

U.S. Department of Energy
Quarterly Teleconference on Greening the Government
through Waste Prevention, Recycling, and Federal Acquisition
RCRA 6002/Executive Order 13101
March 27, 2003, 11 a.m. - 12:30 p.m. (EDT)
Minutes

TOPICS

- ☐ Results of DOE's environmental purchasing in FY2002
- ☐ Reporting requirements in FY2003
 - Checklist in the strategic plan for a successful program

PARTICIPANTS IDENTIFIED:

U.S. Department Of Energy Headquarters

Mary Anderson, Richard Langston, Don Lentzen, Mark Matarerese, Mark Huffman (SAIC)

Office of the Federal Environmental Executive

Dana Arnold, Susan Weber

U.S. Environmental Protection Agency

Holly Elwood, Karen Lee, Gail Prejean

INFORM

Kelly Luck

Albuquerque Operations Office

Maria Teresa Loschke

Grand Junction Field Office

Terry Christensen, Larry Marrow

Ames Laboratory

Frank Gines

Argonne National Laboratory

Keith Trychta

Princeton Plasma Physics Laboratory

Tom McGeachen

National Energy Technology Laboratory

Debra Boggs, Bruce Webster, Frances Wright

Strategic Petroleum Reserves

Teresa Heaton

Yucca Mountain Site Characterization Office

Lee Bishop

Oak Ridge Operations Office

Ana Gonzalez, Richard Martin

Oak Ridge Y-12 Facility

Anne Ostergaard, April Patterson

Thomas Jefferson National Accelerator Facility

Dennis Dobbins

Richland Operations Office

Joe Coenenberg, Cecily Lehmann, Robert Moore, Paul Von Der Mehden

Pacific Northwest National Laboratory

Sandra Cannon, Judith Johannesen

Idaho Operations Office

Dave Janke

Naval Reactor Sites

Pittsburg: Ron Sand, Greg Sawl, Schenectady: Steve Theren

Fernald Environmental Management Project

Phil Spots (Femp)

Los Alamos National Laboratory

Sonia Salsman

Ohio Field Office

Lisa Kosko

Fernald Environmental Management Project

Don Helstad, Francis Maranda

Laurence Livermore National Laboratory

Kent Wilson

Western Area Power Administration

Frank Armstrong, Gene Iley

TELECONFERENCE

Greeting and introductions – Don Lentzen

Office of the Federal Environmental Executive Activities - Dana Arnold

- OFEE and U.S. Army Center for Health Promotion and Preventive Medicine prepared an EPP train the trainer PowerPoint slide show and script available on the OFEE website (<http://www.ofee.gov/gp/gp.htm>).

- Biobased Products: USDA product designation still pending. Following designation, OMB will review, then distribute for comment. Dana hoping for distribution by next month.
- OFEE coordinates all program needs for green purchasing (design for energy, sustainable building, etc) to jointly deal with issues in common and communication
- Earth Day reminder

Signed DEAR revisions – Richard Langston:

Revised DEAR (published February 7, 2003) amends DOE acquisition regulations to

- flow down RCRA requirements to subcontractors such as for construction projects and fleet maintenance
- spell out solicitation provision
- include in selection criteria to consider architectural firms with experience in environmentally preferable purchasing

DEAR revisions at http://www.access.gpo.gov/su_docs/fedreg/a030207c.html

Complete DEAR with revisions incorporated at <http://professionals.pr.doe.gov/ma5/MA-5Web.nsf/Procurement/Acquisition+Regulation?OpenDocument>

Questions on the revised DEAR:

- Terry Heaton: Is there guidance on terminology, for example, how do we define “significant portion” of the contract? Richard will provide.

Green Building Council Conference in Pittsburg – Debbie Boggs (NETL):

This year’s conference will be November 12-14, 2003 in Pittsburgh PA

(<http://www.usgbc.org/expo/>). Call for papers deadline is April 14, 2003. Conference attended by building experts, green folks, procurement people. Last year featured tours of LEED certified buildings, focusing on passive solar features. Vendors promoted EPP products, green products – from light bulbs to paint. LEED training will be two days at end of the week.

Results of FY2002 DOE RCRA 6002 purchasing (see attached file) – Don Lentzen and

Richard Langston: Successfully submitted 3rd annual report on EPP to the Office of Management and Budget and Office of the Federal Environmental Executive. \$38 Million in purchases of designated items were reported, with \$28 Million in EPP-compliant products, representing a 91% compliance rate. We’re half way into new fiscal year – hope the performance continues. High ticket items (we spent over \$1M on them) meriting attention:

- Carpeting: 59% with recycled content, 81% adjusted with CAP – lots of potential for improvement
- Binders: 32%
- Toner Cartridges: 59%
- Vehicle products: these products are lagging behind others, especially tires

Richard Langston prepared the narrative and federal procurement data portion of the report.

- Of the 1300 federal (not contractor) contracts for RCRA 6002 items, only 80 had specifications for the CPG products. Balance had CAP exemption. A need for retraining was identified and acted on. Should go more smoothly next year.
- On the required management controls, policy is in place, training has been conducted, progress is being measured, reporting is performed, and management review has been conducted.
- Green purchasing training has been conducted in person or by video conference at all facilities. GAO performed audit 2 years ago, which went well.

Mark Huffman (SAIC) reported

- Purchases of required items comprised 73% of the total, 91% when adjusted for CAP exemptions. Last year (FY01), the numbers were 69% and 87%, so we are heading in the right direction. On the 18 newly designated items since 2001, we bought 48% with recycled content in 2001, 74% in 2002. \$3.2 Million was spent on the newly designated items, \$2.5 Million of that on industrial drums and signage alone.

Share success stories to get the word out. Results and individual site results are on the website. There were a number of sites who reached 100% adjusted results, and a few with 100% compliance with no adjustments: Chicago Ops, Chicago Regional Office, East Tennessee Technology Park, National Renewable Energy Laboratory, and Strategic Petroleum Reserves.

Questions from the field on the FY2002 results:

- Gail Prejean: Is this data from all contracts for the items?
Richard Langston Response: No, simply federal contracts. Overall report includes contractor data, too.
- Holly Elwood: Who compiled the data?
Response: Mark Huffman from data input by all sites to the DOE-HQ reporting site

FY2003 Reporting – Don Lentzen and Richard Langston: Web-based system for reporting will continue, seeking field feedback. Field is urged to continue to report on all EPP items. Even though OMB and OFEE are only requiring reports on indicator products, it behooves us to gather data on all the products because OMB and OFEE require us to report the total percentage of all our CPG purchases. The indicator products for FY2003 are:

- Paper – sanitary tissue
- Non-Paper Office - toner cartridges
- Construction - concrete
- Landscaping - landscaping timbers
- Park and Recreation - benches and picnic tables
- Transportation - traffic barricades
- Vehicular - re-refined oil
- Miscellaneous - signage

(NOTE: OUR PHONE CONNECTION CUT OUT AT THIS POINT – UNABLE TO REPORT ON THIS SEGMENT)

Questions from the field on FY2003 reporting:

- Holly Elwood: Has group considered how it might collect data for biobased products?

Dana Arnold response: Consideration premature until agencies determine which items are to be included.

Tom McGeachen response: Princeton Plasma Physics Laboratory is tracking biobased product purchases prior to the requirement.

- Holly Elwood: Dana, are you planning on having meetings to provide advice?

Dana Arnold response: (NOTE: PARTICIPANT'S VMX SYSTEM TECHNICAL DIFFICULTIES STARTED AT THIS POINT. RESPONSE COULD NOT BE UNDERSTOOD, EXCEPT THAT DANA THINKS IT IS A GOOD IDEA.)

- Sandra Cannon: When will 12 proposed CPG items be firm?

Dana Arnold response: EPA wants to add a couple of items, and then complete the rulemaking.

Walk through Checklist for Successful Site Programs in strategic plan – Don Lentzen and Richard Langston (see p. 13 of November 2000 Strategic Plan—either hard copy or on the Internet at <http://www.eh.doe.gov/p2/ap/StraPlan.Pdf>):

Questions on Checklist and discussion of problems DOE sites may be having with any of the actions on the checklist:

- Don Lentzen: EPA is fielding audit teams, especially in the mid-Atlantic states. Has anyone been audited?

Keith Trychta (ANL): EPA did RCRA inspection at Argonne National Laboratory, and dropped by the vehicle maintenance shop to see if EPP required products were in use. They left a checklist for Keith to fill out.

Tom McGeachen (PPPL): Princeton Plasma Physics Laboratory is preparing for that eventuality.

Sandra Cannon (PNNL): Pacific Northwest National Laboratory prepared and did dry run. EPA checklist is on the Internet (<http://www.eh.doe.gov/p2/ap/audit.htm>)

Kent Wilson (LLNL): Lawrence Livermore National Laboratory was inspected 2 years ago. They looked at the motor pool.

Dana Arnold: EPA instructed to inspect at the motor pool since those are the products the inspectors are most familiar with. EPA regions 5 & 9 have EPP on their screens. If you are contracting out the pertinent service requiring the EPP products, you still have to flow the requirements down. You have to ask the question and document. EPA Region 3 is considering returning to a site and issuing a notice of violation.

- Susan Weber: DOE leases vehicles from GSA and they do the reporting

Richard Langston: GSA should be in compliance

Maria Teresa Loschke (DOE Albuquerque): Is GSA directly responsible to the EPA, or is DOE responsible for them when leasing their vehicles?

Dana Arnold: GSA is responsible, but DOE is also and has to “ask the question.”

Susan Weber: Shelly, former RC at LBNL investigated this issue and found that GSA wasn't complying. She did not get good response initially when she asked them to comply. Shelly had to follow through to get compliance.

Dana Arnold: OFEE will hold GSA accountable if they do not respond to your requests to comply. Please provide details, including the name(s) of the individual(s) that are failing to respond to the request.

Other topics or questions from the field for discussion:

- Don Lentzen: We need to feature training as a topic in a future teleconference.
- Tom McGeachen: Having performance problems with remanufactured ink jet cartridges. Ditch program, or other suggestions?

Dana Arnold: EPA initially looked at including ink jet cartridges in EPP products, but left them out. Issues considered in conversation with HP at that time: Trademark violations involved in remanufacture, ink jet cartridges operate under pressure and must be filled under pressure. Some remanufactures fill under ambient or wrong pressure with predictable performance problems resulting. The cartridges were designed for single use, and the head is subject to failure when reused. HP thought the issues would be addressed by now (2003).

Sandra Cannon: Is there sufficient interest in remanufactured ink jet cartridges to warrant including them as a special (A few yes responses)

- Richard Langston: PCard data collection problem would be the topic that would give us the biggest bang for the buck.
- Maria Teresa Loschke question: Does anyone have solicitation language for EnergyStar products?

Holly Elwood response: EPA database has information on >600 products with links to contracts specifications, including EnergyStar products at <http://yosemite1.epa.gov/oppt/eppstand2.nsf>

Dana Arnold: Here are Sample Clauses for Purchasing Energy-Efficient Standby Power Devices

Executive Order 13221, "Energy-Efficient Standby Power Devices," directs Federal agencies to purchase electronic devices which use minimal power when they go into standby mode. The Department of Energy's Federal Energy Management Program (FEMP) created a list of standby products, which can be found at the following web address: <http://www.eren.doe.gov/femp/procurement>.

To assist agencies to purchase these products, FEMP developed the following example solicitation clauses, which may be used in solicitations requiring energy-consuming products or services that require energy-consuming products, such as laundry, food, or printing service contracts:

1. This example includes both Executive Order 13221 and Executive Order 13123, "Greening the Government Through Efficient Energy Management," to address the requirements to purchase Energy Star or FEMP top 25 percent products and products having an energy-efficient standby mode.

As mandated by purchasing requirements found in with EO 13221, EO 13123, and FAR Part 23.203, ____ (agency name) _____ will now require contractors installing or retrofit energy-using products to:

(1) If purchasing from federal supply source (GSA or DLA) or an outside contractor, the agency's procurement officer shall specify, purchase, and/or install any energy using product

that meets the criterion for the top 25th percentile established by FEMP and/or ENERGY STAR® and that meets FEMP's criterion for those products that consume standby power.

(2) Clearly identify and record the purchasing of these energy efficient products that comply with ENERGY STAR® and/or FEMP- designated energy efficiency levels.

(3) Verify all contractor claims of energy efficient products by requesting that the contractor provide you with the performance level of the efficiency metric for the product (e.g. EER, SEER, AFUE, COP, HSPF, annual kWh consumption, kWh).

2. This is an example of energy efficiency language used by GSA.

To be in compliance with these directives, GSA will now require contractors having energy-using products to:

- Only use the term "energy efficient" in its GSA product listings if a product meets the criterion established by FEMP and/or ENERGY STAR®.

- Clearly identify energy-using products that comply with ENERGY STAR® and/or FEMP-designated energy efficiency levels. a. For hard copy or catalogued format data submittal, use appropriate symbol to identify products that comply with ENERGY STAR® and FEMP-designated energy efficiency levels. For products covered by both ENERGY STAR® and FEMP, only the ENERGY STAR® symbol should be used. For products not covered by ENERGY STAR®, but covered by FEMP, the FEMP symbol should be used. The appropriate ENERGY STAR® and FEMP symbols are:

- b. For electronic data submittal, use the "Environmental Attributes" identification features in the SIP toolkit to identify products that comply with ENERGY STAR® and/or FEMP energy efficiency levels.

- If applicable, tag ENERGY STAR®, which refers to the DOE/EPA's ENERGY STAR® labeling program.

- If applicable, tag "EE", which refers to EO 13123 ? FEMP-designated top 25th percentile level.

- In the product description section of SIP, include the performance level of the efficiency metric for the product (e.g. EER, SEER, AFUE, COP, HSPF, annual kWh consumption, kWh).

3. This example is modified from Energy Star's contract language.

When purchasing these (list product types)_____, add the following requirements to your specifications to ensure you receive Energy Star® labeled (list product types)_____. For additional considerations regarding the purchase of energy efficient (list product types) _____, please see the Energy Star® web site, www.energystar.gov/products.

For (list product types)_____, the (list performance metrics) _____(i.e., Energy Efficiency Ratios (EER)) must be equal to or higher than the (specify levels from the Energy Star web site) _____.

Next meeting: Thursday, June 26, 2003

Adjourned at 12:30.