure requirements comply with applicable laws (i.e. Clean Air Act);

(b) Consider energy conservation and efficiency data in acquisition planning; and

(c) Incorporate FAA and EPA recycled content standards into requirements.

(3) Program offices are responsible for reviewing and revising specifications or requirements during the planning phase of the acquisition to support FAA's procurement of environmentally preferable, energy and water efficient, and recycled content products.

(4) When required by law or FAA policy, program offices are responsible for documenting and certifying compliance with applicable environmental or conservation standards (i.e. the recycled content determination).

b. Contracting Officer Responsibilities.

(1) *Pre-Award.* The Contracting Officer (CO) should ensure:

(a) That procurement request (PR) packages include all required justifications (i.e. recycled content determination);

(b) The Screening Information Request (SIR) includes all required provisions to support FAA's procurement of environmentally preferable, energy and water efficient, biobased and recycled content products (i.e. applicable standards for energy-consuming products);

(c) All required certifications (i.e. Toxic Chemical Release Inventory Form (Form R) certification or Material Safety Data Sheets (MSDS)) are received prior to contract award;

(d) That offerors are familiar with FAA's Affirmative Procurement Program (APP) (see Appendix 2) prior to contract award; and

(e) Offeror's facilities are Environmental Protection Agency (EPA) compliant.

(2) *Post Award.* The CO should:

(a) Ensure that all post-award certifications (i.e. minimum content standards) or MSDS are submitted to FAA as required;

(b) Ensure that contractors notify FAA prior to delivering hazardous or radioactive material; and

(c) Cooperate with the Environmental Protection Agency (EPA) and its representatives as required.

(3) *Reporting Clean Air or Water Violations.* If a CO becomes aware of noncompliance with clean air or water standards in a prospective or performing contractor's facilities, the CO must notify and coordinate the award with EPA.

New Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Environment, Conservation, Occupational Safety, and Drug Free Workplace

Section 2 : Responsibilities

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(b) Consider energy conservation and efficiency data in acquisition planning; and

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- (c) All required certifications (i.e. Toxic Chemical Release Inventory Form (Form R) certification or Material Safety Data Sheets (MSDS)) are received prior to contract award;
- (d) That offerors are familiar with FAA's Green Procurement Plan (GPP) (see Appendix 2) prior to contract award; and
- (e) Offeror's facilities are Environmental Protection Agency (EPA) compliant.

(2) *Post Award.* The CO should:

- (a) Ensure that all post-award certifications (i.e. minimum content standards) or MSDS are submitted to FAA as required;
- (b) Ensure that contractors notify FAA prior to delivering hazardous or radioactive material; and
- (c) Cooperate with the Environmental Protection Agency (EPA) and its representatives as required.

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Red Line Content: Procurement Guidance:

*T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace
Environment, Conservation, Occupational Safety, and Drug Free Workplace*

Section 2 : Responsibilities

a. Program Office/~~Requisitioner~~ Responsibilities.

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(2) When preparing specifications and purchase descriptions for the acquisition of supplies, services, and construction, program offices should:

(a) Specify environmentally friendly products and ensure requirements comply with applicable laws (i.e. Clean Air Act);

(b) Consider energy conservation and efficiency data in acquisition planning; and

(c) Incorporate FAA and EPA recycled content standards into requirements.

(3) Program offices are responsible for reviewing and revising specifications or requirements during the planning phase of the acquisition to support FAA's procurement of environmentally preferable, energy and water efficient, and recycled content products.

(4) When required by law or FAA policy, program offices are responsible for documenting and certifying compliance with applicable environmental or conservation standards (i.e. the recycled content determination).

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(c) All required certifications (i.e. Toxic Chemical Release Inventory Form (Form R) certification or Material Safety Data Sheets (MSDS)) are received prior to contract award;

(d) That offerors are familiar with FAA's ~~Affirmative~~ Green Procurement ~~Program~~ Plan (~~APP~~ GPP) (see Appendix 2) prior to contract award; and

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(b) Ensure that contractors notify FAA prior to delivering hazardous or radioactive material; and

(c) Cooperate with the Environmental Protection Agency (EPA) and its representatives as required.

(3) *Reporting Clean Air or Water Violations.* If a CO becomes aware of noncompliance with clean air or water standards in a prospective or performing contractor's facilities, the CO must notify and coordinate the award with EPA.

Section 7 : Preference for Recycled Content and Biobased Products

Old Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Environment, Conservation, Occupational Safety, and Drug Free Workplace

Section 7 : Preference for Recycled Content and Biobased Products

a. In accordance with Executive Order (E.O.) 13423, "Strengthening Federal Environmental, Energy, and Transportation Management," FAA procurements of EPA-designated recycled content products will meet or exceed EPA guideline standards unless there is a price, performance, or availability justification for not doing so. For biobased products, preference is given for purchasing the highest percentage of biobased products practicable.

(1) *EPA-Designated Products.* FAA's APP is based on EPA's Comprehensive Procurement Guidelines (CPG) designations of recycled content products. FAA will give preference to procuring and using such products containing recovered materials versus products made with virgin materials when such products are available competitively within a reasonable time frame, meet reasonable performance standards, or are available at a reasonable price. These products will be purchased containing the percentages of recovered materials (recycled content) indicated in the CPG. EPA's recommended recovered materials minimum content ranges, product specifications, and other product information can be obtained from EPA's CPG website at www.epa.gov/cpg. The major CPG categories are Paper and Paper Products, Vehicular Products, Construction Products, Transportation (Traffic Control) Products, Park & Recreation Products, Landscaping Products, Non-paper Office Products, and Miscellaneous Products.

(2) *Biobased Products.* In making procurement decisions, preference is given to such items composed of the highest percentage of biobased products practicable. A decision not to buy these items will be made when it is determined that the items are not available within a reasonable period of time, fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring office, or are available only at an unreasonable price. A U.S. Department of

Agriculture (USDA) listing of biobased products may be found at <http://www.biopreferred.gov>.

(3) *Special Requirements for Refined Oil.* FAA fleets must use re-refined oil unless it is not available or does not meet performance needs. This special requirement applies to recycled content products purchased by FAA.

b. *Environmental Substitution Guide for Products.* FAA's APP provides information and guidance on purchasing and using environmentally preferable products and services. FAA's "Environmental Substitution Guide" describes products that are either non-hazardous or have favorable environmental, safety, and health properties, and can be found at employees.faa.gov/employee_services/safety/hazmat/media/ProdSub.pdf.

c. *Recycled Content Determination or Justification for Exemption.*

(1) *Recycled Content Determination.* Program officials are responsible for defining product specifications utilizing FAA's minimum content standards or preference standards when procuring EPA-designated items from outside vendors. The program official makes a written determination certifying that the statement of work/specifications for the requisition of materials/services specified complies with FAA's preference standards for recovered materials. The completed determination becomes part of the original contract file (see Sample in Appendix 3). A determination is not required when EPA-designated items containing recovered materials are obtained through GSA's Federal Supply Service or other established Federal supply sources.

(a) Printing and Writing Paper: FAA promotes complying with the minimum content standards stated in E.O. 13423 when purchasing printing and writing papers (including office paper products and support services that include the supply of written documents:

(i) 30 percent post-consumer fiber;

(ii) 20 percent post-consumer fiber, if papers containing 30 percent post-consumer fibers are not reasonably priced.

(2) *Justification for Not Buying EPA-Designated Recycled Content Products.*

(a) FAA justifications not to buy recycled content products are to be in writing, and may conclude that recycled content products:

(i) Are not available competitively;

(ii) Are not available within a reasonable time frame;

- (iii) Do not meet reasonable performance standards; or
- (iv) Are only available at an unreasonable price.

Written justification is not required for purchases below the threshold level of \$10,000.

(b) The procurement originator and/or CO, as appropriate, are to document the decision not to buy recycled content products. The original copy of the documentation becomes part of the original contract file (see Sample in Appendix 2). The procurement originator is responsible for submitting a copy of the form to the responsible program manager.

d. Recycled Content CPG Items.

The requirement to purchase recycled-content CPG items applies to all purchases, including those purchases falling under the defined threshold level or made using a purchase card and/or credit card checks. FAA is to provide training and education to its acquisition personnel procuring recycled content products under the defined threshold level, \$10,000.

e. Federal Supply Sources for EPA-Designated Products.

(1) Established Federal supply sources, such as the SAVES Program, General Services Administration (GSA), Advantage, Government Printing Office (GPO), the Defense Supply Center Richmond, and Ability One Program are competitive sources for EPA-designated items and other recycled content products.

(2) These sources also provide an additional service through independent estimation, certification, and verification of EPA-designated items containing recovered materials, thereby reducing overhead costs for procurement originators to track and monitor vendor compliance with APP requirements. Information on Federal supply sources of recycled content and environmentally preferable products is contained in Sample Appendix 5.

f. Contractors Use of EPA-Designated Products.

(1) The requirement to buy recycled content items applies to contractors when they are purchasing or supplying EPA-Designated products for use in the performance of a contract. The contractor is required to monitor and report on its APP-related procurement activities as well as require its applicable sub-contractors to comply with FAA's APP. It is the responsibility of FAA to ensure that appropriate new and existing contracts are revised to include APP compliance provisions.

(2) Because FAA's contractors may procure a majority of the products regulated by EPA's guidelines, FAA COs should ensure that such contractors are familiar with all

applicable APP requirements contained in their contracts with FAA. During initial contract execution, the COs should brief contractors on their role in the procurement of recycled content products. COs may, at any time, when appropriate, emphasize to contractors the importance and requirements of E.O. 13423.

g. *Life-Cycle Cost Analysis.*

FAA is required to use life-cycle cost analysis, wherever feasible and appropriate, to assist in selecting products and services. Whenever possible, cost should be calculated over the life of the item, not just the initial, up-front cost. When comparing alternative products, the initial cost of the acquisition, as well as lifetime maintenance costs, operational costs, etc. should be considered in the analysis. A product having a higher initial cost may have lower operational cost or a higher resale value and will, therefore, prove to be a better value and more cost-effective compared to the alternatives.

h. *Specification Review/Revision.*

(1) FAA program offices are responsible for reviewing and revising specifications, product descriptions, and standards during the acquisition planning stage to enhance FAA's procurement of recycled content products. Standards or specifications unrelated to performance or presenting barriers to procuring recycled content products should be revised or eliminated when reviewing or drafting procurement specifications. When revising FAA specifications, program offices should eliminate requirements for virgin materials, express preference for recovered materials to the maximum extent practicable, and allow for the purchase of products containing recovered material.

(2) When developing, reviewing, or revising Federal specifications, product descriptions (including Commercial Item Descriptions), and standards, FAA should consider recovered materials and environmentally preferable purchasing criteria.

(3) When converting to Commercial Item Descriptions (CID) during procurement actions, FAA employees and contractor personnel should ensure environmental factors have been considered and the CID meets or exceeds EPA's recycled content recommendations.

i. *Promotion Program.*

FAA is responsible for actively promoting its preference for recycled content products. This includes making recycled content product suppliers aware of FAA's preference program, educating program and procurement offices about requirements to procure recycled content products, and providing FAA employees and contractors with information on sources of recycled products. FAA should internally and externally promote its desire to buy recycled products by:

(1) Including explicit recovered materials preference standards for EPA-designated items in appropriate SIR and contract language, specifications, drawings, plans, statements of work, and during contract negotiations; and

(2) Providing informational materials, statements, and training to program and procurement offices regarding the agency's recovered materials preference program through internal documents, newsletters, and at appropriate conferences, workshops, and meetings.

j. Vendor Procedures.

(1) Certification.

COs should ensure that vendors provide written certification that their products meet the minimum content standards in the SIR documents, maintain copies of the certification documents, and produce copies of the written certification upon request by FAA.

(2) Verification.

FAA will periodically review vendor certification documents as part of the annual review and monitoring process. Such reviews should enable FAA to verify the contractor's compliance with E.O. 13423.

k. Annual Review and Monitoring.

FAA should take the following actions to track its procurement of EPA-designated recycled content products:

(1) Review available data on purchases from central supply sources, purchases using the government purchase card, and purchases by contractors in the performance of their contracts for each EPA-designated recycled content product that it purchases.

(2) Assess its progress in achieving FAA goal of purchasing 100 percent recycled content products.

(3) Determine whether recycled content products are not being purchased due to lack of training of CO(s), purchase cardholders, and/or product specifiers; and provide training as appropriate.

(4) Determine whether recycled content products are not being purchased due to price, performance, or availability constraints.

(5) Work with vendors and the EPA to identify products that meet FAA's needs whenever performance is the constraint.

(6) Increase its promotion program and work with the EPA to identify sources whenever availability is the constraint.

l. Annual Reports.

(1) FAA is encouraged to incorporate into its Government Performance Results Act annual performance plan goals:

- (a) To increase the procurement of products made from recovered materials;
- (b) For solid waste prevention and recycling or for solid waste diversion; and
- (c) For increasing the use of environmentally preferable products and services.

(2) FAA is responsible for tracking its purchasing of EPA-Designated items and reporting this information annually through DOT to the Federal Environmental Executive (FEE). FAA should also report on its compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of recycled content and environmentally preferable products.

New Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Environment, Conservation, Occupational Safety, and Drug Free Workplace

Section 7 : Preference for Recycled Content and Biobased Products

a. In accordance with Executive Order (E.O.) 13423, “Strengthening Federal Environmental, Energy, and Transportation Management,” FAA procurements of EPA-designated recycled content products will meet or exceed EPA guideline standards unless there is a price, performance, or availability justification for not doing so. For biobased products, preference is given for purchasing the highest percentage of biobased products practicable.

(1) *EPA-Designated Products.* FAA’s GPP is based on EPA’s Comprehensive Procurement Guidelines (CPG) designations of recycled content products. FAA will give preference to procuring and using such products containing recovered materials versus products made with virgin materials when such products are available competitively within a reasonable time frame, meet reasonable performance standards, or are available at a reasonable price. These products will be purchased containing the percentages of recovered materials (recycled content) indicated in the CPG. EPA’s recommended recovered materials minimum content ranges, product specifications, and other product information can be obtained from EPA’s CPG website at www.epa.gov/cpg. The major CPG categories are Paper and Paper Products, Vehicular Products, Construction Products, Transportation (Traffic Control) Products, Park & Recreation Products, Landscaping Products, Non-paper Office Products, and Miscellaneous Products.

(2) *Biobased Products.* In making procurement decisions, preference is given to such items composed of the highest percentage of biobased products practicable. A decision not to buy these items will be made when it is determined that the items are not available within a reasonable period of time, fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring office, or are available only at an unreasonable price. A U.S. Department of

Agriculture (USDA) listing of biobased products may be found at <http://www.biopreferred.gov>.

(3) *Special Requirements for Refined Oil.* FAA fleets must use re-refined oil unless it is not available or does not meet performance needs. This special requirement applies to recycled content products purchased by FAA.

b. *Environmental Substitution Guide for Products.* FAA's APP provides information and guidance on purchasing and using environmentally preferable products and services. FAA's "Environmental Substitution Guide" describes products that are either non-hazardous or have favorable environmental, safety, and health properties, and can be found at employees.faa.gov/employee_services/safety/hazmat/media/ProdSub.pdf.

c. *Recycled Content Determination or Justification for Exemption.*

(1) *Recycled Content Determination.* Program officials are responsible for defining product specifications utilizing FAA's minimum content standards or preference standards when procuring EPA-designated items from outside vendors. The program official makes a written determination certifying that the statement of work/specifications for the requisition of materials/services specified complies with FAA's preference standards for recovered materials. The completed determination becomes part of the original contract file (see Sample in Appendix 3). A determination is not required when EPA-designated items containing recovered materials are obtained through GSA's Federal Supply Service or other established Federal supply sources.

(a) Printing and Writing Paper: FAA promotes complying with the minimum content standards stated in E.O. 13423 when purchasing printing and writing papers (including office paper products and support services that include the supply of written documents:

(i) 30 percent post-consumer fiber;

(ii) 20 percent post-consumer fiber, if papers containing 30 percent post-consumer fibers are not reasonably priced.

(2) *Justification for Not Buying EPA-Designated Recycled Content Products.*

(a) FAA justifications not to buy recycled content products are to be in writing, and may conclude that recycled content products:

(i) Are not available competitively;

(ii) Are not available within a reasonable time frame;

(iii) Do not meet reasonable performance standards; or

- (iv) Are only available at an unreasonable price.

Written justification is not required for purchases below the threshold level of \$10,000.

- (b) The procurement originator and/or CO, as appropriate, are to document the decision not to buy recycled content products. The original copy of the documentation becomes part of the original contract file (see Sample in Appendix 2). The procurement originator is responsible for submitting a copy of the form to the responsible program manager.

d. Recycled Content CPG Items.

The requirement to purchase recycled-content CPG items applies to all purchases, including those purchases falling under the defined threshold level or made using a purchase card and/or credit card checks. FAA is to provide training and education to its acquisition personnel procuring recycled content products under the defined threshold level, \$10,000.

e. Federal Supply Sources for EPA-Designated Products.

(1) Established Federal supply sources, such as the SAVES Program, General Services Administration (GSA), Advantage, Government Printing Office (GPO), the Defense Supply Center Richmond, and Ability One Program are competitive sources for EPA-designated items and other recycled content products.

(2) These sources also provide an additional service through independent estimation, certification, and verification of EPA-designated items containing recovered materials, thereby reducing overhead costs for procurement originators to track and monitor vendor compliance with APP requirements. Information on Federal supply sources of recycled content and environmentally preferable products is contained in Sample Appendix 5.

f. Contractors Use of EPA-Designated Products.

(1) The requirement to buy recycled content items applies to contractors when they are purchasing or supplying EPA-Designated products for use in the performance of a contract. The contractor is required to monitor and report on its APP-related procurement activities as well as require its applicable sub-contractors to comply with FAA's GPP. It is the responsibility of FAA to ensure that appropriate new and existing contracts are revised to include APP compliance provisions.

(2) Because FAA's contractors may procure a majority of the products regulated by EPA's guidelines, FAA COs should ensure that such contractors are familiar with all applicable GPP requirements contained in their contracts with FAA. During initial contract execution, the COs should brief contractors on their role in the procurement of recycled content products. COs may, at any time, when appropriate, emphasize to contractors the importance and requirements of E.O. 13423.

g. Life-Cycle Cost Analysis.

FAA is required to use life-cycle cost analysis, wherever feasible and appropriate, to assist in selecting products and services. Whenever possible, cost should be calculated over the life of the item, not just the initial, up-front cost. When comparing alternative products, the initial cost of the acquisition, as well as lifetime maintenance costs, operational costs, etc. should be considered in the analysis. A product having a higher initial cost may have lower operational cost or a higher resale value and will, therefore, prove to be a better value and more cost-effective compared to the alternatives.

h. *Specification Review/Revision.*

(1) FAA program offices are responsible for reviewing and revising specifications, product descriptions, and standards during the acquisition planning stage to enhance FAA's procurement of recycled content products. Standards or specifications unrelated to performance or presenting barriers to procuring recycled content products should be revised or eliminated when reviewing or drafting procurement specifications. When revising FAA specifications, program offices should eliminate requirements for virgin materials, express preference for recovered materials to the maximum extent practicable, and allow for the purchase of products containing recovered material.

(2) When developing, reviewing, or revising Federal specifications, product descriptions (including Commercial Item Descriptions), and standards, FAA should consider recovered materials and environmentally preferable purchasing criteria.

(3) When converting to Commercial Item Descriptions (CID) during procurement actions, FAA employees and contractor personnel should ensure environmental factors have been considered and the CID meets or exceeds EPA's recycled content recommendations.

i. *Promotion Program.*

FAA is responsible for actively promoting its preference for recycled content products. This includes making recycled content product suppliers aware of FAA's preference program, educating program and procurement offices about requirements to procure recycled content products, and providing FAA employees and contractors with information on sources of recycled products. FAA should internally and externally promote its desire to buy recycled products by:

(1) Including explicit recovered materials preference standards for EPA-designated items in appropriate SIR and contract language, specifications, drawings, plans, statements of work, and during contract negotiations; and

(2) Providing informational materials, statements, and training to program and procurement offices regarding the agency's recovered materials preference program through internal documents, newsletters, and at appropriate conferences, workshops, and meetings.

j. *Vendor Procedures.*

(1) *Certification.*

COs should ensure that vendors provide written certification that their products meet the minimum content standards in the SIR documents, maintain copies of the certification documents, and produce copies of the written certification upon request by FAA.

(2) *Verification.*

FAA will periodically review vendor certification documents as part of the annual review and monitoring process. Such reviews should enable FAA to verify the contractor's compliance with E.O. 13423.

k. *Annual Review and Monitoring.*

FAA should take the following actions to track its procurement of EPA-designated recycled content products:

(1) Review available data on purchases from central supply sources, purchases using the government purchase card, and purchases by contractors in the performance of their contracts for each EPA-designated recycled content product that it purchases.

(2) Assess its progress in achieving FAA goal of purchasing 100 percent recycled content products.

(3) Determine whether recycled content products are not being purchased due to lack of training of CO(s), purchase cardholders, and/or product specifiers; and provide training as appropriate.

(4) Determine whether recycled content products are not being purchased due to price, performance, or availability constraints.

(5) Work with vendors and the EPA to identify products that meet FAA's needs whenever performance is the constraint.

(6) Increase its promotion program and work with the EPA to identify sources whenever availability is the constraint.

l. *Annual Reports.*

(1) FAA is encouraged to incorporate into its Government Performance Results Act annual performance plan goals:

(a) To increase the procurement of products made from recovered materials;

(b) For solid waste prevention and recycling or for solid waste diversion; and

(c) For increasing the use of environmentally preferable products and services.

(2) FAA is responsible for tracking its purchasing of EPA-Designated items and reporting this information annually through DOT to the Federal Environmental Executive (FEE). FAA should also report on its compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of recycled content and environmentally preferable products.

Red Line Content: Procurement Guidance:

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace

Environment, Conservation, Occupational Safety, and Drug Free Workplace

Section 7 : Preference for Recycled Content and Biobased Products

a. In accordance with Executive Order (E.O.) 13423, “Strengthening Federal Environmental, Energy, and Transportation Management,” FAA procurements of EPA-designated recycled content products will meet or exceed EPA guideline standards unless there is a price, performance, or availability justification for not doing so. For biobased products, preference is given for purchasing the highest percentage of biobased products practicable.

(1) *EPA-Designated Products.* FAA’s **APPGPP** is based on EPA’s Comprehensive Procurement Guidelines (CPG) designations of recycled content products. FAA will give preference to procuring and using such products containing recovered materials versus products made with virgin materials when such products are available competitively within a reasonable time frame, meet reasonable performance standards, or are available at a reasonable price. These products will be purchased containing the percentages of recovered materials (recycled content) indicated in the CPG. EPA’s recommended recovered materials minimum content ranges, product specifications, and other product information can be obtained from EPA’s CPG website at www.epa.gov/cpg. The major CPG categories are Paper and Paper Products, Vehicular Products, Construction Products, Transportation (Traffic Control) Products, Park & Recreation Products, Landscaping Products, Non-paper Office Products, and Miscellaneous Products.

(2) *Biobased Products.* In making procurement decisions, preference is given to such items composed of the highest percentage of biobased products practicable. A decision not to buy these items will be made when it is determined that the items are not available within a reasonable period of time, fail to meet the performance standards set forth in the applicable specifications or fail to meet the reasonable performance standards of the procuring office, or are available only at an unreasonable price. A U.S. Department of Agriculture (USDA) listing of biobased products may be found at <http://www.biopreferred.gov>.

(3) *Special Requirements for Refined Oil.* FAA fleets must use re-refined oil unless it is not available or does not meet performance needs. This special requirement applies to recycled content products purchased by FAA.

b. *Environmental Substitution Guide for Products.* FAA's APP provides information and guidance on purchasing and using environmentally preferable products and services. FAA's "Environmental Substitution Guide" describes products that are either non-hazardous or have favorable environmental, safety, and health properties, and can be found at employees.faa.gov/employee_services/safety/hazmat/media/ProdSub.pdf.

c. *Recycled Content Determination or Justification for Exemption.*

(1) *Recycled Content Determination.* Program officials are responsible for defining product specifications utilizing FAA's minimum content standards or preference standards when procuring EPA-designated items from outside vendors. The program official makes a written determination certifying that the statement of work/specifications for the requisition of materials/services specified complies with FAA's preference standards for recovered materials. The completed determination becomes part of the original contract file (see Sample in Appendix 3). A determination is not required when EPA-designated items containing recovered materials are obtained through GSA's Federal Supply Service or other established Federal supply sources.

(a) Printing and Writing Paper: FAA promotes complying with the minimum content standards stated in E.O. 13423 when purchasing printing and writing papers (including office paper products and support services that include the supply of written documents:

(i) 30 percent post-consumer fiber;

(ii) 20 percent post-consumer fiber, if papers containing 30 percent post-consumer fibers are not reasonably priced.

–(2) *Justification for Not Buying EPA-Designated Recycled Content Products.*

(a) FAA justifications not to buy recycled content products are to be in writing, and may conclude that recycled content products:

(i) Are not available competitively;

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Written justification is not required for purchases below the threshold level of \$10,000.

–(b) The procurement originator and/or CO, as appropriate, are to document the decision not to buy recycled content products. The original copy of the

documentation becomes part of the original contract file (see Sample in Appendix 2). The procurement originator is responsible for submitting a copy of the form to the responsible program manager.

d. Recycled Content CPG Items.

The requirement to purchase recycled-content CPG items applies to all purchases, including those purchases falling under the defined threshold level or made using a purchase card and/or credit card checks. FAA is to provide training and education to its acquisition personnel procuring recycled content products under the defined threshold level, \$10,000.

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(1) Established Federal supply sources, such as the SAVES Program, General Services Administration (GSA), Advantage, Government Printing Office (GPO), the Defense Supply Center Richmond, and Ability One Program are competitive sources for EPA-designated items and other recycled content products.

(2) These sources also provide an additional service through independent estimation, certification, and verification of EPA-designated items containing recovered materials, thereby reducing overhead costs for procurement originators to track and monitor vendor compliance with APP requirements. Information on Federal supply sources of recycled content and environmentally preferable products is contained in Sample Appendix 5.

f. Contractors Use of EPA-Designated Products.

(1) The requirement to buy recycled content items applies to contractors when they are purchasing or supplying EPA-Designated products for use in the performance of a contract. The contractor is required to monitor and report on its APP-related procurement activities as well as require its applicable sub-contractors to comply with FAA's [APPGPP](#). It is the responsibility of FAA to ensure that appropriate new and existing contracts are revised to include APP compliance provisions.

(2) Because FAA's contractors may procure a majority of the products regulated by EPA's guidelines, FAA COs should ensure that such contractors are familiar with all applicable [APPGPP](#) requirements contained in their contracts with FAA. During initial contract execution, the COs should brief contractors on their role in the procurement of recycled content products. COs may, at any time, when appropriate, emphasize to contractors the importance and requirements of E.O. 13423.

g. Life-Cycle Cost Analysis.

FAA is required to use life-cycle cost analysis, wherever feasible and appropriate, to assist in selecting products and services. Whenever possible, cost should be calculated over the life of the item, not just the initial, up-front cost. When comparing alternative products, the initial cost of the acquisition, as well as lifetime maintenance costs, operational costs, etc. should be

considered in the analysis. A product having a higher initial cost may have lower operational cost or a higher resale value and will, therefore, prove to be a better value and more cost-effective compared to the alternatives.

h. Specification Review/Revision.

(1) FAA program offices are responsible for reviewing and revising specifications, product descriptions, and standards during the acquisition planning stage to enhance FAA's procurement of recycled content products. Standards or specifications unrelated to performance or presenting barriers to procuring recycled content products should be revised or eliminated when reviewing or drafting procurement specifications. When revising FAA specifications, program offices should eliminate requirements for virgin materials, express preference for recovered materials to the maximum extent practicable, and allow for the purchase of products containing recovered material.

(2) When developing, reviewing, or revising Federal specifications, product descriptions (including Commercial Item Descriptions), and standards, FAA should consider recovered materials and environmentally preferable purchasing criteria.

(3) When converting to Commercial Item Descriptions (CID) during procurement actions, FAA employees and contractor personnel should ensure environmental factors have been considered and the CID meets or exceeds EPA's recycled content recommendations.

i. Promotion Program.

FAA is responsible for actively promoting its preference for recycled content products. This includes making recycled content product suppliers aware of FAA's preference program, educating program and procurement offices about requirements to procure recycled content products, and providing FAA employees and contractors with information on sources of recycled products. FAA should internally and externally promote its desire to buy recycled products by:

(1) Including explicit recovered materials preference standards for EPA-designated items in appropriate SIR and contract language, specifications, drawings, plans, statements of work, and during contract negotiations; and

(2) Providing informational materials, statements, and training to program and procurement offices regarding the agency's recovered materials preference program through internal documents, newsletters, and at appropriate conferences, workshops, and meetings.

j. Vendor Procedures.

(1) Certification.

COs should ensure that vendors provide written certification that their products meet the minimum content standards in the SIR documents, maintain copies of the certification documents, and produce copies of the written certification upon request by FAA.

(2) Verification.

FAA will periodically review vendor certification documents as part of the annual review and monitoring process. Such reviews should enable FAA to verify the contractor's compliance with E.O. 13423.

k. Annual Review and Monitoring.

FAA should take the following actions to track its procurement of EPA-designated recycled content products:

- (1) Review available data on purchases from central supply sources, purchases using the government purchase card, and purchases by contractors in the performance of their contracts for each EPA-designated recycled content product that it purchases.
- (2) Assess its progress in achieving FAA goal of purchasing 100 percent recycled content products.
- (3) Determine whether recycled content products are not being purchased due to lack of training of CO(s), purchase cardholders, and/or product specifiers; and provide training as appropriate.
- (4) Determine whether recycled content products are not being purchased due to price, performance, or availability constraints.
- (5) Work with vendors and the EPA to identify products that meet FAA's needs whenever performance is the constraint.
- (6) Increase its promotion program and work with the EPA to identify sources whenever availability is the constraint.

l. Annual Reports.

- (1) FAA is encouraged to incorporate into its Government Performance Results Act annual performance plan goals:
 - (a) To increase the procurement of products made from recovered materials;
 - (b) For solid waste prevention and recycling or for solid waste diversion; and
 - (c) For increasing the use of environmentally preferable products and services.

(2) FAA is responsible for tracking it's purchasing of EPA-Designated items and reporting this information annually through DOT to the Federal Environmental Executive (FEE). FAA should also report on its compliance with requirements to review and revise specifications, product descriptions, and standards to enhance the procurement of recycled content and environmentally preferable products.
