

Procurement Strategies of Federal Agencies and Jurisdictions Beyond New York City for Waste Prevention and Recycled Products

Prepared by:

SCIENCE APPLICATIONS INTERNATIONAL CORPORATION

221 Third Street
Newport, RI 02840

Spring 2000

Prepared for:

New York City Department of Sanitation
Bureau of Waste Prevention, Reuse and Recycling

44 Beaver Street
New York, New York 10004



BWPRR Overview

This report is one of a number of waste prevention reports prepared under a long-term contract by consultant Science Applications International Corporation, and issued at contract conclusion. The reports are listed below. The New York City Department of Sanitation (DOS, or the Department), Bureau of Waste Prevention, Reuse and Recycling (BWPRR), the sponsor, has issued a Foreword to the studies; it acknowledges the many contributors and frames a position based on its considerable efforts to review, practice, and measure waste prevention. The Foreword appears at the beginning of the first report in the series, *Measuring Waste Prevention in New York City*. Interested readers are strongly encouraged to access the material through the Department's web site at: www.ci.nyc.ny.us/strongest. Print or electronic versions are available through BWPRR.

Mayor Giuliani issued a "Mayoral Directive on Waste Prevention and Efficient Materials Management Policies" in September 1996 intended to facilitate City agency waste prevention, including through procurement. Reducing City government-generated waste would be particularly important in the context of the closure of New York City's Fresh Kills landfill by the end of 2001. While not the agency responsible for citywide purchasing, DOS took the opportunity to explore procurement strategies pursued or intended to be pursued by a number of different government entities in the United States and Canada.

The jurisdictions surveyed include:

Federal Agencies

U.S. Department of Interior
 U.S. Postal Service
 U.S. Department of Defense
 U.S. Environmental Protection Agency
 U.S. General Services Administration
 Federal Bureau of Prisons

Local Government

Olmsted County, Minnesota
 San Jose, California

States

California
 Minnesota
 Washington
 Wisconsin

International

Canada

This is a summary of a longer narrative gathered by contractor SAIC. It is presented in table format. SAIC used the information as background to its work with New York City agencies in the NYCitySen\$e project (see *NYCitySen\$e Summary Report*).

The information, gathered prior to the CitySen\$e project, may not reflect what these jurisdictions are doing today. Web sites covering procurement for waste prevention and recycling (which may have more current information) include

www.epa.gov/opptintr/library/ppicdist.htm and www.er.doe.gov/epic.

Waste Prevention Reports:

- *Measuring Waste Prevention in New York City*
- *Survey of Waste Prevention Programs in Major Cities, States and Countries*
- *Procurement Strategies Pursued by Federal Agencies and Jurisdictions Beyond NYC for Waste Prevention and Recycled Products*
- *Inter-Agency Task Force Action Plan to Encourage the Use of Recycled-Content Building Materials*
- *Materials Exchange Research Report*
- *Characterization of NYC's Solid Waste Stream*
- *Life Span Costing Analysis Case Studies*
- *Packaging Restrictions Research: Targeting Packaging for Reduction, Reuse and Recycled Content*
- *NYCitySen\$e Summary Report*
- *NYC WasteLe\$\$ Summary Report*

Table of Contents

Procurement Policy Research:

Federal Procurement Policies and the Relevance to NYC

DEPARTMENT OF INTERIOR	5
UNITED STATES POSTAL SERVICE	6
DEPARTMENT OF DEFENSE	7
ENVIRONMENTAL PROTECTION AGENCY	8
GENERAL SERVICES ADMINISTRATION	9
FEDERAL BUREAU OF PRISONS	10

Procurement Policy Research:

State and Local Procurement Policies and the Relevance to NYC

CALIFORNIA	11
CONNECTICUT	12
MINNESOTA	13
WASHINGTON	14
WISCONSIN	15
OLMSTED COUNTY, MINNESOTA	16
SAN JOSE, CALIFORNIA	17

Procurement Policy Research:

International Procurement Policies and the Relevance to NYC

CANADA	18
--------------	----

Procurement Policy Research: Federal Procurement Policies and the Relevance to NYC

DEPARTMENT OF INTERIOR

Procurement Policy and Program Summary	Innovative Purchases and Programs that Reflect Waste Prevention Goals	Innovative Purchases that Reflect Recycled Content Goals	Implementation Barriers	Educational Programs	Reporting and Enforcement Mechanisms
<p>In March 1992, DOI issued the Interior Acquisition Policy Release (DIAPR), establishing an Affirmative Procurement Program (APP).</p> <p>DOI policy directs bureaus/offices to develop APPs that include preference programs for products with recycled content and directs the Head of Contracting Activity to ensure reasonable verification of vendor claims of recycled content.</p> <p>DOI issued DIAPR 97-2, <i>Environmental Contracting Initiatives</i> for the purpose of implementing policy pertaining to Federal acquisition requirements that comply with statutory and Executive Orders involving environmental initiatives .</p> <p>DOI Contact: Mr. Jennings Wong, Procurement Analyst, Office of Acquisition and Property Management (202) 208-6704.</p>	<p>DOI modified applicable product specifications to indicate a preference for energy-efficient lighting.</p> <p>National Park Service (NPS) developed an Integrated Solid Waste Alternative Program (ISWAP) that uses lifecycle principles to maximize the use of reusable products. ISWAP recommends bulk purchasing, avoiding excessive packaging, and product substitution favoring less-toxic alternatives. NPS is purchasing furniture and other items made with recycled plastic. This reduces the quantity of waste from painting and preserving wood items.</p> <p>The Geological Survey is phasing out the use of Varsol solvent and identifying substitutes for isopropyl alcohol in printing processes.</p> <p>The Fish and Wildlife Service issued a pest management policy to eliminate or reduce the use of certain pesticides or refuge lands.</p>	<p>Twenty-five percent of the recycled products purchased are beyond the scope of the Federal procurement guideline (e.g., plastic park benches, plastic speed bumps, etc.)</p>	<p>DOI officials identified a need for a department or Federal government-wide data collection system to document and assess the results of environmentally sensitive procurement.</p> <p>There also is a need for a consistent procurement strategy throughout DOI bureaus and offices.</p> <p>DOI also noted the need for more lifecycle analysis.</p>	<p>DOI's Office of Environmental Policy and Compliance published fact sheets to provide information on practices that eliminate or limit the waste generated by DOI activities.</p> <p>Through its ISWAP, NPS provides Park Managers, concessionaires, cooperating associations and contractors operating in National Parks training programs to review source reduction and procurement issues. NPS distributes outreach materials discussing incorporating less-toxic product requirements into product specifications.</p> <p>NPS is establishing an electronic suggestion box for waste reduction suggestions and an informational column in <i>The Sentinel</i>, an employee newsletter for staff in Yosemite Park.</p>	<p>DOI policy directs its bureaus and offices to develop APPs that have a reporting requirement component. In addition, the Office of Acquisition and Property Management will monitor bureau and office development and maintenance of affirmative procurement programs. The ISWAP directs bureaus/offices to submit an annual report to the Office of Acquisition and Property.</p> <p>DOI uses an <i>Affirmative Procurement Program Procurement Request Rationale Checklist</i> to report if an item does or does not comply with the EPA guideline.</p> <p>DOI is reviewing ongoing life-cycle analysis programs and scientific certification systems to develop a program. Currently, DOI is discussing programs that are under development by Professor Stanley P. Rhodes, Scientific Certification Inc.</p>

Procurement Policy Research: Federal Procurement Policies and the Relevance to NYC

UNITED STATES POSTAL SERVICE

Procurement Policy and Program Summary	Innovative Purchases and Programs that Reflect Waste Prevention Goals	Innovative Purchases that Reflect Recycled Content Goals	Implementation Barriers	Educational Programs	Reporting and Enforcement Mechanisms
<p>The USPS affirmative procurement program is based upon three documents; <i>Waste Reduction Guide</i>¹ and the United States Postal Service Policy for Environmental Protection, April 1993 and the USPS Environmental Management Program Strategies for Leadership and Compliance.</p> <p>The USPS's program includes a review of all specifications to ensure, that to the maximum extent practicable, accommodation of the use of recycled products and development of price preferences for products made with recovered materials based on market conditions.</p> <p>USPS source reduction directives, addressed in the <i>Waste Reduction Guide</i>, address toxic reduction, substitution of more durable products and lifecycle cost analysis.</p>	<p>The USPS made several procurement decisions including: switching from wooden pallets to longer-life plastic pallets, using compressed natural gas vehicles, and purchasing reconditioned toner cartridges. The USPS in Huntington Beach, CA switched its two-ton trucks to retreads.</p> <p>USPS developed preferred packaging guidelines patterned after the Council of Northeast Governors' recommendations and made several product/material specification changes to reflect source reduction principles. New express mail packaging reduces bulk by 15 percent and reduces shipping, storage, and disposal costs.</p> <p>USPS now uses water-based inks and adhesives on all stamps and stationery.</p>	<p>USPS purchased \$12.5 million worth of Tyvec priority and express mail envelopes made with 25 percent post-consumer recovered high-density polyethylene. In addition, lighter-weight, (100 percent recycled with 25 percent post-consumer material) Priority Mail flat-rate envelopes save 251 tons of cardboard annually.</p>	<p>Barriers to implementing effective waste prevention procurement include a tendency to look at short-term costs and benefits rather than a full lifecycle analysis.</p> <p>There is a belief that it is difficult to obtain environmentally-sound products with consistent quality.</p>	<p>USPS established regional environmental steering committees to help managers and to assist field offices with program development.</p> <p>The USPS Vehicle Maintenance Facility in Hartford, CT was awarded the <i>White House Closing the Circle Award for a Model Facility</i>. The facility implemented an environmental compliance program to evaluate and demonstrate new commercially available products and emerging technologies preventing and/ or reducing the hazardous waste stream. The product assessments are supported by affirmative procurement practices. The program has prevented hazardous waste and product and packaging waste through the procurement of aqueous-based parts cleaning systems, antifreeze recycling, and the use of high-volume low-pressure spray guns.</p> <p>USPS reported a 70 percent reduction in hazardous waste generation between 1992 and 1994 and a cost savings of \$19,000.²</p>	<p>Divisional coordinators develop tracking mechanisms designed to track progress.</p>

¹ United States Postal Service, *Waste Reduction Guide*, HBK AS-552, February, 1992. Available by calling: General Manager, Environmental Management Division, United States Postal Service, 475 L'Enfant Plaza SW, Rm 4130, Washington, D.C. 20260-6423.

² Office of the Federal Environmental Executive, *Greening the Government: A Guide to Implementing Executive Order 12873*, 1995. For additional information: contact the Office of the Federal Environmental Executive, Mail Code 1600, 401 M Street, SW, Washington, DC, 20460.

Procurement Policy Research: Federal Procurement Policies and the Relevance to NYC

DEPARTMENT OF DEFENSE

Procurement Policy and Program Summary	Innovative Purchases and Programs that Reflect Waste Prevention Goals	Innovative Purchases that Reflect Recycled Content Goals	Implementation Barriers	Educational Programs	Reporting and Enforcement Mechanisms
<p>DoD's affirmative procurement programs involve; the Army/Air Force Exchange Service (AAFES), Defense Commissary Agency, the Defense Logistics Agency (DLA), and the General Services Administration (GSA). There is no headquarters-level policy in place to address source reduction.</p> <p>Currently, DoD is developing a specific policy to implement RCRA Section 6002 and Executive Order 12873. Presently, DoD organizations are taking steps to address affirmative procurement.</p> <p>The Air Force issued a memorandum providing guidance on purchasing products containing recycled material and contracting language regarding recycling and environmental regulations. Air Force Center for Environmental Excellence is developing an Affirmative Procurement Implementation Manual.</p> <p>DLA changed specifications to implement EPA's procurement guideline for oil and re-refined oil.</p> <p>General statements of pollution prevention policy have been issued by DoD.</p>	<p>DLA has a packaging policy that requires packaging materials and containers to be reused and also a policy that focuses on reducing hazardous materials production.</p> <p>AAFES provides merchandise to military personnel that has low levels of toxicity and encourages the purchase of concentrates.</p> <p>The Air Force's pollution prevention program is aimed at reducing the use of hazardous materials and the release of pollutants to near zero. There also is a ban on ozone-depleting chemicals used for noncritical needs.</p>	<p>Military specifications (MILSPECS) and military standards (MIL-STDS) are undergoing review targeting elimination of EPA 33/50 chemicals and Ozone Depleting Substances. Current revisions allow for the purchase of re-refined oils and to encourage the purchase of recycled paper and other EPA guideline items (e.g., cement containing fly ash).</p>	<p>There are no FAR provisions mandating that source reduction concepts be considered during the procurement process. The lack of clear, legal, or regulatory authority makes it difficult to demand that source reduction be considered in procurement contracts and the procurement process. FAR revisions are in process.</p> <p>Lack of a comprehensive DoD implementation plan leads to fragmented, uncoordinated and duplicative efforts to implement source reduction initiatives.</p>	<p>AAFES requires all buying associates to attend training that provides basic information concerning the avoidance of purchasing various toxic materials.</p>	<p>DoD-level agencies and the services follow policy guidance developed at DoD headquarters and report affirmative procurement activities per Executive Order 12873.</p>

Procurement Policy Research: Federal Procurement Policies and the Relevance to NYC

ENVIRONMENTAL PROTECTION AGENCY

Procurement Policy and Program Summary	Innovative Purchases and Programs that Reflect Waste Prevention Goals	Innovative Purchases that Reflect Recycled Content Goals	Implementation Barriers	Educational Programs	Reporting and Enforcement Mechanisms
<p>EPA revised its internal purchasing specifications to remove language that excludes recovered materials (e.g., brightness standard for paper) and to add provisions specifying environmentally-sound and energy-efficient products and services. The Office of Acquisition Management is developing draft language requiring contractors to use environmentally preferable and energy efficient products.</p> <p>In August 1995, EPA and the General Services Administration (GSA) developed a draft green buildings vision and policy statement, <i>Environmental Procurement Strategy, EPA's Action Plan for Implementing Executive Order 12873 on Federal Acquisition, Recycling and Waste Prevention</i>, EPA 200-R-95-001.</p>	<p>EPA is using less toxic products (e.g., no/low isopropyl alcohol fountain solutions) in its printing shop and reduced internal distribution lists to save both ink and paper.</p> <p>EPA and OMB worked together to develop the double-sided copying policy that was incorporated into the Federal Acquisition Record.</p> <p>EPA incorporated environmental and recycling provisions into the proposal for the EPA Regional Building in Kansas City. The "green rider" specified the following: high efficiency heating and air conditioning with automated controls; energy conserving lighting; effective use of ambient light; and low-flow plumbing fixtures.</p>	<p>EPA routinely procures items that go beyond the scope and goals of the procurement guidelines.</p> <p>EPA's green building project provides for the use of recycled content and environmentally preferable construction materials and furnishings. EPA's is using cement containing fly ash and building insulation with recovered content in its Region 3 Environmental Science Center green building project.</p> <p>Contact: Eun Sook Goidel, (202) 260-3296.</p>	<p>EO 12873 does not provide EPA with any enforcement authority with respect to affirmative procurement.</p> <p>Executive order requirements are implemented as stand alone programs. By developing a systems approach to facility management, EPA is attempting to highlight the environmental and economic benefits of EO 12873 and other environmental requirements.</p>	<p>EPA launched an educational program about source reduction, recycling and buying recycled. Workshops are scheduled for regional employees to help in developing the Agency source reduction plan.</p> <p>EPA is developing an outreach program focusing on the procurement guidelines. In addition, EPA issues fact sheets summarizing the Comprehensive Procurement Guidelines. The fact sheets also are available through the Internet at EPA's Public Access Server at gopher.epa.gov.</p>	<p>RCRA 6002(I) provides that each procuring agency which purchases guideline items establish an affirmative procurement program with the following elements: preference program for purchasing items; promotion program; procedures for obtaining estimates and certification of recovered content; and annual review and monitoring of program effectiveness.</p> <p>The Federal Facility Compliance Act of 1992 (FFCA) gives explicit authority to the Administrator of the EPA to commence administrative enforcement actions against any department, agency, or instrumentality of the executive, legislative, or judicial branch of the Federal Government that is in violation of requirements under RCRA.</p>

Procurement Policy Research: Federal Procurement Policies and the Relevance to NYC

GENERAL SERVICES ADMINISTRATION

Procurement Policy and Program Summary	Innovative Purchases and Programs that Reflect Waste Prevention Goals	Innovative Purchases that Reflect Recycled Content Goals	Implementation Barriers	Educational Programs	Reporting and Enforcement Mechanisms
<p>Regulatory acts such as Resource Conservation Recovery Act (RCRA), National Environmental Policy Act (NEPA) and the Clean Air Act influence GSA's efforts to offer products and services aimed at minimizing waste, conserving energy and preventing pollution.</p> <p>EO 12873 initiatives include a requirement for environmental factors to be considered in all phases of the acquisition process, a requirement for all specifications to be revised to ensure products are "environmentally preferable" and a requirement for agencies to establish affirmative procurement goals.</p> <p>Federal Law (P.L. 103-355) signed into law in 1994, allows any "state, any department or agency of a state, and any political subdivision of a state, including local government" to purchase goods under GSA contracts. However, Congress voted to send the law back for further study and review.</p>	<p>GSA has a program designed to increase the energy efficiency of GSA-owned and operated buildings. GSA reduces energy consumption through the purchase of efficient heating, lighting and air conditioning systems.</p> <p>In addition, GSA reduced the amount of discarded furniture entering the waste stream through a contract to repair and refurbish the furniture.</p> <p>GSA offers products that are designed to conserve energy including: refrigerators, freezers, washers, dryers and air conditioners. GSA also offers lighting fixtures and controls, motion sensors and energy management systems. Through the <i>Energy Star Computer Program</i>, GSA offers a line of computers that are designed to power down when not in use.</p> <p>GSA provides fleet management that incorporates environmentally sound policies in daily fleet operation.</p>	<p>The 1996 GSA Catalog contains over 3,000 environmentally preferable items and there are over 1,000 items that contain recycled content. Local information: (212) 264-3592.</p> <p>In 1992, GSA spent \$14 million on recycled products that were not covered by the EPA procurement guidelines including; recycled plastic pellets, park benches, signs, office supplies, floor mats, and carpet. GSA also offers marine and architectural paints and coatings made with recycled content and a line of citrus-based industrial cleaners and degreaser alternatives.</p>	<p>One of the barriers to increasing the purchase of environmentally preferable products and services by agencies is the perception that some of the products are inferior.</p> <p>Agencies often are reluctant to try the newer and improved products that are available through the GSA catalog.</p>	<p>GSA circulated an internal memorandum to employees reminding them of the current conservation and waste prevention efforts. The memo also provided an overview of the GSA handbook, pointing out sections targeted at source reduction and conservation.</p> <p>GSA developed a catalog of environmentally friendly products including recycled content items, products made with nontoxic and nonhazardous materials and products with less packaging. GSA issues quarterly updates of the <i>Environmental Products Guide</i>.</p> <p>In 1995, GSA began the design of an electronic marketplace called <i>GSA Advantage</i>. The system can search for environmentally friendly products and will highlight environmental products. GSA also has an Internet address http://www.gsa.gov that will list available stock items. Electronic mail address: GSA.Advantage@gsa.gov</p>	<p>EO 12873 requires the Federal Environmental Executive to take actions to ensure that Agencies comply with the provision of the EO. The EO requires Agency Environmental Executives to track agency purchases of EPA-designated items and report them to the Federal Environmental Executive. RCRA requires the submittal of a biennial report to Congress.</p> <p>GSA has great difficulty tracking the purchase, use and effectiveness of environmentally preferable products. GSA does not have a system in place to monitor all purchases made by Federal agencies.</p> <p>In addition, many Agencies have systems in place that allow the purchase of products and services outside the supply system.</p>

Procurement Policy Research: Federal Procurement Policies and the Relevance to NYC

FEDERAL BUREAU OF PRISONS

Procurement Policy and Program Summary	Innovative Purchases and Programs that Reflect Waste Prevention Goals	Innovative Purchases that Reflect Recycled Content Goals	Implementation Barriers	Educational Programs	Reporting and Enforcement Mechanisms
<p>Executive Policy Directive 92-1 (April 1992) responds to EPA procurement guidelines by establishing an affirmative procurement program.</p> <p>Bureau of Prisons Operations Memorandum 034-92 (February 1992) requests each facility to develop and implement a comprehensive environmental awareness/pollution prevention program.</p>	<p>Unicor Federal Prison Industries, Inc. was established to train and employ inmates. The Federal Penitentiary in Petersburg, VA operates a furniture repair and reconditioning shop. Federal agencies send damaged and worn furniture to be repaired.</p> <p>DOJ purchases recharged laser toner cartridges.</p>	<p>DOJ purchases recycled content items covered by EPA's guidelines.</p>	<p>In 1992, DOJ filed a report that stated that the high cost and inferior quality of products containing recovered materials are major deterrents to the purchase of recycled products.</p>	<p>None available for review.</p>	<p>Quarterly progress reports are submitted to the Central office where they are consolidated by the Bureau's National Safety Administrator and submitted to EPA.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

CALIFORNIA

II

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>California Integrated Waste Management Act established the California Integrated Waste Management Board (IWMB) to oversee the state's waste prevention goals.</p> <p>Specifically, California Public Resources Code 40196 defines source reduction as "any action which causes a net reduction in the generation of solid waste."</p> <p>California has a rigid plastic law (SB235) that requires all rigid plastic containers eight ounces to five gallons to either be source reduced ten percent from 1990 weights, reusable five times or contain 25 percent post-consumer recycled content.</p>	<p>The Act authorizes the development of a State Assistance for Recycling Markets (STAR) program (Public Contract Code Section 12150) and requires that recycled products (50 percent recovered content, 10 percent post-consumer content) make up 40 percent of State purchases by 1995.</p> <p>SB 734 (1993) and AB 1843 (1989) established a 5 percent price preference (over lowest bid) for recycled paper and tire-derived products.</p> <p>CA has a minimum content requirement for glass containers. Newspaper publishers are required to use a minimum of 25 percent recycled newsprint. Trash bags sold in CA of certain thickness must contain a percentage of recycled content.</p>	<p>Public Resource Code Section 42240 requires 25 percent of all high-grade, bleached writing paper purchased by State agencies to contain recycled-content. Percentages increase to 35 by 1997 and 40 by 2000.</p> <p>Public Resource Code Section 42370 requires the Office of Procurement to favor the purchase of recycled secondary and post-consumer plastic products over virgin counterparts.</p> <p>Public Resource Code Section 42400 requires that all tires used on State fleet vehicles be replaced with retreaded tires and Section 42440 requires the use of regenerated lead-acid batteries.</p>	<p>The IWMB established the California Materials Exchange (CALMAX) program, which serves to divert items that are traditionally discarded toward reuse.</p> <p>California purchases regenerated batteries, retread tires, and re-refined lubricating oils.</p>	<p>California established Recycling Market Development Zones (RMDZ) to target recycling-based business development. IWMB offers a 40 percent tax credit (up to \$250,000) on the purchase of equipment used to make products from secondary materials.</p> <p>The California Trade & Commerce Agency, Business Environmental Assistance Centers and the US EPA established business assistance teams (R-Team) who provide assistance to businesses who can use recycled feed stock in manufacturing processes.</p> <p>California has purchased recycled glass beads for paint, compost, paint and co-compost, in addition to, paper.</p>	<p>The Waste Prevention Plan requires the IWMB to establish a comprehensive waste prevention education and outreach program. IWMB is working with the Alliance of Motion Picture and Television Producers, the Recycled Paper Coalition, Organics, and Building and onstruction alliances to promote the procurement of recycled-content products.</p> <p>The IWMB developed outreach materials including: a resource guide of sample specifications, contract language and ordinances, case studies of the procurement and waste management practices of businesses and a recycled-content database. Contact: CALMAX, Kevin Taylor, (916) 255-2487.</p>	<p>All State agencies are required to report to the Department of General Services (DGS) annually on the status of efforts to modify procurement strategies (not enforced).</p> <p>DGS is required to consolidate the reports and submit an annual summary report to the legislature.</p> <p>The IWMB also reports on agency procurement initiatives as part of their annual report to the legislature.</p> <p>California requires glass manufacturers to report monthly on the total tons of new glass containers (i.e., food, drink, beverage) made or sold in the State and the tons of California cullet used in the manufacturer of those containers.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

CONNECTICUT

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>The Solid Waste Plan was modified by Public Act 87-544 (1987) to further reduce the waste generated in Connecticut.</p> <p>Public Act 89-385 required that the DAS prepare a plan to eliminate disposable and single use products procured by state agencies.</p>	<p>Public Act 88-231 (1988) required Department of Administrative Services (DAS) to develop an affirmative procurement plan by Oct. 1989 and sets a 10 percent price preference. The Commissioner of the Department of Transportation is charged with conducting a feasibility study for the expanded use of construction and demolition debris in construction projects.</p> <p>Connecticut adopted EPA's procurement guidelines.</p> <p>In addition, CT law requires that on a statewide basis, the percentage of post-consumer recycled fiber used in newsprint meet or exceed 23 percent by 12/96. On a statewide basis, directories published in CT must contain no less than 15 percent recycled fibers by 12/96.</p>	<p>Public Act 89-385 requires the elimination of disposable and single-use products. DAS prepared contract specifications for the following:</p> <p>Ballpoint pens that have a replaceable "refillable type" ink supply.</p> <p>Typewriter ribbons and printer ribbons that are multistrike ribbons and may be typed over six to ten times.</p> <p>Laser toner cartridges will be recharged.</p> <p>Envelopes used for interagency mail will be reusable and the courier service will refuse to deliver interdepartmental mail in a single-use envelope.</p> <p>Agencies will purchase cleaners in bulk and will use cloth rags and tires will be retread and contractor will take possession of work tires for the specific purpose of retreading.</p>	<p>Public Act 90-215 (1990) bans the intentional introduction of lead, cadmium, mercury, and/or hexavalent chromium in packaging materials.</p> <p>Public Act 90-224 authorizes the Commissioner of DAS to join with Federal, state, municipal, and non-profit organizations in cooperative purchasing plans to reduce costs and provide more efficient use of resources. CT DAS has participated in joint purchasing ventures with the States of Maine and Vermont and various cities and town in CT. CT DAS recognized significant cost savings in rock salt and vaccines. Contact: Peter Connolly (203) 566-2860.</p>	<p>No innovative purchases are reported. Connecticut requires post-consumer recycled fiber to be used in newsprint and directories.</p>	<p>Chapter 446d, Section 22a-255f (1990) requires DEP to develop a public education program on waste reduction including: reduced packaging, reusable products, and avoiding materials that have an adverse impact on the environment. CT DEP implemented a pilot program to educate homeowners about source reduction. CT did not finalize the packaging regulations due to concerns about developing a regulation that could be inconsistent with Federal Regulation.</p> <p>DAS and DEP conducted seminars to inform State agencies and the general public of the Solid Waste Management Plan. DEP developed a <i>Buyer's Guide to a Healthy Planet</i> that describes ways to reduce solid waste, recycle, and to be a smart shopper. DEP developed videos and outreach materials on grass-cycling and sent copies to each municipality within the state.</p>	<p>General Statute 4a-67a (1990) requires DAS and all other State agencies to report annually to the legislature on the status of affirmative procurement and source reduction programs. Currently (1993), no formal records exist. Representatives of DAS and DEP, contacted by telephone, were not familiar with the reporting requirement.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

MINNESOTA

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>Minnesota's Governor issued Executive Order 91-17 directing state agencies and departments to implement pollution prevention. Section 15 of the Waste Management Act (Minn. Stat. 115A.15) requires the Commissioner of Administration and the Director of the Office of Waste Management to develop waste reduction procurement programs. In addition, the statute requires separation, storage and collection of recyclable and reusable materials from state offices.</p> <p>Department of Administration Clause 16B requires the Commissioner to apply and promote the preferred waste management practices in Section 2 of the Waste Management Plan. This includes considering the following; product durability, reusability and recyclability. Packaging must be made from resources.</p>	<p>Section 15 of the Act and Department of Administration Clause 16B (1992) contains the product procurement policy. Statute 15A.15 calls on the Commissioner to issue guidelines for the procurement of commodities containing recycled materials by state agencies. The Statute also requires a state government cooperative purchasing program for the procurement of goods containing recycled materials.</p> <p>Section 121 of the Department of Administration Clause 16B requires a 10 percent cost preference to recycled materials. Section 122 requires the State agencies to purchase uncoated office printing paper (unless 50 percent post-consumer) with 10 percent post-consumer content by weight, no dyes, little to no chlorine bleach, and no more than two ink colors.</p>	<p>The Commissioner of Administration and the Director of the Office of Waste Management developed an Environmentally Aware Purchasing Checklist, which encourages State agencies to consider source reduction issues prior to issuing a contract. It also makes a link between the existing MN Law §115A.55 and how procurement agents can reduce packaging waste through the procurement process.</p> <p>Agencies are required to purchase reusable building material, use soy-based inks, produce publications that are printed on recyclable paper, and duplex copy. Minnesota Statute Section 115A.9651 sets limits on the presence of toxic substances in specified products that must be implemented by July 1998. the statute prohibits the introduction of lead, mercury, cadmium and hexavalent chromium in packaging.</p>	<p>State agencies are required to purchase loose foam packing materials made from renewable resources (e.g., vegetable starches).</p> <p>The State financed a case study with Itasca County to measure results of source reduction procurement. Itasca County facilities reduced solid waste by reducing hauling expenses, raw material usage and avoided disposal costs. As part of the case study, Itasca purchased forced air filters with reusable components, reusable cups, cloth roll towels and florescent exit sign lights.</p>	<p>Minnesota requires all telephone directories with over 7,500 listings to be printed on recycled paper.</p> <p>Although not innovative, Minnesota mandates the use of post-consumer recycled paper where multiple suppliers exist.</p>	<p>Minnesota Office of Waste Management developed, <i>Source Reduction Now</i>, a training manual describing specific issues procurement officials must consider when making purchases or developing specs including: cost, warranty, life expectancy, reparability, reusability, toxicity, safety, labor, etc.</p> <p>The State offers excellence awards and grants to assist businesses with source reduction efforts. MnTAP, a source reduction program, is responsible for promoting pollution prevention through education and technical assistance.</p> <p>Minnesota is developing a reusable shipping container directory.</p>	<p>No information provided for this section.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

WASHINGTON

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>The Hazardous Waste Reduction Act requires a reduction in the generation of hazardous waste by 50 percent and requires the Department of Ecology (DOE) to review procurement contracts to identify toxic and hazardous materials and propose less toxic substitutes. The Waste Not Washington Act (ESHB 1671) established waste reduction as a priority for the state.</p> <p>Executive Order 90-96 calls for Agencies to seek alternatives to disposable, non-recyclable and/or hazardous products.</p> <p>Section 43.19.1911 of WA regulations requires state agencies to purchase products that have the lowest lifecycle costs and that comply with performance or materials specifications.</p> <p>Washington's Government Options to Landfill Disposal (GOLD) plan requires agencies to inventory hazardous material usage and seek substitutes. It calls for the increase of more durable goods.</p>	<p>Washington's Waste Not Washington Act requires state agencies to increase the use of recycled paper by 50 percent.</p> <p>Chapter 43.19A (1991) of Washington's regulations requires the Department of General Administration to create a 10 percent price preference for products containing 15 percent recovered material.</p>	<p>The Revised Code of Washington (RCW) 43.19.1911 creates purchasing preferences for products with the lowest lifecycle costs that comply with specifications.</p>	<p>Manchester Laboratory has a policy of filing and reviewing Material Safety Data Sheets (MSDS) to avoid ordering excess chemical products.</p> <p>Office supplies consist of refillable pens and pencils, light timers and dimmers, and unbleached post-consumer content paper towels.</p> <p>DOE motor pools use environmentally safe chemical de-icer, less flammable cleaning solvents, and retread tires.</p> <p>DOE also is considering alternative fuel and is replacing halogen fire extinguishers.</p> <p>The Waste Not Washington Act also established the Solid Waste Management Account, funded by a one percent tax on solid waste collection services.</p>	<p>General Administration (GA) is developing plans to increase the purchase of recycled content plastic and paper products, remanufactured tires, and paper products, recycled oil and antifreeze, recycled refrigerant, and paint containing recycled glass beads.</p>	<p>The GOLD plan calls for audits of existing programs and conditions and identification of improvements that can be made in waste reduction efforts. Education and incentive programs encourage State agency participation and foster cooperation.</p> <p>DOE has an internal policy, <i>Policy and Procedure: Employee Waste Reduction and Recycling Practices</i>, that encourages employees to request and use durable goods, nontoxic and less toxic products, and lightweight packaging.</p>	<p>GOLD plans require each State agency to file a waste audit and report to the Department of Ecology on the methodology used to monitor plan progress.</p> <p>The Department consolidates the reports into a summary report and submits it to the Department of General Administration.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

WISCONSIN

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>Wisconsin Act 335 requires modification of products specifications to consider recyclability and final disposition of potential purchases and to minimize the amount of waste produced by state facilities where possible.</p>	<p>Wisconsin Act 335 (1989) directs purchasing agents to modify product specifications to require the purchase of recovered materials when feasible.</p> <p>No person may sell or offer for sale a retail product in a plastic container consisting of less than 10 percent recycled or remanufactured material. There are some exceptions.</p> <p>Wisconsin has minimum post-consumer recycled content requirements in effect for newspapers. The 1996-1997 target is 35 percent.</p>	<p>The Act requires all state purchasing agents to select bids on materials, supplies, and equipment from the lowest lifecycle bidder. Contact: Dan Weheram, (608) 267-6922.</p>	<p>Government purchases that achieve source reduction include restored vehicles, computers and other office equipment and cloth diapers for hospitals.</p>	<p>The State purchased Rubbermaid plastic products, recycled plastic signs, and recycled glass beads for paint removal.</p> <p>DOA modified paper and printer contracts to provide for the use of waste paper.</p>	<p>None reported at this time.</p>	<p>Wisconsin currently not enforcing the requirement that rigid plastic packaging contain 10 percent recovered content. The law allows the use of pre-consumer scrap to meet the requirement.</p> <p>Towns can get exemptions from landfill bans on packaging if they have the required recycling programs in place.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

OLMSTED COUNTY, MINNESOTA

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>Minnesota's Governor issued Executive Order 91-17 directing state agencies and departments to implement pollution prevention. Section 15 of the Waste Management Act (Minn. Stat. 115A.15) requires the Commissioner of Administration and the Director of the Office of Waste Management to develop waste reduction procurement programs. In addition, the statute requires separation, storage and collection of recyclable and reusable materials from state offices.</p> <p>Section 5501 of the Waste Management Act (Minn. Stat. 115A.5501) establishes a 25 percent reduction goal for packaging waste.</p> <p>Department of Administration Clause 16B requires the Commissioner to apply and promote the preferred waste management practices in Section 2 of the Waste Management Plan. This includes considering the following: product durability, reusability and recyclability. Packaging must be made from resources.</p>	<p>Olmsted County Resolution 90-75 states that the County Board will purchase recycled products if the cost, performance and availability meet acceptable standards.</p>	<p>Olmsted County office supply contract bid form and supply catalogue lists various recycled content office supplies.</p> <p>Vendors are required to describe the method in which toner cartridges, photoconductor drums, packing materials, and boxes can be recycled.</p> <p>Preference is given to vendors who use recycled or remanufactured materials/components if all other factors are equal.</p>	<p>Olmsted County Highway Maintenance Shop arranged for a distributor to collect, clean, and test used heavy equipment air filters and return them for reuse.</p> <p>The County is reusing concrete from sidewalks, driveways, curbs, and gutters for fill at a new government center.</p> <p>Laser cartridges are charged for reuse four to five times.</p>	<p>None of the purchases of materials with recovered content can be considered innovative. Olmsted County encourages that purchase and use of items with recovered content if the performance and price standards are equivalent to the virgin counterparts.</p>	<p>County Officials have made numerous local presentations on source reduction methods. They also work with the local builder's association to determine ways to salvage used materials.</p> <p>Award ceremonies for outstanding source reduction achievement in the commercial sector.</p> <p>County issues a quarterly newsletter entitled <i>Trash Talk</i> to keep businesses informed of waste reduction and waste management issues.</p>	<p>There are no specific requirements for monitoring or reporting source reduction procurement progress except for specific contract provisions that establish monitoring procedures under copier contracts. NYC can examine potential opportunities to encourage the innovative reuse of construction and demolition materials.</p>

Procurement Policy Research: State and Local Procurement Policies and the Relevance to NYC

SAN JOSE, CALIFORNIA

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcement Mechanisms
<p>California Integrated Waste Management Act (Public Resource Code Sections 4000-49620, 1989) mandates that cities and counties divert 25 percent and 50 percent of their waste by 1995 and 2000, respectively.</p> <p>The Act established the California Integrated Waste Management Board (IWMB) to oversee the state's waste prevention goals.</p> <p>Specifically, California Public Resources Code 40196 defines source reduction as "any action which causes a net reduction in the generation of solid waste."</p> <p>California has a rigid plastic law (SB235) that requires all rigid plastic containers eight ounces to five gallons to either be source reduced ten percent from 1990 weights, reusable five times or contain 25 percent post-consumer recycled content.</p>	<p>City Council Policy Number 4-4, entitled Source Reduction and Recycling Procurement, was adopted on August 22, 1989. The policy established a preference program for products with recycled content. The policy directs procurement officials to give a preference to products with the highest percentage of post-consumer recovered material. Contact: Doris Hencken, (408) 277-5533, believes the policy has been effective in encouraging the use of products with recovered content.</p> <p>City policy stipulates that procurement officials consider the ability to reuse or recondition products, the volume of toxicity of the waste associated with the use of the product and/or its packaging in making purchasing determinations.</p> <p>All city contractors and grantees are required to comply with the policy.</p>	<p>City Council Policy Number 4-4, 1990 establishes purchasing preferences for products with the highest percentage of post-consumer recovered material and next highest price preference to products with the highest percentage of pre-consumer recovered material. All paper procured by the city must contain 50 percent recovered content, and 10 percent post-consumer recovered content.</p> <p>The city's policy also establishes a purchasing preference for products that minimize waste and toxic byproducts in production, use, recycling, and disposal.</p>	<p>The city purchases only plain paper fax machines and refills or rebuilds all laser toner cartridges.</p> <p>The city is evaluating the use of Post-It fax labels eliminating the need for a cover sheet. Smaller trash cans are stocked, to encourage recycling.</p>	<p>San Jose purchases approximately 40 types of products with recycled content on a regular basis.</p> <p>The Public Works Department conducted tests on applications for recycled asphalt and modified specifications for use of recycled asphalt.</p> <p>The city used old porcelain toilets as aggregate materials in various public works projects.</p> <p>The city is purchasing picnic tables, benches and funnels made from recycled plastic.</p> <p>The city is testing and evaluating the following products for use by city agencies: Cellulose insulations, inkjet cartridges, computer disks and recycled plastic street signs.</p>	<p>Education efforts focus on recycled-content product procurement. Several cities joined together to develop a Recycled Products Workshop to educate purchasing staff on the importance of buying recycled materials and products.</p>	<p>All contractors must report on the quantities and total dollar amounts of products listed in the Recycled Product Requirements List that are purchased and used by the contractor in conjunction with City-funded work to the Department of General Services. The report also is submitted to the Department of Environmental Management and an annual status report is submitted to the City Council.</p> <p>Reporting form, Request for Quotation and Requisition, were modified to include information on product content and recyclability.</p>

Procurement Policy Research: International Policies and the Relevance to NYC

CANADA

Legislation on Waste Management Policy	Legislation on Procurement	Procurement Language and Specifications	Innovative Programs and Purchases that Reflect Waste Prevention Goals	Innovative Purchases and Programs that Reflect Recycled Content Goals	Educational Programs	Reporting and Enforcing Mechanisms
<p>Canada's Minister of the Environment established the Environmental Choice Program and a 16-member Environmental Choice Board. The Board issues guidelines for products, certifies products and services against a set of standards and authorizes the use of the official logo.</p> <p>A legislative and regulatory subcommittee recommended 14 elements as part of legislation aimed at packaging. Manitoba enacted a Waste Reduction and Prevention Act in 1990 that included a waste reduction goal for the province of 50 percent by 2000.</p>	<p>The Canadian Council of Ministers of the Environment established a National Task Force on Packaging. The task force sets packaging goals for Canada to reduce the amount of packaging materials disposed of to 50 percent of 1988 levels by 2000. The Canadian National Packaging Protocol (NAPP) allows the Council authority to develop regulations to achieve waste reduction objectives.</p>	<p>Ontario requires all public facilities to purchase products for which Environmental Choice guidelines have been issued.</p>	<p>Ontario has issued a final rule (Bill 143) that requires most businesses to do waste audit and waste reduction work plans. In addition, the Bill requires large users of packaging to perform audits and packaging reduction plans.</p>	<p>No innovative recycled-content purchases are noted at this time.</p>	<p>NAPP calls for extensive public education activities including: developing a technical data base, distributing a list of questions that packaging professionals and purchasing agents should ask prior to purchasing materials or products, and commissioning several reports addressing various environmental issues related to packaging.</p> <p>A task force worked with industry by distributing over 10,000 copies of the Canadian Code of Preferred Packaging Practices. The task force also focussed on consumers, municipalities, and then turned attention to decreasing the amount of plastics and paper that are disposed.</p>	<p>Companies wishing to use the EcoLogo on a product must certify that their product meets established guidelines. The product must contain a brief statement particular to the guideline for which it is awarded the right to display the logo. Companies must renew their licenses and the use of the EcoLogo may be suspended for non-compliance.</p>