

A Monthly Newsletter Serving the



Defense Logistics Agency Community

ENVIRONMENTALLY PREFERABLE PURCHASING (EPP)

Providing Buyers, Catalogers and Item Specialists

The Information Busy People Need to Keep Current

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Comprehensive Procurement Guidelines

On April 30, EPA published its Final Rule implementing CPG IV. As originally proposed in August 2001, CPG IV proposed to designate 11 new items. After extensive comments and revisions, the final version of CPG IV adds 7 new items in 4 categories to the existing list of 54 items; for a new total of 61 CPG items. The new items are:

Construction Products

Modular Threshold Ramps
Nonpressure Pipe
Roofing Materials

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The final rule is available at: <http://www.epa.gov/fedrgstr/EPA-WASTE/2004/April/Day-30/f9864.htm>

Public comments are available at: <http://docket.epa.gov/edkpub/index.jsp>. Click on "Quick Search" and type RCRA-2001-0047 into the search string for "Dockets." To find suppliers, EPA maintains a supplier database, which is searchable on line at:

http://www.ergweb2.com/cpg4review/user/cpg_search.cfm. Product centers that do not currently have contracts with suppliers able to provide compliant products may want to use this resource to find new suppliers of CPG compliant products.

Modular Threshold Ramps are used to modify door thresholds and other small rises to remove barriers that changes in level create for people with disabilities. They are typically used to comply with the Uniform Federal Accessibility Standards (UFAS) and the Americans with Disabilities Act (ADA). Required recycled content varies depending on material, and is available at: <http://www.epa.gov/cpg/products/ramps.htm>. DSCP General & Industrial, including The MRO Program (Maintenance, Repair and Operations) may want to review their requirements for these products to ensure the recycled content and postconsumer waste levels are as required by law.

Non-pressure Pipe is used as drainage pipe and conduit in construction, communications, municipal, industrial, agricultural, and mining applications. It is usually made from steel, plastic, or cement. Required recycled content varies depending on material, and is available at: <http://www.epa.gov/cpg/products/pipe.htm>. DSCP General & Industrial, including The MRO Program; as well as DSCC and DSCR may want to review their requirements for these products to ensure the recycled content and postconsumer waste levels are as required by law. An EMALL search for non-pressure pipe returned hundreds of products; many were weapons system specific, but many were not.

EPA's designation for **Roofing Materials** includes steel, aluminum, fiber, rubber, plastic (including plastic composites), and cement. Required recycled content varies by material and is available at: <http://www.epa.gov/cpg/products/roof.htm>. DSCP General & Industrial, including the MRO Program, may want to review their requirements for these products (FSC 5650) to ensure the recycled content and postconsumer waste levels are as required by law.

Office Furniture includes seating, desks, storage units, file cabinets, tables, and systems furniture (or "cubicles") used in virtually all federal offices, and available in a wide range of materials. Required recycled content varies depending on material, and is available at <http://www.epa.gov/cpg/products/furniture.htm>. A wide range of office furniture is available through EMALL from a wide range of sources, including Navy FISC, an Army Blanket Purchasing Agreement, and JWOD¹.

Rebuilt Vehicle Parts undergo an extensive re-manufacturing and testing process and must meet the same industry specifications for performance as new parts. The EPA rule explicitly includes passenger vehicles, medium- and heavy-duty equipment, including trucks, cranes, off-road vehicles, and military vehicles. Interestingly, EPA's description includes no explicit exemption for tactical vehicles. Details are available at: <http://www.epa.gov/cpg/products/vehicle.htm>. Product centers supporting tactical vehicles may want to make sure their Engineering Support Activities are aware of this CPG.

Bicycle Racks are sold through EMALL by GSA and through a Navy FISC Basic Purchasing Agreement. There are different required levels of recycled and postconsumer waste content depending on material. DSCP may also want to check vendor offerings and products available through MRO to ensure requirements are as required by law. Specific recycled and postconsumer waste content requirements are at: <http://www.epa.gov/cpg/products/bikes.htm>.

Blasting Grit is an industrial abrasive used to shape, cut, sharpen, or finish a variety of other surfaces and materials. Abrasives are used in many industries, particularly for use on metals, ceramics, carbides, composites, glass, and plastics. Such activities are common in military depots and there is no explicit exemption for military operations. All product centers that provide consumable materials to depots may want to alert their customers to the existence of this CPG and that law requires DLA to supply materials that meet EPA CPG content rules. Specific recycled and postconsumer waste content requirements are at: <http://www.epa.gov/cpg/products/grit.htm>.

EPA Implementation Reminder - Affirmative Procurement Program (APP)

A summary of Agency requirements to implement Affirmative Procurement Programs under the Federal Acquisition Regulations is available at: <http://www.epa.gov/cpg/pdf/app.pdf>. By April 30, 2005 each "procuring Agency" is required to establish an APP for each item listed in CPG IV. Specifically, Executive agencies shall ensure their APPs require 100 % of their purchases meet or exceed EPA standards, considering competition, price, availability, and performance." RCRA Section 6002(d)(1) also requires Agencies to revise specifications, including CIDs, to remove requirements that exclude use of recovered materials. DLA was required to complete its initial review by May 8, 1996; and is required to update it with each new CPG.

The authority for these requirements are contained in RCRA Section 6002, the Federal Acquisition Regulation (62 FR 44809, August 22, 1997) and a variety of product/technology specific Executive Orders. APPs are required, at a minimum, to include 4 elements: (1) a preference program; (2) a promotion program; (3) procedures for obtaining estimates and certifications of recovered materials content and, where appropriate, reasonably verifying those estimates and certifications; and (4) procedures for monitoring and annually reviewing the effectiveness of the APP. As DoD's supplier for many CPG items, DLA would logically have responsibilities within each of these elements. In addition, because procurement of these items is mandatory, DLA may wish to review its policies on procuring non-complying items, as well as its procurement contracts and vendor agreements for language prohibiting non-compliant items. EPA also recommends each agency develop a comprehensive APP structure for integrating new items as they are designated, and to expand its program beyond EPA designated items.

¹Another affirmative procurement program that requires Federal agencies to purchase selected products made by blind or severely disabled persons employed by nonprofit organizations. JWOD stands for Javits-Wagner-O'Day, the legislators who sponsored the law establishing the program. For more information, see <http://www.jwod.gov/>.