

T3.6.3 Environment, Conservation, Occupational Safety, and Drug Free Workplace Revised 4/2009

A Environment, Conservation, Occupational Safety, and Drug Free Workplace Revised 4/2009

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

Revised 4/2009

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1 Contracting for Environmentally Preferable and Energy-Efficient Products, Services and Facilities Revised 1/2014

FAA must acquire (i) environmentally preferable, energy and water efficient, recycled content containing, non-ozone depleting, less or non-toxic, and biobased products and services, and (ii) Environmental Protection Agency (EPA) compliant facilities whenever possible. Throughout the acquisition process, FAA must consider:

- (a) Obtaining and using renewable energy technology products and services considered to be environmentally preferable and energy and water efficient;
- (b) Eliminating or reducing the generation of hazardous waste and the need for special material processing (including special handling, storage, treatment, or disposal);
- (c) Requiring the use of less-toxic, non-hazardous materials and non-ozone depleting substances;
- (d) Realizing life-cycle cost savings;
- (e) Promoting cost effective waste reduction when creating plans, drawings, specifications, standards and other product descriptions authorizing material substitutions, extensions of shelf-life, and process improvements;
- (f) Requiring the use of biobased and recovered or recycled products;
- (g) Ensuring the offeror's facility is not on the General Services Administration (GSA) "List of Parties Excluded from Federal Procurement and Nonprocurement Programs"; and
- (h) Requiring contractors to manage the diversion of non-hazardous solid waste and Construction and Demolition (C&D) debris (generated as a result of their work) from municipal landfills or incineration facilities, including management, tracking, and reporting.

2 Responsibilities Revised 10/2013

a. *Program Office 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 must:

(a) Specify environmentally friendly products and ensure requirements comply with applicable laws and Executive Orders (such as Clean Air Act, Executive Orders 13423 and 13514);

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

(c) Incorporate FAA and EPA recycled content, biobased, non-ozone depleting, less-toxic, and energy and water efficient product standards into requirements; and

(d) Incorporate pollution prevention (such as waste reduction and diversion) and electronics stewardship considerations 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, biobased, less toxic, non-ozone depleting, and recycled content products. In addition to the program area specific resources available in AMS Guidance, refer to the [GSA's Green Products Compilation Tool](#) for a listing of products and services for which the EPA, DOE, and USDA have issued designations otherwise provided guidance for sustainability attributes.

(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) must ensure:

(a) That Procurement Request (PR) packages include all required justifications (i.e. recycled content determination, Energy Star® etc.);

(b) The Screening Information Request (SIR) includes all required provisions to support FAA's procurement of environmentally preferable, energy and water efficient, biobased, less-toxic, non-ozone depleting, and recycled content products and services (i.e. energy efficiency standards for energy-consuming products, diverting non-hazardous solid waste, etc.). The GSA Green Products Compilation Tool is a reference as described in (a)(3) above.

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

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

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

(a) Ensure that all post-award certifications (e.g. minimum content standards, Energy Star®, biobased, etc.) 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.

3 Hazardous Material Identification and Material Safety Data Revised 7/2008

a. The CO should obtain information before award about hazards that may be introduced into the workplace by the supplies being acquired such as:

(1) That required by Federal Standard No. 313 (including revisions adopted during the term of the contract) in obtaining hazardous material; or

(2) That identified by a FAA technical representative as potentially hazardous and requiring safety controls.

b. As required by 29 CFR 1910.1200(g) and the latest version of Federal Standard No. 313, the successful offeror/contractor is required to submit Material Safety Data Sheets (MSDS) prior to contract award and with supplies at the time of delivery, unless the offeror/contractor certifies that the supplies are not hazardous. The CO should provide a copy of all MSDSs received to the safety officer and program office.

4 Notice of Radioactive Material Revised 4/2009

a. The procurement team requires contractors to notify FAA receiving activities prior to delivering radioactive material so FAA can initiate appropriate safeguards. The CO may waive the notification if the contractor certifies that a notification on prior deliveries is still accurate. However, the CO may only waive the notice after consultation with the cognizant contracting technical representatives.

b. The procurement team should require offerors to specify the number of days in advance of delivery that the receiving activity will be notified of an impending delivery. The determination of the number of days should be done in coordination with the installation/facility radiation protection officer (RPO). The RPO is responsible for insuring the proper license, authorization or permit is obtained prior to receipt of the radioactive material.

5 Ozone Depleting Substances Revised 7/2013

a. FAA must minimize procurement of materials and substances (such as those found in refrigerants, foam blowing agents, cleaning solvents, fire suppression, aerosols, sterilants, and adhesives, coatings, and inks) that contribute to depleting the stratospheric ozone. FAA must also give preference to procuring alternative chemicals, products and manufacturing processes that reduce overall risks to human health and the environment by lessening the depletion of ozone in the upper atmosphere.

b. When preparing specifications and purchase descriptions for supplies and services, program officials must ensure that each comply with the Clean Air Act and substitute safe alternatives to ozone depleting substances, as approved by the EPA's Significant New Alternatives Policy (SNAP) Program.

c. For contracts calling for the delivery of ozone-depleting substances or supplies that may contain or be manufactured with ozone-depleting substances, it must be specified in the Screening Information Request (SIR)/contract that only offerors with the appropriate EPA certifications will be considered for award. Required certifications based on service type (such as Section 608 Certification for stationary refrigeration and air conditioning technicians) can be found under EPA's Ozone Layer Protection Regulatory Programs .

d. Additional information regarding non-ozone depleting alternatives can be found in the following locations:

(1) EPA's [SNAP Program website](#); and

(2) EPA's [Ozone Layer Protection - Regulatory Programs website](#).

6 Chemicals Management Revised 4/2014

a. To the maximum extent practicable, FAA procurements must 1) reduce the overall quantity of chemicals and toxic materials acquired, used, and disposed of; and 2) increase the use of less or non-toxic alternatives.

(1) FAA must purchase and use less or non-toxic building product alternatives (such as paints, sealants, adhesives, carpet, engineered wood, etc.) wherever practicable. Products should meet the suggested Volatile Organic Compound (VOC) limits set forth in the Whole Building Design Guide's (WBDG) Federal Green Construction Guide for Specifiers.

(2) FAA must utilize environmentally preferable methods for indoor and outdoor cleaning and Integrated Pest Management (IPM).

(a) Cleaning product specifications should align with green cleaning guidelines set forth in EPA's Environmentally Preferable Purchasing Program. For example, preference should be given for cleaning products that:

- (i) Have minimal presence of (or exposure to) harmful chemicals (such as corrosives, carcinogens, etc.) and Volatile Organic Compounds (VOCs);
- (ii) Are biodegradable by standard methods and definitions; and
- (iii) Contain biobased solvents.

(b) Indoor and outdoor pest management must be accomplished through an IPM approach that minimizes the use of chemical pesticides.

(3) FAA must utilize environmentally preferable methods for landscape management wherever practicable. For example:

(a) Preference should be given for snow and ice management methods that promote proactive ice prevention and employ the use of less-toxic chemical de-icing alternatives to calcium chloride and sodium chloride.

(b) Low-impact and biodegradable cleaning products should be specified for use on building exterior, sidewalks, pavement, and other hardscapes in a manner that promotes water efficiency and prevents runoff.

(c) Preference should be shown for organic or natural fertilizers (such as compost, grass clippings) in lieu of chemical fertilizers where their use would be meaningful and consistent with mission needs. Where synthetic fertilizers must be used, preference should be given to slow-release formulations and those which consider appropriate nutrient management practices based on local environmental sensitivities and regulations.

b. Additional information regarding less or non-toxic alternatives can be found at the following locations:

- (1) [Federal Green Construction Guide for Specifiers website](#)
- (2) [Design for the Environment \(DfE\) website](#)
- (3) [EPA Environmentally Preferable Purchasing Program \(EPP\) website](#)

7 Energy Conservation and Efficiency Revised 4/2015

a. The procurement team (CO, program official, legal counsel, and others supporting a program) must make energy conservation and efficiency a contracting consideration when procuring products affecting energy consumption. Energy conservation and efficiency data

must be considered along with estimated cost and other relevant factors in the preparation of plans, drawings, specifications, and other product descriptions. When procuring energy-consuming products:

- (1) FAA must procure the most energy efficient products available, where life-cycle cost effective and consistent with the mission need;
- (2) FAA must purchase Energy Star® or other energy-efficient items listed with the Department of Energy's (DOE) Federal Energy Management Program (FEMP) Product Energy Efficiency Recommendations products list;
- (3) For products that consume power in standby mode and are listed on FEMP's Low Standby Power Devices product listing, FAA must:
 - (a) Purchase items which meet FEMP's standby power wattage recommendation or document why such items were not purchased; or
 - (b) If the FEMP has listed a product without a corresponding wattage recommendation, purchase items which use no more than one watt in standby power consuming mode. If meeting the one watt requirement is impracticable, FAA will purchase items with the lowest standby wattage practicable.
- (4) FAA must purchase Electronic Product Environmental Assessment Tool (EPEAT) Bronze-registered electronic products (such as personal computer products, imaging equipment, televisions) or higher if available (Gold registered products are preferred). All EPEAT-registered products are Energy Star® labeled); and
- (5) FAA must purchase technologies that utilize renewable energy sources where their application and use would be practicable, life-cycle cost effective, and consistent with mission needs.

b. When contracting for service or construction that will include the provision of energy-consuming products, FAA will specify products that comply with the standards outlined above.

c. FAA is not required to procure Energy Star®, EPEAT registered, or FEMP-designated products if it is determined in writing by the program official that:

- (1) An Energy Star ® product or FEMP designated product is not cost-effective over the life of the product taking energy cost savings into account;
- (2) No Energy Star® or FEMP-designated product is reasonably available that meets the functional requirements of FAA, or
- (3) No EPEAT standard for the product exists.

d. Information regarding EPEAT registered, Energy Star® or FEMP-designated products can

be found at the following locations:

- (1) [Energy Star® website](#);
- (2) [FEMP website](#) or
- (3) [EPEAT website](#)

8 Renewable Energy Certificates Revised 4/2015

a. Renewable energy certificates (RECs), also known as renewable energy credits, represent the property rights to the environmental, social, and other non-power qualities of renewable electricity generation. A REC, and its associated attributes and benefits, can be sold separately from the underlying physical electricity associated with a renewable-based generation source. FAA has the option of purchasing RECs to help meet Federal renewable energy use requirements.

b. Starting in FY 2015, 100 percent of RECs purchased must be from new renewable sources, where “new” renewable sources means sources of renewable energy placed into service within 10 years prior to the start of the fiscal year. RECs purchased must be from renewable sources of electricity derived from solar, wind, biomass, landfill gas, 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. In addition, RECs must meet “vintage” requirements where “vintage” refers to the period of time during which the energy the RECs represent was generated. Refer to the following table for the vintage requirements for each fiscal year:

<u>Fiscal Year</u>	<u>“Vintage”, i.e., Period of Generation for RECs</u>
<u>FY 2015</u>	<u>01 April 2014 – 31 December 2015</u>
<u>FY 2016</u>	<u>01 April 2015 – 31 December 2016</u>
<u>FY 2017</u>	<u>01 April 2016 – 31 December 2017</u>
<u>FY 2018</u>	<u>01 April 2017 – 31 December 2018</u>
<u>FY 2019</u>	<u>01 April 2018 – 31 December 2019</u>
<u>FY 2020</u>	<u>01 April 2019 – 31 December 2020</u>

RECs purchased for a given fiscal year must meet the corresponding vintage requirements in order for them to count towards that fiscal year’s Federal renewable energy requirement.

c. In order to meet REC reporting requirements, FAA must obtain documentation under the contract showing both transference and ownership of the RECs, and it must also include the following information:

- (1) Number of RECs sold in megawatt hours (MWhs);
- (2) Fuel type (renewable fuel used to generate electricity associated with RECs sold);

- (3) Period of generation for RECs sold (month or quarter, and year);
- (4) Cost per REC (or total purchase price);
- (5) Location of the generation facility; and
- (6) Date the generation facility was placed in service;

Optional additional information may include:

- (1) Renewable energy project name;
- (2) Generator ID number; and
- (3) Nameplate capacity.

Usually this documentation is in the form of an attestation from the REC provider and a certificate of transfer, which demonstrates rights to the renewable attributes of the power generated by the renewable resource transfer to the buyer.

9 Water Conservation and Efficiency Revised 4/2014

a. The procurement team (Contracting Officer (CO), program official, legal counsel, and others supporting a program) must make water conservation a contracting consideration when procuring products affecting FAA water consumption. Water conservation and efficiency data must be considered along with estimated cost and other relevant factors in the preparation of plans, drawings, specifications, and other product descriptions. When procuring water consuming products:

- (1) FAA must procure the most water efficient products available, where life cycle cost- effective and consistent with the mission need.
- (2) FAA must purchase WaterSense® labeled products or other water conserving products where available and life cycle cost effective.

b. When contracting for service or construction that will include the provision of water consuming products, FAA will specify products that comply with the standards outlined above. FAA should choose irrigation contractors that are certified through a WaterSense® labeled program.

c. FAA is not required to procure WaterSense® labeled products or other water conserving products if it is determined in writing by the program official that:

- (1) A WaterSense® labeled product or other water conserving product is not cost- effective over the life of the product taking utility cost savings into account; or
- (2) No WaterSense® labeled product or other water conserving product is reasonably available that meets the functional requirements of FAA.

d. For examples of common off-the-shelf water conserving products and efficiency standards, refer to Department of Energy's (DOE) guidance "[Establishing Baseline and Meeting Water Conservation Goals of Executive Order 13423](#)".

e. Information regarding WaterSense® labeled products can be found on the [EPA's WaterSense® website](#).

10 Preference for Recycled Content and Biobased Products Revised 4/2015

a. According to Executive Orders 13423 and 13514, FAA procurements of designated recycled content products in EPA's Comprehensive Procurement Guidelines (CPG) 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 Green Procurement Plan (GPP) (see Appendix 2) is based on EPA's 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, and 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](#). 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. Contracting Officers should refer to the U.S. Department of Agriculture (USDA) listing of biobased products on the [USDA biopreferred website](#) when purchasing products that contain biobased material or services that could contain products that contain biobased material.

(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 GPP provides information and guidance on purchasing and using environmentally preferable products and services.

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: In accordance with Executive Orders 13423 and 13514, FAA must use the following minimum content standards when purchasing uncoated 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 available, do not meet reasonable performance requirements, or are only available at an unreasonable price.

(b) In addition, FAA should purchase uncoated paper containing at least 50 percent postconsumer fiber content whenever practicable.

(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;

(iv) 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 GPP 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 GPP-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 GPP 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 Executive Orders 13423 and 13514.

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 biobased and recycled content products. Standards or

specifications unrelated to performance or presenting barriers to procuring biobased and 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 biobased and recovered materials to the maximum extent practicable, and allow for the purchase of products containing biobased and recovered material.

(2) When developing, reviewing, or revising Federal specifications, product descriptions (including Commercial Item Descriptions), and standards, FAA should consider biobased and 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 USDA's biobased and EPA's recycled content recommendations.

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

(1) Including explicit biobased and recovered materials preference standards for USDA- designated biobased products and 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 biobased and 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 Executive Orders 13423 and 13514.

k. *Annual Review and Monitoring.* FAA should take the following actions to track its procurement of USDA-designated biobased products and 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 USDA-designated biobased product and EPA-designated recycled content product that it purchases.

(2) Assess its progress in achieving FAA goal of ensuring that 95 percent of applicable new contract actions for products and services advance sustainable acquisition, including biobased and recycled content products acquisition, where such products and services meet FAA performance requirements.

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

(5) Work with vendors, USDA, 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 USDA and EPA to identify sources whenever availability is the constraint.

1. *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 biobased and 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 USDA-designated biobased products and 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 biobased, recycled content and environmentally preferable products.

11 Waste Management Revised 7/2014

a. *Non-hazardous Solid Waste.* The FAA must divert at least 50 percent of non-hazardous solid waste, excluding construction and demolition debris, by the end of Fiscal Year 2015 in accordance with Executive Order 13514. Pursuant to Executive Order 13423, every new

contract for contractor operation of or maintenance at a Government owned or leased facility should require contractor programs to promote and implement cost-effective waste reduction and diversion in performing the contract, to the maximum extent practicable. Where economically feasible, existing contracts for contractor operation of or maintenance at Government-owned or leased facilities should be modified to include the promotion and implementation of cost-effective non-hazardous solid waste reduction and diversion in contract performance.

b. *Construction and Demolition (C&D) Waste.*

(1) FAA must divert at least 50 percent of overall C&D waste from landfills or incineration facilities by the end of Fiscal Year 2015 in accordance with Executive Order 13514. Examples of materials to be diverted are as follows:

- (a) Soil
- (b) Inerts (such as concrete, masonry, or asphalt)
- (c) Clean dimensional wood and pallet wood
- (d) Green waste (biodegradable landscaping materials)
- (e) Engineered wood products (such as plywood, particle board)
- (f) Metal products (such as steel, wire, beverage containers)
- (g) Cardboard, paper, and packaging
- (h) Bitumen roofing materials
- (i) Plastics (such as ABS, PVC)
- (j) Carpet and/or padding
- (k) Gypsum board
- (l) Insulation
- (m) Paint
- (n) Fluorescent lamps

(2) For all construction, demolition, or facilities modernization contracts over \$100,000 in awarded value, the contractor must submit a Waste Management Plan to the Contracting Officer (CO) no later than 15 days after contract award and prior to the start of construction activities in accordance with Clause 3.6.3-22 "Construction Waste Management". The clause also requires the contractor to divert at least 50 percent of the weight of the total non-hazardous solid waste generated by the work from landfills

and incinerators (unless a lower percentage is specified in the clause by the CO).

(a) The contractor must track C&D waste diversion efforts and provide a Waste Diversion Summary Report each month. A sample Construction and Demolition Debris Diversion Report Form can be found in the FAA AMS Statement of Work Generator under DID FAA-EOSH-0001.

(b) Information regarding C&D waste management may be found at the following websites:

(i) [EPA's Construction and Demolition Materials](#) provides basic information on C&D materials, collection, handling, recycling, reuse, and disposal.

(ii) [California C&D Debris recycling](#) provides useful best practices for managing C&D waste.

(iii) [Whole Building Design Guide](#) provides a Construction Waste Management Database that contains information on companies that haul, collect, and process recyclable debris from construction projects.

c. FAA facilities must comply with the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11001-11050) and the Pollution Prevention Act of 1990 (PPA) (42 U.S.C. 13101-13109).

d. Every FAA contract that provides for performance on a Federal facility must stipulate that the contractor must provide information necessary for FAA to comply with the emergency planning and toxics release reporting requirements of EPCRA and PPA.

12 Energy Savings Performance Contracts Revised 4/2014

a. An Energy Savings Performance Contract (ESPC) is a contract that allows the FAA to accomplish energy projects for its facilities with little or no upfront capital costs. Under an ESPC, a contractor (i.e., an Energy Savings Company (ESCO)) finances the up-front cost of the project, guarantees the project improvements will generate enough energy and water cost savings to pay for the project over the contract period, and is paid back from the resultant energy and water savings over the contract period. Financed project costs may include ESCO services for the design, acquisition, financing, installation, testing, operation, and where appropriate, maintenance and repair of an identified energy conservation measure or series of measures at one or more FAA facilities. If sufficient appropriated funding to cover the entire project is not available, or is not expected to be available in a reasonable time frame, FAA may award ESPCs to accomplish energy savings projects at FAA. FAA may contract with an ESCO for a period not to exceed 25 years.

b. *Procedures.* To solicit and award an ESPC, the CO must use the procedures, selection method, and terms and conditions provided in 10 CFR Part 436, Subpart B, at the Department of Energy (DOE) [Federal Energy Management Program \(FEMP\)](#) website and must use the "Qualified List" of ESCOs established by the DOE. The resulting award would be processed

as an order under the applicable DOE contract consistent with AMS guidance on interagency procurement.

c. *Training.* All COs responsible for negotiating ESPCs must take DOE FEMP-sponsored contracting training for ESPCs (ESPC Contracting and Negotiations Webinar).

d. All ESPCs must comply with the National Energy Conservation Policy Act (42 U.S.C 8287) as set forth in the DOT Limited Delegation of Authority of July 11, 2012 until such time as the DOE statute or implementing regulations are revised.

13 Utility Energy Service Contracts Revised 4/2014

a. Under a Utility Energy Service Contract (UESC), FAA may contract with a local servicing utility for technical services and/or up-front project financing for energy efficiency, water conservation, and renewable energy investments at one or more FAA facilities. The utility finances the capital costs of the project with little or no up-front capital costs to the FAA, and the utility is then repaid over the contract term from the cost savings generated by the project. If sufficient appropriated funding to cover the entire project is not available, or not expected to be available in a reasonable time frame, FAA may award UESCs at FAA facilities. Unlike a Energy Savings Performance Contract, a UESC is not required to include performance guarantees. Because of this, it is highly recommended that performance guarantees or assurances be incorporated into these contracts to reduce FAA risk. Performance assurances do not guarantee energy savings; however, they provide assurance that equipment installed will perform as expected. A UESC should also include measurement and verification of savings through equipment commissioning, recommissioning or retro-commissioning.

b. *Planning.* Acquisition planning for a UESC should include the following:

(1) Inclusion of applicable performance assurance criteria in the SIR and contract;

(2) Analysis that shows that the planned energy conservation measures are cost effective; and

(3) A competition or alternatives analysis as part of the selection process.

c. *Procedures.* To solicit and award a [UESC](#), the CO must use the procedures, selection method, and terms and conditions provided on the Department of Energy Federal Energy Management Program (FEMP) website.

d. All UESCs must comply with the Energy Policy Act of 1992 (42 USC 8256).

14 Drug Free Workplace Revised 4/2014

a. *Applicability.* Drug-free workplace requirements apply to all contracts except those performed outside of the United States, its territories, and its possessions; or when application would be inconsistent with international obligations of the U.S. or foreign laws or regulations.

b. *Attestation.* The firm or individual attests to providing a drug-free workplace by their signature on the contract.

c. *Penalties.* After determining in writing that adequate evidence to suspect the specific cause identified exists, the CO may elect to suspend contract payments or to terminate the contract.

(1) The specific cause for suspension of contract payments, termination of a contract, or suspension and debarment is that such a number of contractor employees have been convicted of violations of criminal drug statutes occurring in the workplace to indicate that the contractor has failed to make a good-faith effort to provide a drug-free workplace.

(2) A determination to suspend contract payments, terminate a contract, or debar or suspend a contractor may be waived for a particular contract, only if such waiver is necessary to prevent a severe disruption of FAA's operation to the detriment of the Federal Government or the general public.

B Clauses

[view contract clauses](#)

C Forms

[view procurement forms](#)

D Appendix

1 Appendix - Definitions Revised 4/2009

a. "Biobased product" means a commercial or industrial product (other than food or feed) that is composed, in whole or in significant part, of biological products or renewable domestic agricultural materials (including plant, animal, and marine) or forestry materials.

b. "*Consumer product*" means any article (other than an automobile, as defined in section 501(1) of the Motor Vehicle Information and Cost Savings Act) that consumes energy and is distributed in commerce for personal use or consumption by individuals.

c. "*Covered product*" means a consumer product of one of the following types:

(1) Central air conditioners.

(2) Clothes dryers.

(3) Clothes washers.

- (4) Dishwashers.
- (5) Freezers.
- (6) Furnaces.
- (7) Home heating equipment, not including furnaces.
- (8) Humidifiers and dehumidifiers.
- (9) Kitchen ranges and ovens.
- (10) Refrigerators and refrigerator-freezers.
- (11) Room air conditioners.
- (12) Television sets.
- (13) Water heaters.
- (14) Any other type of product that the Secretary of Energy classifies as a covered product under 42 U.S.C. 6292(b).

d. "*Energy efficiency standard*" means a performance standard that prescribes a minimum level of energy efficiency for a covered product, determined by test procedures prescribed under 42 U.S.C. 6293; and includes any other requirements that the Secretary of Energy may prescribe under 42 U.S.C. 6295(c).

e. "*Energy use and efficiency label*" means a label provided by a manufacturer of a covered product under 42 U.S.C. 6296.

f. "*EPA designated item*" means an item that is or can be made with recovered materials and is listed by EPA in a procurement guideline (40 CFR, chapter 1, subchapter I).

g. "Environmentally preferable" means products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. Environmentally preferable product categories include:

- (1) Building and Construction
- (2) Carpets
- (3) Cleaning
- (4) Electronics
- (5) Fleets

- (6) Food Service
- (7) Landscaping
- (8) Meetings and Conferences
- (9) Office Supplies
- (10) Paper

h. "*Manufacture*" means to manufacture, produce, assemble, or import.

i. "*Manufacturer*" as used in this part, means any business that, or person who, manufactures a consumer product.

j. "*Post consumer material*" means 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. Post consumer material is a part of the broader category of "*recovered material content*."

k. "*Recovered material content*" means waste materials and by-products which have been recovered or diverted from solid waste including post consumer material, but such term does not include those materials and by-products generated from, and commonly reused within, an original manufacturing process.

l. "Recycled content products" means recovered material consistent with EPA's Comprehensive Procurement Guidelines (CPG) and Recovered Materials Advisory Notices (RMAN).

2 Appendix - FAA Green Procurement Plan Revised 7/2013

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 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

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 T3.6.3A.7 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.7.

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 (AAP-110) 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 GSA Advantage! 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 purchase 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. FedCenter provides a compilation of the products for which EPA, DOE, and USDA have provided environmental or energy attribute recommendations.
- n.. The Defense Logistics Agency (DLA) provides a catalog with environmental products.

o. The GSA Green Products Compilation Web Tool facilitates the procurement of green/sustainable products and services. The products listed are those for which the U.S. Environmental Protection Agency, U.S. Department of Energy, or U.S. Department of Agriculture has issued designations or otherwise provided guidance for environmental or energy attributes.

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 Institute of Electrical 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.

3 Appendix - Recovered Materials Determination Revised 1/2012

The statement of work/specifications covering this procurement is subject to the FAA’s Green Procurement Plan (GPP) for EPA-designated recycled content products. The items being procured are *(list items purchased under the listed categories)*:

- _____ Paper and Paper Products
- _____ Vehicular Products
- _____ Construction Products
- _____ Transportation Products
- _____ Park and Recreation Products
- _____ Landscaping Products
- _____ Non-paper Office Products
- _____ Miscellaneous Products

I hereby certify that the statement of work/specifications for the requisition of materials/services listed above complies with applicable FAA preference standards for recycled/recovered materials.

Procurement Originator

Date

4 Appendix - Justification for not Acquiring EPA-Designated Recycled Content Products Revised 4/2009

Procurement Request No. _____

Products containing recovered materials and meeting FAA’s preference standards for:
(list product(s) was/were not obtained because: (check appropriate reason):

___ Products did not meet the FAA’s reasonable performance standards (attach a description of the performance need and explain why a recycled content product will not meet that need, including a brief discussion of research conducted to demonstrate that recycled content products will not meet the need.)

___ Products not readily available.

___ Products not available at a reasonable price.

Justification for Not Procuring Designed Recycled Content Products:

Signature of Procurement Originator

Date

Contracting Officer

Date

5 Appendix - Sources of Recycled Content and Environmentally Preferable Products

Revised 4/2009

General

Recycled content and environmentally preferable products are available to procuring agencies and their contractors through established supply sources. Table D.1, entitled "Supply Sources of Environmentally Preferable Products", provides an overview of EPA's Comprehensive Procurement Guidelines.

GSA Advantage:

GSA Advantage provides direct access to environmentally preferable products that comply with all Federal environment regulations. See GSA Advantage's environmental catalog.

Defense Supply Center Richmond:

The Defense Logistics Agency's (DLA) Defense Supply Center in Richmond, Virginia, has hundreds of available environmentally preferable products in its supply system. See the products listed in DLA's Environmental Product Catalog.

Government Printing Office:

The Government Printing Office (GPO) Online Paper Store offers 30 percent post consumer waste copier paper (in white and six colors) to Federal organizations. The environmentally friendly xerographic copier paper is available from GPO's web-based online system website.

AbilityOne Program (formerly the Javits-Wagner-O'Day (JWOLD) Program)

The AbilityOne Program provides environmentally preferable products available from its website.

SAVES Program:

General office supplies are contractually available to FAA through the SAVES Program. This program especially annotates environmentally preferable products with symbols to indicate items containing recycled material content, for example. Ordering details for each SAVES contract are located on the FAA Employee website (FAA only).

TableD.1 Supply Sources of Environmentally Preferable Products

Products	GSA Advantage	Defense Supply Center Richmond	Government Printing Office	AbilityOne Program	SAVES Program
Paper & Paper Products	X		X (printing and writing papers only)	X	X
Vehicular Products	X	X			
Construction Products	X	X			
Transportation Products (traffic control)	X				

Park and Recreation Products	X				
Landscaping Products	X	X			
Non-Paper Office Products	X	X		X	X
Miscellaneous Products	X	X		X	X
Environmentally Preferable Products	X	X	X (soy-based inks)	X	X

See the Energy Star Program and BioPreferred Program websites for additional sources of other environmentally preferable products.

GSA Federal Supply Service

GSA produces several publications (Table D.2) to assist customers to identify and requisition products.

Table D.2 GSA Federal Supply Service Publications

Publication	Description
GSA Supply Catalog	Contains information on several thousand products available through the Federal Supply Service, including hundreds of recycled content and environmentally preferable products (highlighted in green for easy identification). Also includes information on requisitioning these products through GSA.
GSA Marketips	A bimonthly bulletin frequently containing information about new recycled content and environmentally preferable products being introduced. Includes customer training seminars scheduled

through GSA's regional offices.

Government Printing Office

A variety of recycled content printing and writing papers are available through GPO. Procurement originators should work through their Agency field printing organizations to request recycled paper for publications produced through GPO's Regional Printing and Procurement Offices, which are listed in Table D.3.

Table D.3 GPO Regional Printing & Procurement Offices

Regional Office	Location	Phone Number
Atlanta	Atlanta, GA	404-605-9160
Boston	Boston, MA	617-720-3680
Charleston	N. Charleston, SC	843-743-2036
Chicago	Chicago, IL	312-353-3916
Columbus	Columbus, OH	614-488-4616
Dallas	Dallas, TX	214-767-0451
	Oklahoma City Satellite Office	405-610-4146
	San Antonio Satellite Office	210 675-1480
Denver	Denver, CO	303-236-5292
Hampton	Newport News, VA	757-873-2800
Los Angeles	Lakewood, CA	619-497-6050
New York	New York, NY	212-264-2252
Philadelphia	Southampton, PA	215-364-6465
San Francisco	San Francisco, CA	415-677-0340
San Diego	San Diego, CA	619-209-6178
Seattle	Seattle, WA	206-764-3726