



# ENVIRONMENTALLY PREFERABLE PURCHASING (EPP)

*Providing Buyers, Catalogers and Item Specialists*

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*DLA and the Department of Energy joined forces to bring a new product to market - an energy efficient unitary rooftop air conditioner. Widely used throughout the country, potential sales are large and the energy and environmental benefits substantial.*

### **Next Joint Group Meeting**

*The next meeting of the Joint Group on Environmental Attributes is scheduled for July 23. Further details will be forthcoming.*

## **Comprehensive Procurement Guidelines (CPG)**

EPA officials have confirmed that the Federal Register notice officially announcing the release of CPG IV has been delayed again, this time until sometime in mid September. EPA expects to publish a supplementary announcement on nylon carpet sometime in July. Issues regarding availability of recycled material to satisfy content levels for nylon carpet have been a sticking point between EPA and the industry. EPA has been reporting for some months now that the Federal Register Notice would be published by the end of June. However, it appears that issues remain, and based on the length of this delay, have not yet been resolved.

Like previous CPG product categories, release of CPG IV will require DLA to implement automatic product substitution mechanisms, unless customers can demonstrate CPG items are unsuitable. This means DLA must identify CPG items, identify the products for which CPG items are substitutes, implement procedures that identify customers that have fulfilled the requirements allowing them to order non-CPG items, implement mechanisms to fill orders placed for non-CPG items with CPG substitutes, and a devise way to distinguish between customers who are allowed to order non-CPG items and those who are not. At this point, EPA has published sufficient information for DLA to begin identifying product categories and even specific items. Product centers and catalogers may wish to determine ENAC assignments now in order to accelerate implementation once the Federal Register notice is published.

The proposed CPG/RMAN V for biosolids compost and organic fertilizers has also been delayed and is expected to be published by mid August.

## **Asbestos Alternative Products**

Last November, the Joint Group on Environmental Attributes voted to make Asbestos Alternative Products an environmental attribute, meaning no or low asbestos products that are alternatives to asbestos containing products will be designated in FLIS using an ENAC. Asbestos is a fibrous mineral commonly used until the mid-1970s for insulation, fireproofing, roofing and other applications that benefitted by its strength, resistance to heat, durability and insulating properties. Since the mid 70s, asbestos use has declined significantly, but not eliminated. Unfortunately, minuscule asbestos fibers can cause cancer and other ailments when inhaled, and the diseases often take decades to develop. Efforts to regulate asbestos and to deal with asbestos claims have been plagued with problems.

Since the 1970s, law suits against asbestos makers and companies making products containing asbestos have become overwhelming. According to a report last fall by the RAND Institute for Civil Justice, more than 600,000 people have filed

claims for asbestos compensation, and up to 2.4 million claims could be filed in the years ahead. The total number of companies affected by asbestos torts has risen from about 300 in the 1970s to more than 6,000 today, in nearly all types of industries. More than 60 companies have filed for bankruptcy because of the liability from asbestos claims. When companies go bankrupt, victims get nothing. Not surprisingly, most of the companies affected are chemical companies. To date, about \$70 billion has been paid in claims, with up to \$200 billion more possible. In 1999, the Supreme Court said “the elephantine mass of asbestos cases ... defies customary judicial administration and calls for national legislation.” The large increase in cases is due in part to claims by people who believe they have been exposed to asbestos and may become “functionally impaired” sometime in the future. The symptoms of asbestosis take a decade to become evident, and the law in most states allow these types of suits.

So, finding a legal remedy acceptable to business and labor has not been easy. However, this month legislation was introduced that appears to make a deal possible. Business and insurers would contribute about \$108 billion to a compensation fund. Victims would have to apply for compensation and be subject to medical evaluation. Legislators have agreed generally on the use of a fund, but not the level of compensation. It is possible that victims of mesothelioma, the most lethal of the asbestos-caused cancers, could get \$750,000. This is less that a victim could get in a trial, but with the fund payment is quick and certain.

Two issues are relevant to DLA. First, with this bill nearing finalization the asbestos issue will be receiving increased attention by the Hill, by regulators and by customers that use asbestos containing products. Second, item managers and DLA technical experts should anticipate questions from customers who use asbestos products about the compensation mechanism, as well as availability of alternative products that contain no or less asbestos. Watch here for updates on the legislation.

### **- Product Highlight -** **Unitary Air Conditioners**

In a first of its kind arrangement, the Department of Energy and DSCP were able to work with industry to bring an entirely new high efficiency rooftop air conditioning product to the marketplace. Through the Unitary Air Conditioner Technology Procurement, buyers from the public and private sectors can now purchase single rooftop units at multiple-unit order prices.

The units come in a wide range of sizes to suit a wide range of applications, and are manufactured by Global Energy Group and Lennox Industries. The products were selected through a competitive RFP based on unit their life-cycle cost. The air-conditioners are at least 20 percent more energy-efficient than standard units now in use in many commercial buildings, and they meet or exceed the EPA’s ENERGY STAR® efficiency levels, Federal Energy Management Program recommendations, and Tier 2 levels established by the Consortium for Energy Efficiency's High-Efficiency Commercial Air Conditioning initiative.

The Unitary Air Conditioning procurement offers five different packaged units, with cooling capacities ranging from 88,000 to 120,000 Btu per hour, and Energy Efficiency Ratios (EER) ranging from 11.0 to 13.5. A single air conditioner could save between \$1,010 and \$1,860 over 10 years in a typical commercial building in Atlanta, Georgia.

The units were also required to meet specifications that go beyond energy efficiency, including a direct digital control interface, fully insulated cabinet panels where conditioned air is handled to prevent condensation and minimize sound transmission, blower assemblies that slide out of the unit for ease in servicing, and safety guards on fans. In addition, the Pacific Northwest National Laboratory, the DoE laboratory that partnered with DSCP to manage the program, has developed a cost estimator tool to help DSCP customers evaluate the cost savings for specific sizes and locations. It also helps buyers select optimal equipment by comparing the energy and economic performance of high-efficiency and standard-efficiency air conditioners under varying conditions. The cost estimator is free and available on line at: <http://www.pnl.gov/uac/cost-estimator.stm>. Prices, shipping terms, specifications and design features are available from: <http://www.pnl.gov/uac/products.stm#list>.

Military installations and Federal civilian agencies can purchase winning units through DSCP's Maintenance Repair and Operations (MRO) and MRO Services programs by contacting Douglas Steinmetz (215-737-7940; [dsteinmetz@dscp.dla.mil](mailto:dsteinmetz@dscp.dla.mil)) or Chet Evanitsky (215-737-8048; [cevanitsky@dscp.dla.mil](mailto:cevanitsky@dscp.dla.mil)). For further information about the program, contact Brad Hollomon of Pacific Northwest National Laboratory at (202) 646-5043 or by email at [hollomon@pnl.gov](mailto:hollomon@pnl.gov).