



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

OFFICE OF FEDERAL
PROCUREMENT POLICY

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MEMORANDUM FOR FEDERAL AGENCY ENVIRONMENTAL EXECUTIVES
AND AGENCY SENIOR PROCUREMENT EXECUTIVES

FROM: Angela B. Styles 
Administrator

John Howard 
Federal Environmental Executive

SUBJECT: FY 2003 Reporting on Implementation of the Resource Conservation
and Recovery Act Section 6002

Section 6002 of the Resource Conservation and Recovery Act (RCRA) requires the Office of Federal Procurement Policy (OFPP) to report to Congress every two years on the actions taken by Federal agencies to implement the statute. Executive Order (E.O.) 13101 requires agencies to track and report to the Office of Federal Environmental Executive (OFEE) their purchases of Environmental Protection Agency (EPA)-designated recycled content products. The attached survey combines both reporting requirements. It is essentially identical to the 2002 survey, which contained major changes to streamline reporting requirements as recommended by an interagency White House Work Group on Tracking and Reporting.

For FY 2003, all Federal agencies should report on their efforts to implement RCRA Section 6002 and E.O. 13101. However, specific purchasing data collection is only required from these six procuring agencies: Department of Defense (DOD), Department of Energy (DOE), General Services Administration (GSA), National Aeronautics and Space Administration (NASA), Department of Transportation (DOT) and the Department of Veterans Affairs (VA). As in prior years, all other agencies are encouraged to provide the information voluntarily. **NOTE: For FY 2004 and beyond, all Federal agencies will once again be required to report specific purchasing data since the process has been streamlined.**

For FY 2003, the six major agencies must only report on the following eight indicator items, rather than the 54 items currently designated by EPA: sanitary tissue products, toner cartridges, concrete, landscaping timbers, park benches/picnic tables, traffic barricades, re-refined lubricating oil, and signage. Each agency must report on purchases of these eight items obtained from sources other than a Federal Source of Supply, such as the GSA and the Defense Logistics Agency. Agencies are also required to report on contract compliance information reported through the Federal Procurement Data System (FPDS); solid waste prevention, recycling and

waste minimization programs and practices; management controls; training, auditing and goals. These reporting areas will provide an indication of agencies' internal infrastructure and management controls for ensuring and monitoring compliance with RCRA Section 6002. General guidance on completing the survey in each of these areas is provided below.

FPDS Data: Beginning in FY 2002, agencies were required to report to FPDS information on their purchases of EPA-designated through contracting actions. Although the FPDS data and information requested in the RCRA survey are available directly from FPDS – and OFPP may review the FPDS data comprehensively for all agencies – individual agencies are required to provide FPDS data as part of this report. Agencies should retrieve and review their own agency data on a quarterly or periodic basis as part of their internal monitoring required by RCRA.

Solid Waste Prevention, Recycling and Waste Minimization: This section is retained from prior RCRA reporting to gauge whether agencies have instituted new or improved solid waste prevention practices, recycling programs, or waste minimization goals and practices. Agencies must also report whether or not they have initiated or participated in any pilots to purchase environmentally preferable products or services, as required by E.O. 13101.

Management Controls: This section addresses affirmative procurement plans (APP), training, auditing, and measurement tools.

APP. Questions request the status of agencies' affirmative procurement plans and policies as required by RCRA Section 6002. RCRA requires agencies to update these plans regularly, and they should now include all 54 EPA-designated recycled content products. In addition, agencies are encouraged to include other green product procurement, such as energy efficient and biobased products, in their plans.

Training. As training is key to awareness and implementation, the survey requests information on agencies' efforts to train employees, especially acquisition personnel. It also requests information on whether an agency uses internal or outside sources for training, what percentage of employees have been trained, and how green procurement requirements are incorporated into purchase and travel card training.

Auditing. Agencies are asked to provide information on their audit activities. Although in 2002, we expected few agencies to have green purchasing audit programs underway, we are hopeful that in 2003, most agencies attempted to implement audit programs to assist them in monitoring compliance with green purchasing requirements. To accelerate agencies' understanding of practical audit standards, a sample APP facility audit questionnaire is provided.

Agency Goals. E.O. 13101 directs agencies to establish goals for solid waste diversion, procurement of recycled content products, and the use of environmentally preferable products and services. This section asks agencies if they have established goals in these areas. Based on the information submitted to the OFEE, few agencies have goals for purchasing green products, but are hopeful that many agencies established them in 2003.

Each agency should complete and return the survey by March 19, 2004 to OFPP, attention: Ms. Cynthia Vallina, vallina@omb.eop.gov, Fax # 202-395-3165 and to OFEE, attention: Ms. Dana Arnold, arnold.dana@ofee.gov. Electronic copies are preferred, but hard copies can be mailed to OFEE, 1200 Pennsylvania Avenue, NW, Mail Code 1600S, Washington, DC 20460.

Attachments

Date Prepared: _____

RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)
EXECUTIVE ORDER 13101

Agency Report for Fiscal Year 2003

Agency or Department _____

Agency Contact _____

Contact Telephone Number _____

Contact E-Mail Address _____

1. Federal Procurement Data System (FPDS) Data

- a) How many DD 350s or SF 279s did your Agency complete in FY 2003?

- b) In FY 2003, how many DD 350s or SF 279s had a code in line B12F (for the DD 350) or block 19A (for the SF 279), which indicate whether EPA-designated items will be acquired? _____
- c) Provide the number of DD 350s or SF 279s with each code, A-E, in line B12F (for the DD 350) or block 19A (for the SF 279). These codes indicate whether the EPA-designated products must contain the required minimum recycled content, the justification for not requiring recycled content products, or that no EPA-designated products will be acquired under the contract:
Code A (all EPA-designated products must contain the required minimum recycled content) _____
Code B (availability) _____
Code C (price) _____
Code D (performance) _____
Code E (no EPA-designated products acquired) _____
- d) How many of the DD 350s or SF 279s coded A, B, C, or D in block B12F (for the DD 350) or block 19A (for the SF 270) also had a code (A or B) in line B12G (for the DD 350) or block 19B (for the SF 279)? _____
- e) Provide the number of DD 350s or SF 279s with line B12G (for the DD 350) or block 19B (for the SF 279) coded A or B. _____

f) How has the Agency reviewed the FY 2003 FPDS data for compliance assessment and/or trend analyses?

g) Please describe findings, changes, and/or actions that were a direct result of the assessments or analyses above.

2. Indicator Items for EPA-Designated Recycled Content Products

The General Services Administration and the Defense Logistics Agency will provide data for agency purchases directly from them. Please provide amounts for your agency's purchases from other sources, including GSA schedule contractors and your service contractors, including construction contractors, fleet maintenance contractors, and facilities maintenance contractors.

a) Paper: Commercial Sanitary Tissue Products

- i) Does your Agency purchase this item (directly or through contracts)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount¹ of these products purchased² by your Agency from sources *other than GSA* in FY 2003 \$ _____.
- iii) Dollar amount of these products containing recovered materials³ purchased by your Agency from sources *other than GSA* in FY 2003 \$ _____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

¹ "Total amount" equals the amount of product without recovered materials plus the amount of product with recovered materials.

² Within this document, the term purchased includes both direct government purchases, as well as procurement of products through government contracts.

³ The products designated by EPA are commonly referred to as "CPG-items" or "recycled content products." RCRA refers to them as "products containing recovered materials," which is the term used in this reporting document unless a more specific term, such as re-refined oil or retread tires, is used.

b) Non-Paper Office Products: Toner Cartridges

- i) Does your Agency purchase this item (directly or through contracts)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency from sources *other than GSA or DLA* in FY 2003 \$ _____.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency from sources *other than GSA or DLA* in FY 2003 \$ _____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

c) Construction Products: Concrete

- i) Does your Agency purchase concrete (directly or through contracts, e.g., construction contracts)? **Yes** ___ **No** ___
If no, skip to next section.
- ii) Total amount of concrete purchased and/or used by your Agency in FY 2003 \$ _____ and/or _____ cubic yards, and/or total number of contracts awarded that required the use of concrete _____.
- iii) Amount of concrete containing coal fly ash and/or ground granulated blast furnace slag purchased and/or used by your Agency in FY 2003 \$ _____ and/or _____ cubic yards, and/or total number of contracts awarded that required the use of concrete containing coal fly ash or ground granulated blast furnace slag _____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there technical impediments to increasing the amount of concrete containing coal fly ash and/or ground granulated blast furnace slag purchased by your Agency in FY 2003?
Yes ___ **No** ___ If yes, please describe the impediment(s).

d) **Landscaping Products: Landscaping Timbers**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2003 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2003 \$_____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

e) **Park and Recreation Products: Park Benches and Picnic Tables**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2003 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2003 \$_____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

f) **Transportation Products: Traffic Barricades**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2003 \$_____.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2003 \$_____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___

- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

g) **Vehicular Products: Re-refined Oil**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2003 \$ _____.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2003 \$ _____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

h) **Miscellaneous Products: Signage**

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** ___ **No** ___ If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2003 \$ _____.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2003 \$ _____.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes ___ **No** ___ **Not Applicable** ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes** ___ **No** ___ If yes, please describe the impediment(s).

3. Solid Waste Prevention, Recycling, and Waste Minimization

a) Did you institute new, substantially improved, or updated solid waste prevention practices in FY 2003?

Yes ___ **No** ___. Please provide an explanation of your response.

b) Does your Agency have sites or facilities with composting programs?

Yes ___ **No** ___. If yes, how many facilities or sites? _____

Estimate the total weight of materials diverted to composting: _____ tons.

c) What percentage of offices/sites operated by your Agency have an active office products recycling program? _____ of _____ sites, which is _____ percent of offices/sites.

d) What percentage of residential housing operated by your Agency have an active household products recycling program? _____ of _____ sites, which is _____ percent of housing. ___ Not Applicable

e) What percentage of demolition projects managed by and/or contracted by your Agency include the recovery of construction materials? _____ of _____ projects, which is _____ percent of demolition projects. ___ Not Applicable

f) What percentage of the total solid waste⁴ generated by your Agency was diverted to recycling? _____ of _____ metric tons, which is _____ percent.

g) Does your Agency have an internal awards program in accordance with Executive Order 13101, Section 802? **Yes** ___ **No** ___ Please provide details for your response, of if the response is no, please explain why not.

h) In FY 2003, did your Agency participate in a pilot project to purchase environmentally preferable products or services per the requirements of E.O. 13101, sections 503(b) and 601(c)? **Yes** ___ **No** ___ Please provide details for your response.

⁴ "Solid waste" refers to municipal solid waste as defined by EPA. Please indicate if your Agency is including other materials, such as construction and demolition debris.

4. Management Controls

a) **Affirmative Procurement Policy**

- i) Does your Agency have a documented policy or procedure for the implementation of the affirmative procurement program (APP) required by section 6002 of RCRA? **Yes** _____ **No** _____
 - ii) Does the Agency policy define responsibility for:
 - (1) Conducting awareness training? **Yes** _____ **No** _____
 - (2) Incorporating APP requirements into specifications and contracts? **Yes** _____ **No** _____
 - (3) Establishing and measuring progress toward APP objectives? **Yes** _____ **No** _____
 - (4) Reporting progress? **Yes** _____ **No** _____
 - (5) Management review? **Yes** _____ **No** _____
- If the answer to any question is no, please explain why not.

- iii) Does your Agency have a requirement to routinely update the affirmative procurement policy? **Yes** _____ **No** _____ If so, is the APP policy reviewed/updated in accordance with this plan? **Yes** _____ **No** _____ Has the Agency affirmative procurement policy been updated within the past three years? **Yes** _____ **No** _____
- iv) Please attach a copy of or provide the URL for the website for your Agency APP policy, if it has changed since the FY 2002 report.

b) **Training**

- i) Who is responsible for conducting training of agency personnel with respect to the buy-recycled requirements? _____
- ii) How many acquisition personnel have documented APP training within the past three years? _____ of _____ personnel, which is _____ percent.
- iii) Is training provided by agency personnel, an outside source (e.g., Defense Acquisition University's contracting officer training courses), or both? _____
- iv) What percentage of purchase cardholders have documented APP training within the past three years, as required by Executive Order 13101? _____ of _____ personnel, which is _____ percent.
- v) Who provides the training to purchase cardholders? _____
- vi) How is training of purchase card users documented? _____

c) Auditing

- i) What percentage of Agency facilities conducted and documented contracting and/or environmental audits⁵ for APP compliance during this reporting period? _____ percent
- ii) Does the Agency conduct trend analysis of audit, training, and FPDS data to assess APP program effectiveness? **Yes** ____
No ____
- iii) What types of trends are realized as a result of findings from these audits?

- iv) Are audit findings reported to senior facility management? **Yes** ____
No ____
- v) Does senior facility management track corrective actions from these audit findings? **Yes** ____ **No** ____
- vi) Provide a copy of or the URL for the website for your Agency APP audit protocol, procedure, or other similar program document, if you did not provide it in your FY 2002 report.

d) Agency Goals

- i) As required by E.O. 13101, what is your agency's goal for solid waste diversion by 2005? _____ By 2010? _____
- ii) What is your agency's current recycling or diversion rate?

- iii) What is your agency's goal to increase the procurement of EPA-designated recycled content products?

- iv) As required by E.O. 13101, does your agency have a goal for increasing the use of environmentally preferable products?
Y____ **N**____ If yes, what is the goal? _____ How are you measuring progress toward the goal?

⁵ Includes internal, corporate, external, or other audits