

# **Affirmative Procurement Plan for EPA-designated Recycled Content Products**



**United States  
Nuclear Regulatory Commission**

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## **EXECUTIVE SUMMARY**

The U. S. Nuclear Regulatory Commission (NRC) is responsible for complying with the Federal requirements to purchase recycled-content products. Therefore, it is the NRC's policy to purchase EPA-designated recycled content products (also known as items containing recovered materials) to the maximum extent practicable. This will minimize solid waste, prevent pollution, save energy and other resources, reduce greenhouse gas emissions, and encourage public support and participation.

This document establishes NRC's affirmative procurement program that applies to: a) all agency acquisitions, including micro-purchases, in which an EPA-designated item is acquired; b) contractors purchasing or supplying EPA designated products for use in the performance of a contract; and c) if applicable, state and local recipients of assistance funding.

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## **Preface**

Federal agencies are required by Section 6002 of the Resource Conservation and Recovery Act and Executive Order (E.O.) 13101, "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition," to buy certain products containing recovered materials.

The first NRC Affirmative Procurement Plan for Recovered Materials was issued in 1992 with updates in 1998 and 1999. This revised APP addresses all 54 Comprehensive Procurement Guideline items designated by EPA. Future updates will be provided as EPA designates additional items.

Questions on compliance and implementation issues in this guidance may be directed to Dennis Turner, Agency Program Manager for Greening Initiatives, at (301) 415-2283, e-mail address "[dmt1@nrc.gov](mailto:dmt1@nrc.gov)."

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## **1.0 Purpose, Authority, and Applicability**

### **1.1 Purpose**

This document formally establishes NRC's Affirmative Procurement Plan for EPA-designated recycled content products (APP) and provides agency-wide guidance for implementing an effective program. The purpose of Federal affirmative procurement programs is to increase and expand markets for recovered materials through greater Government preference and demand for products made with such materials consistent with the demands of efficiency and cost-effectiveness. Expanding markets will reduce the amount of solid waste requiring disposal through the purchase and use of products containing recovered materials.

NRC's APP ensures items composed of recovered material (also known as recycled content products) will be purchased to the maximum extent practicable, and is consistent with EPA's Comprehensive Procurement Guidelines (CPG) and Recovered Materials Advisory Notices (RMAN).

### **1.2 Authority**

The following documents establish the requirements for NRC's affirmative procurement program:

- ▶ Resource Conservation and Recovery Act, Section 6002;
- ▶ Executive Order 13101, "Greening the Government Through Waste Prevention, Recycling and Federal Acquisition";
- ▶ Environmental Protection Agency Comprehensive Procurement Guidelines;
- ▶ Office of Federal Procurement Policy, Policy Letter 92-4; and
- ▶ The Federal Acquisition Regulation.

### **1.3 Applicability**

Section 6002(a) of RCRA and EPA's procurement guidelines apply to all procuring agencies, defined as "any Federal agency, or any State agency, or agency of a political subdivision of a State which uses appropriated Federal funds for such procurement, or any person contracting with any such agency with respect to work performed under such contract."

EPA's procurement guidelines apply to an agency whose total annual purchases (for each designated item) exceed \$10,000 in the current fiscal year or exceeded \$10,000 in the previous fiscal year. Thus, the procurement requirements identified in EPA's guidelines apply to NRC as a whole and all NRC program offices, operations offices, sites, and applicable contractors shall be responsible for implementing the procurement requirements outlined in both this document and EPA's guidelines.

## **2.0 Responsibilities**

### **2.1 Federal Environmental Executive**

E.O. 13101 requires Federal agencies to expand waste prevention and recycling programs,

implement affirmative procurement programs for EPA-designated items, and procure environmentally preferable products and services. The E.O. requires the designation of a Federal Environmental Executive (FEE) to take all actions necessary to ensure agencies comply with the requirements of the E.O. The E.O. also requires the FEE to prepare a biennial report to the President on the actions taken by agencies to comply with the E.O. Under E.O. 13101 and Section 6002 of the Resource and Conservation Act (RCRA), the FEE and the Office of Federal Procurement Policy (OFPP) submit a biennial report to Congress on actions taken by the Federal agencies to purchase EPA-designated items.

## **2.2 Agency Environmental Executive**

E.O. 13101 also requires the head of each major Executive department and major procuring agency to designate an Agency Environmental Executive (AEE), at a level no lower than the Assistant Secretary or equivalent, responsible for, among other things:

- ▶ Agency implementation of the buy-recycled requirements and other requirements of E.O. 13101;
- ▶ Working with the FEE and the Task Force in furthering implementation of the Executive Order; and
- ▶ Tracking the agencies' purchases of EPA-designated guideline items and reporting agencies' purchases of such guideline items to the FEE.

The Deputy Executive Director for Management Services serves as NRC's Agency Environmental Executive. APP responsibilities for other NRC staff are listed in Appendix A.

## **3.0 Why Reduce Our Waste Stream?**

As a Federal agency, NRC's participation in waste prevention and the procurement of recycled content products contributes to sound waste management practices. In its day-to-day operations, NRC has the opportunity and obligation to be environmentally and energy conscious in its selection and use of needed products and services.

For the nation to fully recognize the benefits of recycling and resource recovery, there must be commercial markets available for products made from recovered materials. When NRC procures products containing such materials, it helps create demand for those products. There also may be direct financial gains to be achieved by NRC and other procuring agencies from the procurement of products containing recovered materials. For example, the dollar value of materials recovered from solid waste has become substantial: \$3.6 billion in 1996 and a projected \$5.2 billion by 2005. Recovered paper and paperboard account for about one-third of the total in both years. In 1996, the market value of recovered paper and paperboard was 24 percent of the value of all pulp mill shipments. By 1999, the paper industry relied on recovered paper for 36.5 percent of its feedstock.

The extraction and processing of raw materials into manufacturing feedstocks are some of the most energy-intensive activities of industry. Reducing or nearly eliminating the need for these processes, therefore, achieves huge savings in energy. Recycling aluminum cans, for example, saves 95 percent of the energy required to make the same amount of aluminum from

its virgin source, bauxite. The amount of energy saved differs by material, but almost all recycling processes achieve significant energy savings compared to virgin material production.

Additionally, efficient use of resources may reduce operating costs. For example, maintenance costs for plastic restroom dividers are less than maintenance costs for dividers made from competing materials.

There are also environmental and financial gains to be achieved on a national level. Promoting waste prevention by purchasing recycled content items can slow the use of virgin material, as well as slow the rate at which the nation's landfills become filled and closed. If organic wastes such as leaves, grass clippings, and paper, are recycled instead of landfilled, we reduce production of methane, a major greenhouse gas. This is especially true for paper since paper takes up roughly one-third of the space in our nation's landfills. Extensive life-cycle analyses find overall emissions to all environmental media to be lower when we use recovered rather than virgin materials. Also, recycling is a highly effective strategy for reducing all the categories of health risks and pollution resulting from virgin material extraction and processing. Federal government procurement and use of recycled content products also can reduce our nation's dependency on imported raw materials.

## **4.0 Affirmative Procurement Program for Recovered Materials (APP)**

### **4.1 Policy**

It is NRC's policy to purchase EPA-designated items containing recovered materials to the maximum extent practicable unless written justification is provided for not doing so. NRC's goal is that 100 percent of mandatory purchases of EPA-designated products will contain recovered materials, considering product performance, price, and availability.

### **4.2 General**

For certain items designated by EPA, RCRA section 6002 requires procuring agencies to implement an Affirmative Procurement Program consisting of four elements: (1) a preference program; (2) a promotion program; (3) procedures for estimation, certification, and verification; and (4) procedures for annual review and monitoring. Subsections 4.3 - 4.6 describe NRC's implementation of each of these elements.

### **4.3. Part 1. Preference Program for Recycled Content Products**

In accordance with Section 402(c) of E.O. 13101, 100 percent of NRC's mandatory purchases of EPA-designated recycled content products will meet or exceed EPA guideline standards unless there is a price, performance, or availability justification for not doing so.

#### **4.3.1 EPA-Designated Products Purchased by NRC**

NRC's preference program is based on EPA's Comprehensive Procurement Guidelines designations of recycled content products. NRC will give preference to procuring and using such products containing recovered materials versus products made with virgin materials when: (1) such products are available competitively within a reasonable time frame, (2) meet

reasonable performance standards, or (3) are available at a reasonable price. A list of EPA-designated recycled content products is contained in Appendix B. EPA's recommended recovered materials minimum content ranges, product specifications, and other product information can be obtained from EPA's CPG web site at [www.epa.gov/cpg](http://www.epa.gov/cpg).

#### **4.3.2 Mandatory purchases.**

EPA's procurement guidelines apply to an agency whose total annual purchases (for each designated item) exceed \$10,000 in the current fiscal year or exceeded \$10,000 in the previous fiscal year. Thus, the procurement requirements identified in EPA's guidelines apply to NRC as a whole and all NRC offices, sites, and applicable contractors.

NRC purchases of the following products have exceeded \$10,000 in the previous fiscal year. All new purchases of these items must contain recovered materials:

- ▶ paper and paper products
- ▶ binders
- ▶ file folders
- ▶ toner cartridges
- ▶ paperboard and packaging

#### **4.3.3 Non-mandatory purchases**

It is NRC's policy to procure other EPA-designated products containing recovered materials when practicable, even if such purchases do not meet the mandatory annual purchase threshold of \$10,000.

#### **4.3.4 Recommended minimum content**

The Environmental Protection Agency (EPA) recommends the minimum percentage of recycled content that these products should contain. A table of EPA-recommended recycled content percentages can be viewed at [www.epa.gov/cpg](http://www.epa.gov/cpg). Select "Products," then click on the specific product you need; then select "Recommended Recovered Materials Content Ranges."

#### **4.3.5 Special Requirements for Paper and Motor Oil**

The following special requirements apply to recycled content products purchased by the agency:

- ▶ Paper Products - E.O. 13101 directs agencies to purchase office and printing papers containing 30 percent postconsumer fiber or if performance or availability constraints exist, 20 percent postconsumer fiber.
- ▶ Motor Oil - E.O. 13149 directs that, beginning in October 2000, agency fleets must use re-refined oil unless it is not available or does not meet performance needs.

#### **4.3.6 Future EPA-Designated Items**

RCRA and E.O. 13101 direct EPA to continue to designate items made from recovered materials, in order to further increase markets for recovered materials. As required by RCRA section 6002, NRC will incorporate additional items into its APP within one year after new items are designated by EPA.

#### **4.3.7 Other Recycled Content Products**

In addition to products designated by EPA, there are other products made with recovered materials. Procurement originators are encouraged to request, procure, and use other products containing recovered materials in addition to those items specified above. Additional recycled content products are available through Federal supply sources and outside vendors.

#### **4.3.8 “Green” Products**

“Green” products and services have a reduced negative effect on human health and the environment when compared with competing products or services. “Green” products include products containing recovered material and are also known as “environmentally preferable products.” Executive Order 13101 requires that Federal purchasers consider and give preference to “Green” products and services when available.

The Division of Administrative Services web site, [www.internal.nrc.gov/ADM/DAS/Buying\\_Green.html](http://www.internal.nrc.gov/ADM/DAS/Buying_Green.html), provides guidance on “Buying Green With the NRC Purchase Card.”

#### **4.3.9 Acquisition Planning Using Non-federal Supply Sources**

The buy-recycled requirements shall be considered during the acquisition planning stage if non-Federal supply sources are used. E.O. 13101 and FAR Part 7 provide that, in developing plans, drawings, work statements, specifications, or other product descriptions, agency offices shall consider a broad range of factors including: elimination of virgin material requirements; use of biobased products; use of recovered materials; reuse of product; life-cycle cost; recyclability; use of environmentally preferable products; waste prevention (including toxicity reduction or elimination); and ultimate disposal, as appropriate. These factors should be considered in acquisition planning for all procurements and in the evaluation and award of contracts (i.e., the bidder most able to cost-effectively satisfy the recovered material content specifications as well as the performance/design specifications outlined in the procurement solicitation).

NRC personnel involved in planning for acquisitions will consider environmental and energy factors from the beginning of acquisition planning in order to save money, increase efficiency, and reduce pollution in procurements. Their actions shall be consistent with the “waste management hierarchy”; reduce, reuse, and recycle, in that order.

#### **4.3.10 Justification for Not Buying a Mandatory EPA-Designated Recycled Content Product**

Under RCRA section 6002(c), and E.O. Secs. 402(c) and 502(c), agency decisions not to buy mandatory recycled content products must be justified in writing. RCRA provides four justifications: if it is determined the items are not available competitively, not available within a reasonable time frame, do not meet reasonable performance standards, or are only available at an unreasonable price. **Written justification is not required for purchases below micro purchase threshold (\$2,500).**

The procurement originator and/or the contracting officer, as appropriate, shall document the decision not to buy recycled content products. The original copy of the documentation becomes part of the original contract file. The procurement originator is responsible for submitting a copy of the justification to the Program Manager for Greening Initiatives within 30 days for annual reporting purposes.

#### **4.3.11 Simplified Acquisitions/Micro-Purchases**

The requirement to purchase recycled-content CPG items applies to all purchases, including those at or below the micro-purchase threshold (\$2,500). However, written justifications are not required for not buying recycled content products.

#### **4.3.12 Federal Supply Sources**

Established Federal supply sources, such as the General Services Administration (GSA), Government Printing Office (GPO), Javits-Wagner-O' Day (JWOD) Program, the Defense General Supply Center (DGSC), and UNICOR are competitive sources for EPA-designated items and other recycled content products. When Federal supply sources offer multiple products containing recovered material that meet agency needs, select the product containing the highest level of recovered material while also considering price, performance and delivery time. Procuring recycled content products through these sources offers the following advantages:

- ▶ Products have been competitively bid;
- ▶ Products meet or exceed EPA minimum content standards for recovered materials; and
- ▶ Electronic catalogs identifying CPG Compliant Products.

These sources also provide an additional service through independent estimation, certification, and verification of EPA-designated items containing recovered materials, thereby reducing overhead costs for procurement originators to track and monitor vendor compliance with affirmative procurement requirements.

#### **4.3.13 Contractors**

The buy recycled requirements apply to contractors when they are purchasing or supplying EPA designated products for use in the performance of a contract. The Federal Acquisition Regulation (FAR) requires agency contracting officers to insert the clause at 52.211-5, Material

Requirements, in all solicitations and contracts for supplies that are not commercial items. The FAR also requires agency contracting officers to insert the clause at 52.223-10, Waste Reduction Program, in all solicitations and contracts for contractor operation of government-owned or leased facilities and all solicitations and contracts for support services at Government-owned or operated facilities.

Once appropriate provisions are included in the contract, the contractor shall comply with NRC's APP. Accordingly, the contractor shall be required to monitor and report on its APP-related procurement activities as well as require its applicable sub-contractors to comply with NRC's APP.

NRC contracting officers shall ensure that such contractors are familiar with all applicable APP requirements contained in their NRC contracts. NRC's contracting officers shall review with appropriate contractors their role in the procurement of recycled content products during the initial contract signing period and shall reinforce with the contractor, the requirements of the E.O. 13101 when appropriate during subsequent meetings and correspondence.

#### **4.3.14 Assistance Agreements**

State and local agencies purchasing more than \$10,000 worth of an EPA-designated item in a year, and using some Federal funds for these purchases, are required to establish an affirmative procurement program and purchase the product containing recovered materials.

#### **4.3.15 Life-Cycle Cost Analysis**

OFPP's Policy Letter 92-4 requires Federal agencies to use life-cycle cost analysis, wherever feasible and appropriate, to assist in selecting products and services. Whenever possible, cost shall be calculated over the life of the item, not just the initial, up-front cost.

At this time, life-cycle cost information for EPA-designated items is not yet available. Until such information is developed and issued, NRC will rely on minimum content standards or preference standards in EPA's guidelines.

### **4.4 Part 2. Promotion Program**

Agencies must actively promote their affirmative procurement programs. Promotion should be internal as well as external. Internal promotion can consist of activities such as wide distribution of an agency's affirmative procurement policy, articles in agency newsletters, workshops to educate employees, and using logos/recycling statements on official stationery and publications. Most importantly, the message must reach field operations, procurement officials, supply and requirements personnel and individuals who purchase material or products with a government purchase card.

NRC's Program Manager for Greening Initiatives is responsible for actively promoting the Agency's preference for recycled content products with the cooperation and support of NRC offices. Promotion includes making recycled content products suppliers aware of NRC's preference program, educating program and procurement offices about requirements to procure recycled content products, and providing NRC employees and contractors with information on sources of recycled products.

NRC's internal and external promotion of its desire to buy recycled products will include the following:

- ▶ Internal documents, announcements, and publications; newsletters; and at appropriate conferences, workshops, and meetings.
- ▶ Electronic media such as the Agency's procurement office web site and other appropriate systems.

## **4.5 Part 3. Procedures for Vendor Estimation, Certification, and Verification**

### **4.5.1 Simplified Acquisitions**

The procurement originator should specify the minimum recovered material content for each product to be acquired using simplified acquisitions. Upon receipt, the recovered content will be verified by review of the product packaging or attached product information documents.

### **4.5.2 Contracts**

EPA recommends that vendors provide an estimate of the total recycled content of their products and certify that the recycled content meets the minimum content standards in the agency's solicitation documents. EPA also recommends that agencies establish procedures to verify vendor estimates and certifications.

#### Estimation

NRC contracting officers will include in all solicitations and contracts in excess of \$100,000, that include the Federal Acquisition Regulation (FAR) provision 52.223-4, "Recovered Material Certification," the estimation clause at FAR 52.223-9, "Estimate of Percentage of Recovered Material Content for EPA-Designated Products."

#### Certification

Contracting officers shall assure that vendors (1) provide written certification that their products meet the minimum content standards in the solicitation documents; (2) maintain copies of certification documents; and (3) produce copies of the written certification upon request by NRC.

Currently, the Federal Acquisition Regulation (FAR) contains a "Recovered Material Certification" provision (FAR 52.223-4) which agency contracting officers shall insert into solicitations for recycled content products and into solicitations that will require the use of EPA-designated products during performance of the contract.

#### Verification

NRC's Program Manager for Greening Initiatives shall periodically review vendor certification documents as part of the annual review and monitoring process.

## **4.6 Part 4. Annual Review and Monitoring Program**

The Agency Program Manager for Greening Initiatives (APMG) is responsible for reviewing and monitoring the procurement and usage of recycled content products in accordance with

RCRA section 6002(i). Agency staff will provide documents necessary for completion of this review when requested by the APMG. The review should identify any mandatory recycled content products not being purchased and describe the steps the agency will take in the future to procure these products with recycled content.

## **5.0 Annual Reports**

RCRA Section 6002 requires OFPP to report to Congress biennially on agency implementation of RCRA. E.O. 13101 requires Executive Agencies to report progress towards achieving waste prevention and recycling goals to the FEE. The FEE and OFPP jointly request purchasing data annually for these reports.

The NRC's Program Manager for Greening Initiatives will prepare the required reports for the AEE's approval in coordination with the Division of Contracts, Division of Facilities and Security, and Regional Offices.

## Appendix A Responsibilities: Affirmative Procurement Plan for Recovered Material

Role	Responsibilities
<b>Agency Environmental Executive (AEE)</b> (Deputy Executive Director for Management Services)	Leads NRC's APP program and approves reports to the Office of Federal Procurement Policy (OFPP) and the Federal Environmental Executive (OFEE) regarding NRC's purchase of products containing recovered materials.
<b>Director, Office of Administration</b>	Directs, integrates, and coordinates NRC's APP program.
<b>Regional Administrators</b>	Ensures that regional office purchases comply with APP guidance.  Provides acquisition data to DAS for reports required by OFPP and OFEE.
<b>Director, Division of Administrative Services (DAS)</b>	Leads development and implementation of APP.
<b>Director, Division of Contracts (DC)</b>	Ensures NRC procurement staff is given guidance and training necessary to comply with this APP.  Provides acquisition data to DAS for reports required by OFPP and OFEE.
<b>Director, Division of Facilities and Security (DFS)</b>	Ensures that facility statements of work specify product specifications in accordance with the APP and EPA's Comprehensive Procurement Guidelines Program.
<b>Chief, Administrative Services Center</b>	Oversees the activities of the Agency Program Manager for Greening Initiatives.

<b>Role</b>	<b>Responsibilities</b>
<b>Agency Program Manager for Greening Initiatives (APMG)</b>	<p>Reviews and monitors Agency procurement of recycled content products in accordance with RCRA section 6002(i) and this APP, and recommends appropriate actions to agency managers for program improvement.</p> <p>Provides APP guidance to staff and keeps the AEE and managers informed of APP activities.</p> <p>Provides assistance to NRC staff in identifying APP sources and products, and in reviewing specifications, when requested.</p> <p>Prepares reports to the Office of Federal Procurement Policy and the Federal Environmental Executive regarding NRC's purchase of products containing recovered materials.</p>
<b>Contracting Officers</b>	<p>Ensures that purchase orders and contracts comply with the APP and EPA's Comprehensive Procurement Guidelines Program.</p> <p>Documents decisions not to purchase recovered content materials in accordance with APP 4.3.7.</p> <p>Inserts recovered materials clauses in appropriate solicitations and contracts (see APP 4.3.10).</p>
<b>Procurement originator</b>	<p>Prepares procurement product specifications requiring recovered material in accordance with this APP and EPA's Comprehensive Procurement Guidelines Program.</p>
<b>Purchase card holders</b>	<p>Ensures designated product purchases contain recovered materials in accordance with this APP and guidance on "Buying Green With the NRC Purchase Card" (Division of Administrative Services web site, <a href="http://www.internal.nrc.gov/ADM/DAS/Buying_Green.html">www.internal.nrc.gov/ADM/DAS/Buying_Green.html</a>)</p>
<b>Contractors</b>	<p>Comply with APP requirements and EPA's Comprehensive Procurement Guidelines Program when purchasing or supplying EPA designated products for use in the performance of an NRC contract.</p>
<b>State and local agencies</b>	<p>Establish an affirmative procurement program and purchase products containing recovered materials when purchasing more than \$10,000 worth of an EPA-designated item in a year and receiving some Federal funds for the purchase.</p>

## Appendix B EPA-Designated Recycled Content Products

The following is a listing of EPA-designated recycled content products. Note: EPA's recommended recovered materials minimum content ranges, product specifications, and other product information for the CPG products listed below are found in EPA's Recovered Materials Advisory Notices (RMAN); agencies are encouraged to review and obtain such information for each product from EPA's CPG web site at [www.epa.gov/cpg](http://www.epa.gov/cpg).

### ▶ Paper and Paper Products

- Printing and Writing Papers
- Newsprint
- Tissue and Towel
- Paperboard and Packaging

### ▶ Vehicular Products

- Re-refined lubricating oils (engine oils, hydraulic fluids, gear oils)
- Retread tires
- Engine coolants

### ▶ Construction Products

- Cement and concrete containing ground granulated blast furnace slag (GGBF)
- Cement and concrete containing coal fly ash
- Flowable fill
- Structural fiberboard
- Laminated paperboard
- Polyester carpet (face fiber)
- Rubber and plastic floor tiles (heavy duty/commercial use)
- Rubber and plastic patio blocks
- Building insulation products
- Shower and restroom dividers
- Consolidated or reprocessed latex paint
- Carpet cushion
- Railroad grade crossing surfaces

### ▶ Transportation Products

- Traffic cones
- Traffic barricades
- Channelizers
- Delineators
- Flexible delineators

### ▶ Park and Recreation Products

- Playground surfaces
- Running tracks
- Plastic fencing

Park benches and picnic tables  
Playground equipment

▶ **Landscaping Products**

Hydraulic mulch  
Compost made from yard trimmings and/or food waste  
Garden hoses  
Soaker hoses  
Lawn and garden edging  
Plastic lumber landscaping timbers and posts

▶ **Non-Paper Office Products**

Office recycling containers and office waste receptacles  
Plastic desktop accessories  
Toner cartridges  
Binders  
Plastic trash bags  
Printer ribbons  
Plastic envelopes  
Plastic clipboards  
Plastic file boards  
Plastic file folders  
Plastic clip portfolios  
Plastic presentation folders

▶ **Miscellaneous Products**

Pallets  
Sorbents  
Industrial drums  
Awards and plaques  
Mats  
Signs, sign supports, and posts  
Manual-grade strapping

## Appendix C Definitions and Acronyms

**Acquisition** - acquiring by contract using appropriated funds for supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, or demonstrated and evaluated. Acquisition begins when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation, selection of sources, contract award and financing details, contract performance and administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract. [Executive Order 13101]

**Affirmative Procurement Program (APP)** - agency program assuring that EPA-designated recycled content products will be purchased to the maximum extent practicable, consistent with Federal law and procurement regulations. [RCRA, Section 6002]

**Comprehensive Procurement Guidelines** - regulations issued by EPA pursuant to Section 6002 of RCRA identifying items produced (or which can be produced) with recovered materials. [E.O. 13101 and RCRA, Section 6002]

**Designated Item** - a product or category of products designated by EPA in the Comprehensive Procurement Guideline and whose procurement by government agencies will help to create markets for materials recovered from solid waste.

**Environmentally Preferable** - products or services having a lesser or reduced effect on human health and the environment when compared with competing products or services, serving the same purpose. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal. [Executive Order 13101]

**Estimation** - quantitative determination made by vendors of the total percentage of recovered material contained in offered products. [EPA Guidelines]

**Executive Agency or Agency** - an Executive agency as defined in 5 U.S.C 105. For the purpose of this order, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the Department of Defense. [Executive Order 13101]

**Federal Supply Source** - any supply source managed by a Federal agency such as the General Services Administration, Government Printing Office, Defense Logistics Agency, or Javits-Wagner -O' Day Program. [FAR Guidance]

**Life-Cycle Assessment** - the comprehensive examination of a product's environmental and economic effects throughout its lifetime including new material extraction, transportation, manufacturing, use, and disposal. [Executive Order 13101]

**Life-Cycle Cost** - the amortized annual cost of a product, including costs associated with capital, installation, operations, maintenance, and disposal, discounted over the lifetime of the product. [Executive Order 13101]

**Minimum Content Standard** - the minimum recovered material content of a product. The standard must be high enough to assure the recovered material content required is the maximum available without jeopardizing the intended item use of the product. [RCRA, Section 6002]

**Postconsumer Material** - a material or finished product that has served its intended use and has been discarded for disposal or recovery having completed its life as a consumer item. "Postconsumer material" is a part of the broader category of "recovered materials". [Executive Order 13101]

**Practicable** - capable of performing in accordance with applicable specifications, available at a reasonable price and within a reasonable period of time, and while a satisfactory level of competition with other products is being maintained. [EPA Guidelines]

**Preference** - when two products or services are equal in performance characteristics and price, the Government, in making purchasing decisions, will favor the more environmentally-sound or energy-efficient product. [OFPP Policy Letter 92-4]

**Procurement Preference Program** - the first element of an agency affirmative procurement program, in which an agency expresses a preference for purchasing recycled content products designated by EPA. [RCRA, Section 6002]

**Procuring Agency** - any Federal or State agency, or agency of a state's political subdivision using appropriated Federal funds for such procurement, or any person contracting with any such agency with respect to work performed under such contract. [RCRA, Section 1004]

**Recovered Material** - waste materials and by-products recovered or diverted from solid waste, excluding those materials and by-products generated from, and commonly reused within, an original manufacturing process. [Executive Order 13101 and RCRA, Section 1004]

**Recovered Materials Advisory Notice (RMAN)** - guidance issued by EPA which recommends the range of recycled content that should be in products designated in the Comprehensive Procurement Guideline. RMAN also contain other EPA recommendations pertinent to purchasing recycled content products, such as reference to specifications established by government agencies or standards setting organizations. [EPA Guidelines and OFPP Policy Letter 92-4]

**Recyclability** - the ability of a product or material to be recovered or otherwise diverted from the solid waste stream for the purpose of recycling. [Executive Order 13101]

**Recycled Material** - a material utilized in place of raw or virgin material in product manufacturing. (See "Recovered Material.")

**Recycling** - the series of activities, including collection, separation, and processing, by which products or other materials are recovered from the solid waste stream for use as raw materials in the manufacture of new products (other than fuel for producing heat or power by combustion). [Executive Order 13101]

**Solid Waste** - garbage, refuse, sludges, and other discarded solid materials, including those from industrial, commercial, and agricultural operations, and from community activities. This excludes solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flow, etc. [RCRA, Section 1004]

**Specification** - a clear and accurate description of the technical requirements for materials, products, or services including the minimum requirement for materials' quality and construction and any equipment necessary for an acceptable product. In general, specifications are in the

form of written descriptions, drawings, prints, commercial designations, industry standards, and other descriptive references. [EPA Guidelines]

**Unreasonable Price** - when recycled product cost is greater compared to virgin material cost. (Unreasonable price is not a factor when minimum content standards are specified in the statement of work/procurement request, because price estimates will only be obtained from vendors who can supply products meeting recovered material content requirements.) [EPA Guidance]

**Verification** - procedures used by procuring agencies to confirm both vendor estimates and certifications of the percentages of recovered material contained in the products supplied to them or to be used in the performance of a contract. [EPA Guidelines]

**Virgin Material** - a mined or harvested raw material to be used in manufacturing.

**Waste Prevention** - (also known as "source reduction") any change in the design, manufacturing, purchase, or use of materials or products (including packaging) to reduce their toxicity before they become municipal solid waste. Waste prevention also refers to the reuse of products or materials. [Executive Order 13101]

**Waste Reduction** - preventing or decreasing the amount of waste being generated through waste prevention, recycling, or purchasing recycled and environmentally preferable products. [Executive Order 13101]

### Acronyms

AEE	Agency Environmental Executive
APP	Affirmative Procurement Program for Recovered Materials
CPG	Comprehensive Procurement Guideline
E.O.	Executive Order
EPA	Environmental Protection Agency
FAR	Federal Acquisition Regulation
FEE	Federal Environmental Executive
FSS	Federal Supply Service
GPO	Government Printing Office
GSA	General Services Administration
RCRA	Resource Conservation and Recovery Act
RMAN	Recovered Materials Advisory Notice