

EO 13101 Quarterly Teleconference

The Ins and Outs of Purchasing Remanufactured Toner Cartridges, and How to Use EPA's Decision Making Wizard for Selecting Environmentally Preferable Cleaning Products

**Teleconference Workshop on Greening the Government
through Waste Prevention, Recycling, and Federal Acquisition
August 30, 2001, 11 a.m.- 12:30 p.m. Daylight Savings Time**

PARTICIPANTS:

ALBUQUERQUE OPERATIONS OFFICE: Charlie Henn, Teresa Loschke

Central Training Academy: Candy Sanchez

Kansas City Plant (KCP): Carolyn Lucas (Honeywell, FM&T)

Los Alamos National Laboratory (LANL): Eleanor Chapman

Sandia National Laboratories/New Mexico (Sandia/NM): Kristin Klossner, Stacy Richardson

Waste Isolation Pilot Plant (WIPP): Cindy Woodin, Coreen

CHICAGO OPERATIONS OFFICE: Tony Bindokas, Fred Sienko

Ames Laboratory: Dan Kayser

Argonne National Laboratory-East (ANL-E): Keith Trychta

Princeton Plasma Physics Laboratory: Tom McGeachen

FOSSIL ENERGY:

National Energy Technology Laboratory: Bruce Webster, Rita, Erica

Strategic Petroleum Reserves: Katherine Batiste, Joyce Francois, Teresa Heaton

HEADQUARTERS: Susan Weber, Connie Haga (SAIC)

Yucca Mountain Project (YMP): Kathleen Clemensen

IDAHO OPERATIONS OFFICE:

Idaho National Engineering and Environmental Laboratory (INEEL): David Janke

NAVAL REACTOR SITES:

Bettis Atomic Power Laboratory: Toni Denapoli, Greg Sawl

Knolls Atomic Power Laboratory: A.R. Seepo, Steve Therrien

OAKLAND OPERATIONS OFFICE: Karin King

Lawrence Livermore National Laboratory (LLNL): Kent Wilson

Stanford Linear Accelerator Center: Pamela Wright-Brunache, Rich Cellamare

OAK RIDGE OPERATIONS OFFICE: Oak Ridge Associated Universities: Erskine Gray

Thomas Jefferson National Accelerator Facility (TJNAF): Dennis Dobbins

OHIO FIELD OFFICE: Kimberly Tate

Fernald Environmental Management Project (FEMP): Tim, Bill

RICHLAND OPERATIONS OFFICE: Geneva Ellis-Balone, Oscar Holgado

Pacific Northwest National Laboratory (PNNL): Sandra Cannon (EO 13101 Coordinator), Wanda Couchman, Judith Johannesen, Glenn Thornton
Bechtel Hanford Inc.: Donnell Long
Fluor Daniel: Ed Foss, Robert Moore, David Nichols

ROCKY FLATS FIELD OFFICE: Doug Schlagel

Rocky Flats Environmental Technology Site (RFETS): Tamar Krantz

SAVANNAH RIVER SITE: David Hepner

POWER ADMINISTRATIONS:

Western Area (WAPA): Frank Armstrong, Gene Iley

EPA: Jim Darr

OFEE: Dana Arnold

11:10 Greeting and introductions - Susan Weber, DOE-HQ EO 13101 Manager

Susan Weber introduced herself as the DOE Headquarters Program Manager for DOE's Buying Green or Environmentally Preferable Purchasing Program. She thanked the sites for their hard work and dedication to the program, which contributed to DOE's first White House Closing the Circle Award for being the best Federal agency in implementing the program requirements. The award was signed by President Bush and resides in the Office of the Assistant Secretary for Environmental Management.

Susan announced that EPA has proposed 11 new Comprehensive Procurement Guideline Items (CPG) that Federal agencies should be buying with recycled content:

Construction

- X cement and concrete containing cenospheres
- X cement and concrete containing silica fume
- X modular threshold ramps
- X nonpressure pipe
- X nylon carpet
- X nylon carpet backing
- X roofing materials

Non-Paper Office

- X office furniture

Vehicular

- X rebuilt vehicular parts and tires

Miscellaneous

- X bike racks
- X blasting grit

DOE has almost two months to review and comment on the new items. It is important to determine if the items are locally available to the sites, on a competitive basis, at reasonable prices, and if they meet

performance requirements. EPA would not have proposed the items unless they thought this was the case in most of the country; however DOE should verify that this is true for its sites. The CPG, which lists the proposed items and the RMAN (Recovered Materials Advisory Notice) are Federal Register documents which are very helpful in explaining what items the EPA is proposing and why. The corresponding background document, which is posted on the Executive Order (EO) 13101 site (<http://www.doep2.org/ap/Background.pdf>) provides additional technical information, available specifications, and performance information. Susan encouraged everyone to look at the background document for the new items.

DOE=s Office of Environment, Safety and Health (EH) will be preparing a consolidated set of comments on the proposed items to submit to EPA. EH will be sending a notice and invitation to comment to regulatory contacts at each site. Susan encouraged the sites to find out who their EH contact is and submit comments. Comments will probably be due to EH by October 15, 2001. After the list of new items is finalized, DOE sites will have one year to make sure that the items are bought with recovered content.

Susan announced that DOE is gearing up for Fiscal Year (FY) 2001 reporting. The reporting for FY 2001 will include all 54 items currently in the CPG. Mark Huffman, our Webmaster, will talk about the reporting software during the next conference call in November. The formal data call will be sent out as usual and an informal e-mail message will follow with the logistical information. The Web site will open for reporting on October 1, 2001. It may be helpful to print out a blank form as you begin compiling your site data. If data are available, include all purchases made from GSA schedule vendors for FY 2001, and plan to collect this data for all future reporting.

Tom McGeachen (PPPL) had a question about publications that DOE purchased through the Government Printing Office. Do these purchases need to be included in the reporting? Dana Arnold said that sites only need to report on direct paper purchases (not publications).

The Ins and Outs of Purchasing Remanufactured Cartridges

11:15 Dana Arnold (OFEE) - Do remanufactured cartridges invalidate Hewlett-Packard/Xerox printer warranties?

Dana spoke with Hewlett-Packard, (HP) who said that the use of remanufactured toner cartridges does not void printer warranties; however, HP is not responsible for damage to its equipment caused by a remanufactured cartridge. The company is in the process of putting something to this effect in writing. ([See attachment](#) to these meeting minutes for HP=s statement).

Xerox also said that the use of remanufactured toner cartridges in Xerox equipment does not void printer warranties. The company sent out a voice mail message to its service representatives documenting this policy on August 6, 2001.

11:30 Sandra Cannon (PNNL) - How to guarantee quality remanufactured toner cartridges are purchased

PNNL has had a two part process (including mailers for returning spent cartridges, setting up collection boxes, etc.) since 1997, to ensure that only quality remanufactured toner cartridges are purchased:

1) Establish preferred customer agreements with specific requirements for the vendor to meet. These requirements include:

- a) The vendor must demonstrate its quality control process. This can be done by viewing videos prepared by the vendors or by touring vendor plants.
- b) The vendor must provide free remanufactured toner cartridges for testing. PNNL tests these

products on suspect printers (i.e., printers that typically have problems with remanufactured cartridges).

c) The vendor must offer competitive prices.

d) The vendor must agree to provide a refund for or replace any defective remanufactured toner cartridges, and pay for any damage caused to the printer. If quality remanufactured cartridges are used, this is not usually an issue.

e) The vendor must provide a way for PNNL to return spent cartridges at no cost to DOE (i.e., by providing mailers, etc.).

2) Conduct pilot test studies of the remanufactured toner cartridges. This step includes having the printer repair staff inspect the printer, before testing and after, for signs of problems caused by the use of the remanufactured cartridge. The test also involves tracking the number of pages printed using the cartridge, and comparing it to the nationwide standard.

Sandra Cannon (PNNL) said that another thing to keep in mind is that if a particular printer has a problem with a particular type of remanufactured toner cartridge, try another type of remanufactured cartridge. The site should be able to find at least one type of remanufactured cartridge that works for a particular printer.

11:30 Keith Trychta (ANL) - Argonne=s remanufactured toner cartridge purchasing process

ANL started a process in 1998 to debunk myths about the inferior quality of remanufactured toner cartridges. To formally document their process for purchasing quality remanufactured cartridges, the site performed and issued a Pollution Prevention Opportunity Assessment (PPOA). As part of the PPOA, Argonne talked to its office supply distributors, including small Amom and pop≡ operations. Argonne determined that its best option was to establish an agreement with Corporate Express and use GRC remanufactured toner cartridges. Corporate Express is a large company with lots of validation data; they are very proactive about service for cartridges or printers. Since the program started, the vendor service staff has been called five times; each time the problem was determined to be associated with the printer and not with the remanufactured toner cartridge. Argonne is continuing to maintain its program for purchasing remanufactured cartridges.

11:35 Susan Weber (HQ) - Headquarters investigation into the use of remanufactured toner cartridges

Susan Weber (HQ) found a local vendor that takes the spent toner cartridge apart, puts in new or refurbished parts, and injects 20 percent more toner than in the original toner cartridge. The remanufactured toner cartridges are cheaper than new cartridges and should last longer. The vendor is a local company called Cartridge Technologies (Gaithersburg MD). Headquarters is in the process of trying to develop a pilot test for the remanufactured toner cartridges.

11:40 Questions

Teresa Loschke (Albuquerque Operations Office) had a question about PNNL=s process - does the site compare the number of copies a remanufactured toner cartridge prints to the number of copies a non-remanufactured cartridge prints? Sandra said PNNL compares the number of copies made from a remanufactured cartridge against the nationwide standard, which is the standard for non-remanufactured cartridges.

Dennis Dobbins (TJNAF) asked if there was a CPG requirement for a one-to-one exchange of a remanufactured toner cartridge for each spent cartridge returned to the vendor. Dana Arnold said that the CPG does not require the purchaser to obtain a one-to-one exchange (i.e., when the site returns a spent cartridge to the vendor, that same spent cartridge is not remanufactured and returned to the site).

Generally this would happen only for big items. Dennis also asked about using small versus large businesses as vendors. Sandra Cannon (PNNL) said that PNNL uses two small vendors.

Dennis said that TJNAF gets paid for returning its spent toner cartridges (including Ink Jets) and asked if this was true at other sites. Sandra said that PNNL's costs for purchasing remanufactured cartridges are lowered by the return of spent cartridges to the vendors of remanufactured cartridges.

There was a discussion on whether cartridges that were labeled as containing Recycled content should be counted as remanufactured cartridges. These purchases **should not** be counted because no specific percentage of recycled content has been able to be documented by the vendors. Remanufactured cartridges are clearly labeled as Remanufactured. To date, none of the companies that produce virgin content toner cartridges (i.e., HP, etc.), also produce remanufactured toner cartridges.

Dana Arnold (OFEE) is in the process of compiling a list of vendors that currently provide remanufactured toner cartridges to Federal agencies. After Dana's list is compiled, it will be sent to Susan and distributed to the sites by e-mail. The list is not intended to be an endorsement of vendors.

Tom McGeachen (PPPL) mentioned that his vendor (Curtis-Young) has a Web site where the user types in the make and model of printer, and obtains a list of remanufactured cartridges that are available for the printer. The Web site is <http://www.curtis-young.com/index.html>. Click on the "Cross Reference" link in the left frame, and search utilizing the following criteria: Product Type, OEM Part Number, Machine Make/Model, Curtis-Young Part Number, and Other Part Number.

Kimberly Tate (Ohio Field Office) asked if Federal purchasers are required to purchase toner cartridges from UNICOR, given that there have been problems with UNICOR's remanufactured cartridges. Dana Arnold (OFEE) said that although Federal purchasers are required to purchase toner cartridges from UNICOR, if UNICOR's products do not meet performance standards, purchasers are free to use other vendors.

Teresa Loschke (Albuquerque Operations Office) asked what types of information would need to be reported for toner cartridges. Susan Weber (HQ) said that sites report on total dollar purchases of all toner cartridges and total dollar purchases of remanufactured toner cartridges. Teresa also asked where the meeting minutes would be posted and what other Web sites are available for information about toner cartridges. The meeting minutes are posted at <http://www.doep2.org/ap>, select ATeleconference Information. Check OFEE's web site at <http://www.ofee.gov> for additional information on toner cartridges and other CPG items.

Erica (NETL) has worked for a year with a local vendor to obtain remanufactured toner cartridges. This vendor has been taking NETL's spent cartridges at no cost to the site, and has been providing data on weights of cartridges to NETL. This arrangement with the vendor has allowed NETL to obtain remanufactured cartridges for \$18 versus \$45 per cartridge. NETL's Federal procurement person is now saying that these services are considered a gratuity, and that a contract needs to be set up with the vendor. Is a contract a requirement for NETL to continue to do business with this vendor? The following responses to NETL's question were provided by DOE procurement personnel after the teleconference.

Richard Langston, Procurement Policy and Assistance

Richard Langston, suggests that Erica discuss this issue with Tom Gruber, who is responsible for contracting for supplies at NETL.

Teresa Loschke, Albuquerque Operations Office Procurement

During the teleconference, the question came up concerning the purchasing of recycled cartridges and the special arrangement of establishing a return system for free for some of these purchases. The concern was that this arrangement could be considered a gratuity, and if so, it could not be done without establishing a contract. I have checked on this and we do not see any conflict with this arrangement. The fact is that when purchasing these items, and during negotiation or discussion of the price terms and conditions, this can be a consideration in the agreement between the government and the vendor. So from our view point, there is nothing wrong with this set up.

Kimberly Tate, Ohio Field Office Procurement

I don't think you are going to get a book answer on this. It's really up to your procurement office how they want to deal with it. Some procurement officials look at it as a service being provided to government and we are obligated to pay. It wouldn't hurt to have an agreement in place and is beneficial if you want to do business with that particular vendor. Especially if you make purchases via the credit card because the policy states you should distribute purchases equitably among qualified buyers.

How to Use The Decision-Making Wizard for Cleaning Products

12:10 James Darr (U.S. Environmental Protection Agency) - How to use the decision making wizard for selecting environmentally preferable cleaning products

James Darr began to demonstrate EPA's decision making software for selecting environmentally preferable cleaning products at <http://www.epa.gov/opptintr/epp/cleaners/select/matrix.htm>. He noted that even if a DOE site purchases cleaning products through GSA, the software can be a useful tool because all the products are also available commercially. The software is also useful for DOE sites that subcontract for cleaning services. The DOE site can recommend environmentally preferable products to their contractors; remember that affirmative procurement requirements flow down to subcontractors.

A link to the decision making wizard software has been added to the Affirmative Procurement Web site under AProgram Regulations and Guidance.≡

12:15 Call interrupted.

12:20 Karin King (Oakland Operations Office) - Federal Network for Sustainability Group Meeting

Karin King (Oakland Operations Office) attended a Federal Network for Sustainability Group Meeting. The group is composed of Federal agencies and focuses on the increasing Federal purchasing power in the western region of the U.S. The group's Web site is <http://federalsustainability.org>. The group has identified three initiatives: purchasing recycled content paper, purchasing green power, and electronic purchasing. The paper initiative goes beyond current EO 13101 requirements, and may include purchasing 60 to 100 percent recycled content, process chlorine free paper. The group meeting consisted of presentations followed by specific actions aimed at increasing federal purchasing power. Al Hurt (U.S. Navy) leads the group, along with EPA Region X and DOE-Seattle. DOE - Oakland Operations Office will be officially joining the group. The Washington, DC group for Federal sustainability will be resurrected by DOE's Federal Energy Management Program.

12:24 Jim Darr (EPA) - Concluding Remarks

Jim Darr (EPA) reconnected to the teleconference and closed by saying that the data in the Cleaning Products Wizard database needs to be updated to reflect the current GSA catalog listings for the biodegradable cleaners and degreasers. This may be done in Fall 2001. The current GSA catalog for

these cleaning products is at <http://regions.fss.gsa.gov/r07/7fx/schedules/index.cfm>, under ACleaning Equipment, Accessories and Supplies, Cleaning Chemicals and Sorbents.≡ Contact Jim Darr at 202-564-8841 or darr.james@epa.gov with any questions.

12:25 Next teleconference date

Susan Weber (HQ) suggested November 29, 2001, as the date for the next call. No one expressed a schedule conflict, so the date was confirmed. Proposed topics include FY 2001 EO 13101/RCRA reporting and biobased products.

12:30 Adjourn

Sources of Information (Bold indicates especially pertinent to this teleconference)

Decision Making Wizard for Cleaning Products

U.S. Environmental Protection Agency

<http://www.epa.gov/opptintr/epp/cleaners/select/matrix.htm>

Example of Suppliers of Quality Remanufactured Cartridges

Pacific Northwest National Laboratory

http://www.pnl.gov/esp/greenguide/ap_toner.html

U.S. Department of Energy

<http://twilight.saic.com/ap/Farnopr.pdf>

Notice of Proposed Rule Making: Department of Energy Acquisition Regulations. See especially Subpart 970.52 - Contract Clauses for Management and Operating Contracts

Office of Management and Budget

<http://www.ofee.gov/html/federal.htm>

FAR Implementation of Greening the Government Executive Orders

U.S. Department of Energy=s EO 13101 home page

<http://www.doep2.org/ap>

DOE EO 13101 reporting site, annual report, teleconference agenda and minutes, Implementation Plan, and source of helpful information. For instance, to quickly find the EPA specifications and guidance for the designated products, look at the EO 13101 home page under Affirmative Procurement Program Guidance.

U.S. Environmental Protection Agency

<http://www.epa.gov/cpg/products.htm>

List of designated products pertaining to EO13101. Under each product is a list of manufacturers and suppliers for that product.

U.S. Environmental Protection Agency

<http://www.epa.gov/fedrgstr/EPA-WASTE/2000/January/Day-19/f1066.htm>

Eighteen newly designated products (EPA 40 CFR Part 247, Advisory Notice III; Final Rule; Federal Register, Comprehensive Guideline for Procurement of Products Containing Recovered Materials - January 19, 2000)

U.S. Environmental Protection Agency

<http://notes.erg.com/>

Environmentally preferable purchasing information for products and services

Office of the Federal Environmental Executive

<http://ofee.gov/>

Government Wide Strategic Plan for Implementing EO 13101

U.S. Department of Energy/Richland Operations Office

www.hanford.gov/polprev/ap.html

DOE-Richland's Affirmative Procurement Strategy for Implementing EO13101

Executive Order 13101 (Replaces EO 12873) - Greening the Government through Waste Prevention, Recycling, and Federal Acquisition

<http://www.ofee.gov/eo13101/13101.htm>

Executive Order 13123 - Energy Efficiency

<http://www.eren.doe.gov/femp/aboutfemp/exec13123.html>

Executive Order 13134 - Developing and Promoting Biobased Products and Bioenergy

<http://www.pub.whitehouse.gov/uri-res/I2R?urn:pdi://oma.eop.gov.us/1999/8/13/4.text.2>

Executive Order 13148 - Greening the Government through Leadership in Environmental Management,

<http://www.pub.whitehouse.gov/uri-res/I2R?urn:pdi://oma.eop.gov.us/2000/4/24>

U.S. Environmental Protection Agency

<http://www.epa.gov/opptintr/epp/>

Database of product information and newsletter, *EPP Update*

U.S. Environmental Protection Agency

<http://www.epa.gov/opptintr/epp/finalguidancetoc.htm>

Guidance on Government Purchasing of Green Products

DOE Complex Wide Materials Exchange

<http://wastenot.er.doe.gov/DOEmatex/index.html>

Post available and search for wanted materials (especially chemicals, equipment, and hazardous materials) at other DOE facilities. Log on with user name (erhquser) and password (erhqdoe).

U.S. Environmental Protection Agency

<http://ofee.gov/html/rcra2.htm>

Guidance on Conducting Inspections of Federal Facilities for Compliance with Section 6002 of the Resource Conservation and Recovery Act, May 12, 1999

The requirements of RCRA section 6002 apply to such procuring agencies only when procuring designated items where the price of the item exceeds \$10,000 or the quantity of the item purchased in the previous year exceeded \$10,000. The \$10,000 threshold applies to all purchases made by an entire agency rather than regional or local offices (e.g., Department of the Interior, Department of Defense, etc). Most Federal agencies exceed the \$10,000 threshold for EPA designated items.≡

Lawrence Berkeley National Laboratory Construction Guidelines

Contact Shelley Worsham, Tel. 510-486-6126, saworsham@lbl.gov

Incorporation of principles of EO13101 into the Laboratory's construction guidelines for staff and sub-contractors. Log on with user name (erhquser) and password (erhqdoe).

"Painting the Town Green - Aberdeen Proving Ground Paint Pilot Project"

<http://www.epa.gov/opptintr/epp/pdfs/paint.pdf>

Results of paint pilot project at Aberdeen Proving Ground