

**U.S. DEPARTMENT OF ENERGY
AFFIRMATIVE PROCUREMENT
AND RECYCLING
FISCAL YEAR 2004 REPORT**



pursuant to:

**Resource Conservation and Recovery Act
§6002 “Federal Procurement”**

and

**Executive Order 13101 “Greening the Government
through Waste Prevention, Recycling, and Federal
Acquisition”**

March 2005



Department of Energy
Washington, DC 20585
March 17, 2005

Mr. Edwin Piñero
Federal Environmental Executive
Office of the Federal Environmental Executive
Washington, DC 20460

Dear Mr. Piñero:

The Department of Energy (DOE) is pleased to transmit the enclosed report in fulfillment of the annual reporting requirements under Executive Order 13101, *Greening the Government through Waste Prevention, Recycling, and Federal Acquisition*. The report was prepared in accordance with the instruction provided in your letter October 6, 2004, to Agency Environmental Executives and Agency Senior Procurement Executives, regarding Implementation of the Resource Conservation and Recovery Act Section 6002.

DOE's report contains the specific purchasing data that you requested on the eight (8) indicator items identified, and also a summary of the Department's purchases of all fifty-eight (58) Environmental Protection Agency-designated products with recovered content and preliminary results from the seven (7) newly listed Comprehensive Procurement Guidelines items. Additionally, the report provides information on DOE's performance on solid waste recycling, environmentally preferable purchasing, and affirmative procurement training and auditing.

I have also sent a copy of this report to Mr. Robert Burton of the Office of Management and Budget under a separate cover. If you or your staff have questions or need more information, please contact Don Lentzen of my staff at (202) 586-7428 or Richard Langston of the Office of Procurement and Assistance Management at (202) 287-1339.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Spitaleri Shaw".

John Spitaleri Shaw
Assistant Secretary
Environment, Safety and Health

Enclosure

cc: D. Arnold, Office of the Federal Environmental Executive
M. Fischetti, DOE (ME-61)



Department of Energy
Washington, DC 20585
March 17, 2005

Mr. Robert A. Burton
Associate Administrator
Office of Federal Procurement Policy
Office of Management and Budget
Washington, DC 20503

Dear Mr. Burton:

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John Spitaleri Shaw
Assistant Secretary
Environment, Safety and Health

Enclosure

cc: C. Valina, Office of Management and Budget
M. Fischetti, DOE (ME-61)

FORWARD

This report has been prepared in response to the October 6, 2004, letter from the Office of Management and Budget (OMB) and the Office of the Federal Environmental Executive (OFEE) to Federal Agency Environmental Executives and Agency Senior Procurement Officials. This letter transmitted a survey for reporting on agency purchases of recycled-content products pursuant to Resource Conservation and Recovery Act, Section 6002 and Executive Order 13101, *Greening the Government through Waste Prevention, Recycling, and Federal Acquisition*.

Responsive to the OMB/OFEE letter, this report contains the following:

- an Executive Summary;
- a table summarizing the Department of Energy's (DOE) Fiscal Year 2004 purchases of Environmental Protection Agency-designated recovered content products (i.e., products containing recycled materials); and
- a completed survey on DOE purchases in Fiscal Year 2004, and supplemental information on environmentally preferable purchasing and solid waste recycling.

EXECUTIVE SUMMARY

- This report summarizes the Department of Energy (DOE) Fiscal Year (FY) 2004 purchases of Environmental Protection Agency (EPA)-designated products that were obtained from non-Federal sources. DOE purchases from Federal sources of supply, such as the General Services Administration, Government Printing Office, and the Defense Logistics Agency are reported separately by those agencies.
- Table 1 summarizes DOE purchases of EPA-designated products with recovered content (i.e., containing recycled materials) for FY 2004. The purchase data are summarized in two ways:
 - Purchases of EPA-designated items containing recycled materials are compared to total purchases of these items. This yields percentages that reflect the overall effect of DOE purchasing on the “recovered content” marketplace.
 - A comparison of purchase data adjusted for allowable exceptions authorized by Federal Acquisition Regulation 23.405(c), where EPA-designated recovered content items could not be purchased due to cost, performance, or availability considerations. This yields percentages that reflect the overall performance of the Department’s Affirmative Procurement Program (also referred to as Environmentally Preferable Purchasing).
- In FY 2004, 73% of all DOE purchases in EPA-designated product categories contained recycled material. When adjusted for virgin-content products purchased due to product availability, cost viability, and product performance considerations, 94% of all DOE purchases of EPA-designated products qualified as environmentally preferable purchases (see Table 1).
- DOE collected preliminary information on its purchases of EPA’s seven (7) newly designated Comprehensive Procurement Guidelines items. These purchases added another half million dollars to the total Departmental Environmentally Preferable Purchasing program.
- The Department’s purchasing power continues to play an important role in DOE’s commitment to environmental sustainability and waste prevention. In FY 2004, DOE purchases of environmentally preferable products containing recycled material exceeded \$29.5 million. Over the same period, the Department also recycled 28% of the solid wastes (non-radioactive/non-hazardous) generated at its production, analytical, and research and development activities across the country.

Table 1 – FY 2004 DOE PURCHASES OF EPA-DESIGNATED PRODUCTS

Product	Total Purchases	\$ with Recovered Content	% with Recovered Content	Adjusted Total*	Adjusted Performance**
TOTAL - Construction Materials	\$ 6,609,859	\$ 4,786,070	72.4%	\$ 6,524,557	98.7%
Building Insulation Products	\$ 293,893	\$ 259,758	88.4%	\$ 277,912	94.6%
Carpet	\$ 990,052	\$ 850,472	85.9%	\$ 966,539	97.6%
Carpet Cushion	\$ 7,200	\$ 7,200	100.0%	\$ 7,200	100.0%
Cement and Concrete	\$ 4,758,516	\$ 3,416,559	71.8%	\$ 4,724,692	99.3%
Consolidated and Reprocessed Latex Paint	\$ 250,504	\$ 10,277	4.1%	\$ 245,014	97.8%
Floor Tiles	\$ 62,740	\$ 52,575	83.8%	\$ 60,121	95.8%
Flowable Fill	\$ 186,339	\$ 136,531	73.3%	\$ 182,464	97.9%
Laminated Paperboard	\$ 32,479	\$ 28,479	87.7%	\$ 32,479	100.0%
Patio Blocks	\$ 921	\$ 491	53.3%	\$ 921	100.0%
Railroad Grade Crossing Surfaces	\$ 134	\$ 0	0.0%	\$ 134	100.0%
Shower and Restroom Dividers/Partitions	\$ 10,885	\$ 8,130	74.7%	\$ 10,885	100.0%
Structural Fiberboard	\$ 16,195	\$ 15,598	96.3%	\$ 16,195	100.0%
Total - Landscaping	\$ 58,382	\$ 55,630	95.3%	\$ 58,006	99.4%
Compost	\$ 416	\$ 416	100.0%	\$ 416	100.0%
Garden and soaker hoses	\$ 14,838	\$ 12,144	81.8%	\$ 14,462	97.5%
Hydraulic Mulch	\$ 18,143	\$ 18,143	100.0%	\$ 18,143	100.0%
Landscaping Timbers	\$ 18,764	\$ 18,764	100.0%	\$ 18,764	100.0%
Lawn and Garden Edging	\$ 6,221	\$ 6,163	99.1%	\$ 6,221	100.0%
Total - Non-Paper Office	\$ 12,414,682	\$ 7,171,392	57.8%	\$ 11,277,831	90.8%
Binders	\$ 968,151	\$ 470,007	48.5%	\$ 852,235	88.0%
Office Recycling Containers	\$ 24,116	\$ 17,355	72.0%	\$ 24,116	100.0%
Office Waste Receptacles	\$ 67,684	\$ 52,280	77.2%	\$ 61,005	90.1%
Plastic Clip Portfolios	\$ 484	\$ 317	65.5%	\$ 484	100.0%
Plastic Clipboards	\$ 3,364	\$ 2,307	68.6%	\$ 2,930	87.1%
Plastic Desktop Accessories	\$ 98,553	\$ 48,529	49.2%	\$ 83,003	84.2%
Plastic Envelopes	\$ 15,143	\$ 11,736	77.5%	\$ 14,530	96.0%
Plastic File Folders	\$ 23,082	\$ 14,791	64.1%	\$ 18,072	78.3%
Plastic Presentation Folders	\$ 59,569	\$ 23,398	39.3%	\$ 53,052	89.1%
Plastic Trash Bags	\$ 3,169,890	\$ 2,890,215	91.2%	\$ 3,164,713	99.8%
Printer Ribbons	\$ 19,794	\$ 5,239	26.5%	\$ 19,711	99.6%
Solid Plastic Binders	\$ 3,534	\$ 2,944	83.3%	\$ 3,534	100.0%
Toner Cartridges	\$ 7,961,318	\$ 3,632,275	45.6%	\$ 6,980,446	87.7%
Total - Paper and Paper Products	\$ 16,870,022	\$ 14,649,288	86.8%	\$ 16,067,908	95.2%
Bristols	\$ 1,074,185	\$ 913,604	85.1%	\$ 982,420	91.5%
Coated Printing Papers	\$ 349,853	\$ 231,655	66.2%	\$ 335,968	96.0%
Commercial/Industrial Sanitary Tissue	\$ 5,877,069	\$ 5,581,464	95.0%	\$ 5,715,828	97.3%
Miscellaneous Paper Products (Tray Liners)	\$ 329,825	\$ 276,521	83.8%	\$ 326,775	99.1%
Newsprint	\$ 2,152,159	\$ 2,152,131	100.0%	\$ 2,152,159	100.0%
Paperboard and Packaging Products	\$ 546,022	\$ 420,568	77.0%	\$ 483,906	88.6%
Uncoated Printing and Writing Papers	\$ 6,540,908	\$ 5,073,345	77.6%	\$ 6,070,851	92.8%

Product	Total Purchases	\$ with Recovered Content	% with Recovered Content	Adjusted Total*	Adjusted Performance**
Total - Park and Recreation	\$ 82,856	\$ 62,511	75.4%	\$ 67,150	81.0%
Park Benches and Picnic Tables Containing Recovered Aluminum, Steel, Concrete, or Plastic	\$ 4,492	\$ 4,492	100.0%	\$ 4,492	100.0%
Plastic Fencing	\$ 31,830	\$ 11,485	36.1%	\$ 16,124	50.7%
Playground Equipment Containing Recovered Plastic, Steel, or Aluminum	\$ 17,948	\$ 17,948	100.0%	\$ 17,948	100.0%
Playground Surfaces	\$ 28,586	\$ 28,586	100.0%	\$ 28,586	100.0%
Running Track	\$ 0	0	n.a.%	0	n.a.%
Total - Transportation	\$ 154,801	\$ 143,395	92.6%	\$ 152,947	98.8%
Channelizers	\$ 4,287	\$ 4,059	94.7%	\$ 4,287	100.0%
Delineators	\$ 1,894	\$ 1,551	81.9%	\$ 1,894	100.0%
Flexible Delineators	\$ 6,206	\$ 6,206	100.0%	\$ 6,206	100.0%
Parking Stops	\$ 5,392	\$ 5,392	100.0%	\$ 5,392	100.0%
Traffic Barriers	\$ 114,360	\$ 113,260	99.0%	\$ 114,260	99.9%
Traffic Cones	\$ 22,662	\$ 12,927	57.0%	\$ 20,908	92.3%
Total - Vehicular	\$ 1,419,848	\$ 361,497	25.5%	\$ 1,317,902	92.8%
Re-refined Lubricating Oil	\$ 325,334	\$ 185,507	57.0%	\$ 247,970	76.2%
Reclaimed Engine Coolants	\$ 39,570	\$ 24,775	62.6%	\$ 36,950	93.4%
Retread Tires	\$ 1,054,944	\$ 151,215	14.3%	\$ 1,032,982	97.9%
Total - Miscellaneous	\$ 2,913,376	\$ 2,324,751	79.8%	\$ 2,709,961	93.0%
Awards and Plaques	\$ 91,911	\$ 44,191	48.1%	\$ 60,738	66.1%
Industrial Drums	\$ 2,098,010	\$ 1,865,487	88.9%	\$ 2,047,243	97.6%
Manual-Grade Strapping	\$ 23,522	\$ 9,170	39.0%	\$ 17,284	73.5%
Mats	\$ 67,954	\$ 32,893	48.4%	\$ 51,930	76.4%
Pallets	\$ 140,594	\$ 77,398	55.1%	\$ 120,504	85.7%
Signages	\$ 313,981	\$ 199,363	63.5%	\$ 257,187	81.9%
Sorbents	\$ 177,405	\$ 96,249	54.3%	\$ 155,075	87.4%
GRAND TOTALS:	\$ 40,523,826	\$ 29,554,534	72.9%	\$ 38,176,262	94.2%

* Adjusted total equals recovered content purchases plus justified exemptions (i.e., product availability, cost, and performance)

** Adjusted performance (recovered content purchasing) equals adjusted total divided by total purchases.

Date Prepared: March, 2005

**RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) §6002
&
EXECUTIVE ORDER 13101, *GREENING THE GOVERNMENT THROUGH
WASTE PREVENTION, RECYCLING, AND FEDERAL ACQUISITION***

Agency Report for Fiscal Year: 2004

Agency or Department: United States Department of Energy

Agency Contacts: Donald Lentzen EH-43/ Richard Langston ME-61

Contact Telephone Number: (202) 586-7428/(202) 287-1339

Contact E-Mail Address: donald.lentzen@eh.doe.gov/richard.langston@hq.doe.gov

1. Federal Procurement Data System (FPDS) Data

- a) How many DD 350s or SF 279s did your Agency complete in FY 2004? **1,393**
- b) In FY 2004, how many DD 350s or SF 279s had a code in line B12F (for the DD 350) or block 19A (for the SF 279), which indicate whether EPA-designated items will be acquired? **1,393**
- c) Provide the number of DD 350s or SF 279s with each code, A-E, in line B12F (for the DD 350) or block 19A (for the SF 279). These codes indicate whether the EPA-designated products must contain the required minimum recycled content, the justification for not requiring recycled content products, or that no EPA-designated products will be acquired under the contract.
Code A (all EPA-designated products must contain the required minimum recycled content) **43**; B (availability) **0**; C (price) **2**; D (performance) **0**; E (no EPA-designated products acquired) **1,348**
- d) How many of the DD 350s or SF 279s coded A, B, C, or D in block B12F (for the DD 350) or block 19A (for the SF 270) also had a code (A or B) in line B12G (for the DD 350) or block 19B (for the SF 279)? **28**
- e) How has the Agency reviewed the FY 2004 FPDS data for compliance assessment and/or trend analyses? DOE Headquarters assessed the understanding of, and compliance with, the requirements of the EPA's Resource Conservation and Recovery Act regulations at 40 CFR 247 and the Federal Acquisition Regulation requirements at 48 CFR 23 by DOE contracting personnel. This assessment indicated that contracting personnel understand the requirements and that contracting activities are in compliance. DOE's federal purchases of all products were up approximately 10% from the previous year. DOE is aware that it is out-sourcing facility support functions which may cause certain of these purchases to go unreported under the FPDS. DOE's federal purchases of EPA-designated recycled content products combined with those of management contractors who operate DOE sites were also up by approximately 10%. Many of the EPA designated recycled content products are facility support products (e.g., paper, plastic containers, carpet, insulation, etc.). There were no instances in the

FPDS data in which DOE did not buy such products due to a lack of availability, indicating contracting personnel are familiar with recycled content products and suppliers.

- f) Please describe findings, changes, and/or actions that were a direct result of the assessments or analyses above. In this third year of FPDS reporting, the purchasing data input by DOE contracting personnel was improved. There were fewer errors as contracting personnel have become more familiar with the system requirements. The Green Acquisition Advocates at DOE sites again reviewed their office's data input and trained any site personnel found to be unfamiliar with the requirements. The numbers in section 1 represent only DOE federal purchases of EPA designated recycled content products. Most purchases of EPA designated products are made by DOE management contractors who operate DOE sites but are not required to report their purchases into the FPDS. Combined DOE federal purchases and management contractor purchases are identified in Table 1 and discussed below.

2. Indicator Items for EPA-Designated Recycled Content Products

The General Services Administration and the Defense Logistics Agency will provide data for agency purchases directly from them. Please provide amounts for your agency's purchases from other sources, including GSA schedule contractors and your service contractors, including construction contractors, fleet maintenance contractors, and facilities maintenance contractors.

The numbers in the rest of this report are the totals for DOE federal purchases plus purchases by management contractors who operate DOE sites.

- a) **Paper: Commercial Sanitary Tissue Products**
- i) Does your Agency purchase this item (directly or through contracts)?
Yes No If no, skip to next section.
 - ii) Total dollar amount¹ of these products purchased² by your Agency from sources *other than GSA* in FY 2004 **\$5,877,069**.
 - iii) Dollar amount of these products containing recovered materials³ purchased by your Agency from sources *other than GSA* in FY 2004 **\$5,715,828**. Over 97% of the purchases in this category qualified as containing the required recycled content or were justified exemptions.
 - iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes No Not Applicable

¹ "Total amount" equals the amount of product without recovered materials plus the amount of product with recovered materials.

² Within section 2, the term *purchased* includes both direct government purchases, as well as procurement of products through government contracts.

³ The products designated by EPA are commonly referred to as "CPG-items" or "recycled content products." RCRA refers to them as "products containing recovered materials," which is the term used in this reporting document unless a more specific term, such as re-refined oil or retread tires, is used.

- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2004? **Yes X No ___** If yes, please describe the impediment(s). Select DOE site statements on impediments are provided below:

Commercial Sanitary Tissue Products
Industrial wipes for cleaning optics and machine parts must be lint-free, anti-static, and non-abrasive. Many wipes meeting those criteria do not contain recycled content.
Purchase of non-compliant products resulted from the untimely receipt of orders from GSA and the immediate need for lint-free wipes.
Special purpose and pre-coated sanitary tissue paper were not available with the required recycled content.
Desired items were not available competitively or did not meet the needs of the requester.
Special lint-free wipes are required for scientific experiments to avoid contamination.
Higher quality products are only available as virgin products.
Items with recycled content were not available or not available at a Reasonable price.

b) Non-Paper Office Products: Toner Cartridges

- i) Does your Agency purchase this item (directly or through contracts)? **Yes X No ___** If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency from sources *other than GSA or DLA* in FY 2004 **\$7,961,318**.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency from sources *other than GSA or DLA* in FY 2004 **\$6,980,446**. Over 87% of purchases complied with the EPP program guidelines for toner cartridges.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes X No ___ Not Applicable ___
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2004? **Yes X No ___** If yes, please describe the impediment(s). Select DOE site statements on impediments are provided below:

Toner Cartridges
The use of remanufactured color toner cartridges led to printer malfunctions.
Recycled toner cartridges do not meet performance requirements for quality and durability.
Many toner cartridge types and toner cartridge brands do not have comparable remanufactured cartridges. This is especially true for color cartridges.

There is a cultural resistance to using remanufactured toner cartridges. Users believe machines will be damaged or the warranty voided through using re-manufactured cartridges.
Toners for some new model printers were not available as recycled content products or were not readily available to meet priority requirements.
The vendor has not been able to obtain recycled cartridges for a number of different machines. Use of other vendors is precluded because of an exclusive contract.
Remanufactured toner cartridges are not available for the specialty printers and plotters used by the graphics, mapping, engineering, and science organizations.
Toner cartridges without recovered material content were purchased due to time constraints.
Required amount of recycled toner cartridges was not available. In some cases, the cost was too high or the performance of the recycled cartridge was not satisfactory.
A performance problem has been reported on the use of one re-manufacturer's toner cartridge in the Hewlett Packard (HP) 5500 series printer. This information was relayed to HP during a meeting between DOE, EPA and HP representatives in February 2005. HP and EPA expressed an interest in continuing discussions.

c) Construction Products: Concrete and Cement

- i) Does your Agency purchase concrete and cement (directly or through contracts, e.g., construction contracts)? **Yes** **No**
If no, skip to next section.
- ii) Total amount of concrete and cement purchased and/or used by your Agency in FY 2004 **\$4,760,325**.
- iii) Amount of concrete and cement containing coal fly ash and/or ground granulated blast furnace slag purchased and/or used by your Agency in FY 2004 **\$4,724,692**. Over 99% of the purchases in this category qualified as containing the required recycled content or were justified exemptions.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes **No** **Not Applicable**
- v) Were there technical impediments to increasing the amount of concrete and cement containing coal fly ash and/or ground granulated blast furnace slag purchased by your Agency in FY 2004? **Yes** **No** If yes, please describe the impediment(s). Select DOE site statements on impediments are provided below:

Concrete and Cement
Minimal amounts of virgin material are purchased for specific applications that require a smoother finish than that afforded by concrete containing fly ash.
Bagged concrete is used for small projects. Local vendor does not carry bagged concrete made with recovered material.

Bags of premixed concrete were purchased throughout the year for small projects. EPA-compliant bags of pre-mixed concrete were not readily available.
A small quantity of concrete with no recycled additives was purchased because locally available products did not meet the required performance specifications.
Construction companies bid small construction jobs (such as pouring pads) using the best price for concrete. Specifications with EPA recycled content items apply to large projects.
Project required heavy-weight concrete which was not available with recycled content.
Cement containing recycled content is simply not available at all batch plants used throughout the 15-state area of operation. The price for it is sometimes unreasonably high due to transport distances.

- d) Landscaping Products: Landscaping Timbers**
- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes No** If no, skip to next section.
 - ii) Total dollar amount of these products purchased by your Agency in FY 2004 **\$18,764.**
 - iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2004 **\$18,764.**
 - iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes No Not Applicable
 - v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes No** If yes, please describe the impediment(s).
- e) Park and Recreation Products: Park Benches and Picnic Tables**
- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes No** If no, skip to next section.
 - ii) Total dollar amount of these products purchased by your Agency in FY 2004 **\$4,492.**
 - iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2004 **\$4,492.**
 - iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes No Not Applicable
 - v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2003? **Yes No** If yes, please describe the impediment(s).
- f) Transportation Products: Traffic Barricades**
- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes No** If no, skip to next section.
 - ii) Total dollar amount of these products purchased by your Agency in FY 2004 **\$114,360.**
 - iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2004 **\$114,360.**

- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes No Not Applicable
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2004? **Yes No** If yes, please describe the impediment(s).

g) Vehicular Products: Re-refined Oil

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes No** If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2004 **\$325,334**.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2004 **\$247,970**.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes No Not Applicable
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2004? **Yes No** If yes, please describe the impediment(s). Select DOE site statements on impediments are provided below:

Re-refined Oil
Performing maintenance on equipment that is designated as critical requires that the original standards must be followed. This prevents the use of non-virgin material.
There is a cultural resistance by facility personnel to using re-refined oil.
A source for 5W20 re-refined oil is still unknown and there was difficulty procuring 5W30 with re-refined content. Re-refined hydraulic oil meeting performance requirements for equipment was not available.
Re-refined oil of required specific grades and viscosity-weight was not available or not available in the small quantities that were needed. Local suppliers do not stock re-refined oil; price plus shipping charges made the use of re-refined oil impracticable.
Some re-refined lubricating oil was not purchased due to time constraints for vehicle maintenance.
Special Vactra, DTE, and 2-cycle motor oils were required for unique engine applications but were not available with recycled content.
Cost of re-refined oil was too high.
Testing of re-refined oils determined that they breakdown under extreme heat conditions. The majority of the fleet vehicles are not driven under normal driving conditions.
Vehicles are used off-road in rugged terrain. Re-refined oil presents a safety and performance issue under these conditions.
Many commercial "oil change shops" throughout the service area do not carry re-refined oil.

Not all required types of lubricating oil/products are available with the required recovered content.

h) Miscellaneous Products: Signage

- i) Does your Agency purchase this item (directly or through contracts or other mechanisms)? **Yes** **No** If no, skip to next section.
- ii) Total dollar amount of these products purchased by your Agency in FY 2004 **\$313,981**.
- iii) Dollar amount of these products containing recovered materials purchased by your Agency in FY 2004 **\$289,130**.
- iv) If this product is purchased using an Agency specification, does that specification require the use of recovered materials?
Yes **No** **Not Applicable**
- v) Were there any technical impediments to increasing the purchase of this item by your Agency in FY 2004? **Yes** **No** If yes, please describe the impediment(s). Select DOE site statements on impediments are provided below:

Signage
Some signs have specific performance requirements and have already been set into templates with specific vendors. Procuring a new vendor would cause time delays and be unreasonably costly as templates and requirements would have to be reset.
Special order signs were needed to meet specific requirements. The manufacturer would not guarantee the end products if the signs were constructed with recycled content plastic material.
Some signage with recovered material content was not purchased due to time constraints.
The desired signage products were not available competitively or those that were available did not meet the requester's needs
Special signs are required for general safety, street safety, and specific dangerous situations. These signs must often be made with reflective, self-adhesive materials. Materials meeting those requirements and containing recycled content are not always available.

- i) **Optional Reporting: Newly Designated CPG Items** DOE collected preliminary information from its sites on purchases of EPA's 7 newly designated Comprehensive Procurement Guidelines items. This added another half million dollars to the total Departmental EPP purchase program. Full reporting on these items will start in FY2005.

3. Solid Waste Prevention, Recycling, and Waste Minimization

- a) Did you institute new, substantially improved, or updated solid waste prevention practices in FY 2004?
Yes **No** Please provide an explanation of your response. All DOE

facilities are drafting and implementing site specific environmental management systems (EMS) as required by DOE Order 450.1, *Environmental Protection Program*. Site EMSs must include the systematic planning, integrated execution, and evaluation of pollution prevention programs. The Order requires eliminating or reducing the generation of waste and procuring recycled-content materials and environmentally preferable products and services. The Order is available at <http://homer.ornl.gov/oepa/guidance/ems/does450.1.pdf>

- b) Does your Agency have sites or facilities with composting programs? **Yes No** If yes, how many facilities or sites? 10 DOE sites reported composting or chipping wood. Estimate the total weight of materials diverted to composting: 647 metric tons
- c) What percentage of offices/sites operated by your Agency have an active office products recycling program? 39 of 45 reporting sites (87%).
- d) What percentage of residential housing operated by your Agency have an active household products recycling program? 425 of 425 houses (100% of housing) based on 2002 data. All houses are at one DOE site.
- e) What percentage of demolition projects managed by and/or contracted by your Agency include the recovery of construction materials? 55% of DOE sites recovered construction materials; 47,668 metric tons of concrete and wood were recycled.
- f) What percentage of the total solid waste⁴ generated by your Agency was diverted to recycling? 105,450 of 381,750 metric tons (28%). For purposes of DOE reporting, solid waste includes sanitary waste and construction and demolition debris.
- g) Does your Agency have an internal awards program in accordance with Executive Order 13101, Section 802? **Yes No** Please provide details for your response, or if the response is no, please explain why not. The Department of Energy Pollution Prevention (P2) Awards Program is timed to precede the White House Closing the Circle Awards Program. The 25 recipients of the DOE P2 Best in Class awards in 2004 were honored during a complex-wide P2 televideo conference in May 2004 and recognized during the Department's Earth Day celebration. Two of the DOE P2 award recipients won Closing the Circle awards and two received honorable mention, and were recognized by the Secretary of Energy along with the Best in Class award winners in a congratulatory memorandum to Department elements. See http://homer.ornl.gov/oepa/data/eo13148/2004_BIC_CTC_Awards.pdf. Brief descriptions of the DOE P2 award winners are included in the Department's annual EO 13148 Progress Report. More information on the award winning activities and all nominated activities is available at <http://www.eh.doe.gov/p2/p2awards/>. The EO 13148 report also describes the pollution prevention awards given to DOE sites by EPA and States.
- h) In FY 2004, did your Agency participate in a pilot project to purchase environmentally preferable products or services per the requirements of EO 13101, sections 503(b) and 601(c)? **Yes No** . Please provide details for your response. See response to question 3i below.

⁴ "Solid waste" refers to municipal solid waste as defined by EPA. Please indicate if your Agency is including other materials, such as construction and demolition debris.

- i) In FY 2004, did your Agency purchase or test any biobased products, other than biobased fuels? **Yes** **No** Please provide details for your response, including the source(s) of the products (e.g., GSA schedule, DLA, commercial source, support services contractor). 1) DOE provided support to the Department of Agriculture (USDA) for the last several years in research and development of biobased products. See <http://www.eere.energy.gov/biomass/>. Research has been done on biobased paints and sorbents, cleaning products, cream abrasives, detergents, and biodiesel through the DOE National Bioenergy Center. 2) DOE also promoted early adoption of biobased product purchases within the Department through creation of the Preferred Procurement Partnership. The Partnership is comprised of the Offices of Environment, Safety and Health; Energy Efficiency and Renewable Energy; and Management, Budget, and Evaluation within the Department that share responsibility and commitment to green purchasing. The Partnership promoted the purchase of environmental preferable products, including biobased products, through information sharing and networking via teleconferences with sites across the DOE complex, outreach to purchasers, users and suppliers, and providing sources of technical support for problem solving. Additional information is available at: <http://ofee.tteam.com/apply/thanks.cfm?ID=134&agencyid=4>. 3) The Department is the Federal government's lead agency in alternate fuel research. This includes hydrogen fuel production, delivery, and storage, fuel cells, hybrid vehicles, and advanced combustion engines. See <http://www.eere.energy.gov/vehiclesandfuels/> and <http://www.eere.energy.gov/hydrogenandfuelcells/>. Results from these efforts can be seen in the fuel substitution program pursued at three DOE sites referred to as the Green Fleet Team, which resulted in a greater than 30 percent reduction in conventional fossil-fuel use from prior years. Details of this program can be reviewed at: http://www.eh.doe.gov/p2/p2awards/edition_form_jsp.asp?site=HQ&year=2004&docNumber=2.
- j) Is your Agency using green cleaning products or services at any of your facilities, including facilities managed by GSA and leased facilities? **Yes** **No**

4. Management Controls

- a) **Affirmative Procurement Policy**
- i) Does your Agency have a documented policy or procedure for the implementation of the affirmative procurement program (APP) required by section 6002 of RCRA? **Yes** **No**
- ii) Does the Agency policy define responsibility for:
- (1) Conducting awareness training? **Yes** **No**
 - (2) Incorporating APP requirements into specifications and contracts? **Yes** **No**
 - (3) Establishing and measuring progress toward APP objectives? **Yes** **No**
 - (4) Reporting progress? **Yes** **No**

- (5) Management review? **Yes X No ___**
- iii) Does your Agency have a requirement to routinely update the affirmative procurement policy? **Yes X No ___** If so, is the APP policy reviewed/updated in accordance with this plan? **Yes X No ___**
- iv) Has the Agency affirmative procurement policy been updated within the past three years (i.e., it incorporates EPA's CPG 3 and CPG 4 product designations?) **Yes X No ___**
- v) Has your policy, procedure, or plan been amended to implement the procurement of biobased products as required by section 9002 of the Farm Security and Rural Investment Act of 2002? **Yes X No ___** 1) The DOE Procurement Executive issued a formal announcement of the Department's early adoption of the USDA Biobased Products Program. It identified contracting and subcontracting opportunities at DOE sites through which the use of biobased environmentally preferable products or services could be pursued. 2) DOE's P2 and EPP (environmentally preferable purchasing) Reporting Data Entry Guidance was modified to encourage and allow reporting of biobased product purchases.
- vi) Please attach a copy of or provide the URL for the website for your Agency APP policy. See <http://www.eh.doe.gov/p2/ap/Guidance.htm> and <http://homer.ornl.gov/oepa/guidance/ems/doeo450.1.pdf>.

b) Training

- i) Who is responsible for conducting training of agency personnel with respect to the buy-recycled requirements? Pursuant to DOE Order 450.1, Environmental Protection Program, the Office of Management, Budget and Evaluation, in coordination with other DOE elements (including the Office of Environment, Safety and Health and the Office of Energy Efficiency and Renewable Energy), is responsible for including training on environmental requirements and environmental management system (EMS) in training programs for program managers, contracting personnel, procurement and acquisition personnel and facility managers, and for ensuring that procurement policies and procedures encourage the Department's acquisition of environmentally preferable products.
- ii) How many acquisition personnel have documented APP training within the past three years? 388 of 388 personnel (100%)
- iii) Is training provided by agency personnel, an outside source (e.g., Defense Acquisition University's contracting officer training courses), or both? Both. Federal personnel have presented Green Acquisition training at both Federal and contractor-operated facilities. In addition, Acquisition Career Development Certification requirements for DOE's contracting employees include a module on Affirmative Procurement.
- iv) What percentage of purchase card holders have documented APP training within the past three years, as required by Executive Order 13101? 1,300 of 1,300 (100%) of all purchase cardholders and approving officials have completed Affirmative Procurement Training. The training module is available at: <http://tis.eh.doe.gov/p2/ap/default.htm>

- v) Who provides the training to purchase card holders? Affirmative Procurement training was developed and is presented by environmental and procurement personnel.
- vi) How is training of purchase card users documented? A Certificate of Completion is provided to cardholders and approving officials and then this information is furnished to the local purchase card coordinator.
- vii) Has your Agency begun training about biobased products procurement? **Yes No** If yes, who provided the training? The DOE Office of Biomass in the Office of Energy Efficiency and Renewable Energy with support from the Office of Environment Safety and Health and the Office of Procurement and Assistance Management.

c) Auditing

- i) What percentage of Agency facilities conducted and documented contracting and/or environmental audits for APP compliance during this reporting period? 33% DOE contracting activities are required to complete a procurement self-assessment every three years which includes an Affirmative Procurement review.
- ii) Does the Agency conduct trend analysis of audit, training, and FPDS data to assess APP program effectiveness? **Yes No**
- iii) What types of trends are realized as a result of findings from these audits? While the auditing component of the APP is still too new to identify trends, DOE has tracked trends in environmentally preferable purchasing through its annual reports for several years. The trends vary by contracting activity but generally reveal greatest success in areas such as paper products. Impediments to greater APP compliance continue to be related to the non-availability or non-suitability of products for their required use. The trend analysis allows the DOE Green Acquisition Advocates to focus on APP areas that are not as successful.
- iv) Are audit findings reported to senior facility management? **Yes No**
- v) Are corrective actions from these audit findings tracked by senior facility management? **Yes No**
- vi) Provide a copy of or the URL for the website for your Agency APP audit protocol, procedure, or other similar program document. See <http://professionals.pr.doe.gov/ma5/MA-5Web.nsf/Business/Balanced+Scorecard?OpenDocument>

d) Agency Goals

- i) As required by EO 13101, what is your agency's goal for solid waste diversion by 2005? 45% By 2010? 50%
- ii) What is your agency's current recycling or diversion rate? 28%
- iii) What is your agency's goal to increase the procurement of EPA-designated recycled content products? More focused training and communication to dispel some of the misconceptions about the use of recycled content products.
- iv) As required by EO 13101, does your agency have a goal for increasing the use of environmentally preferable products? **Y N** If yes, what is the goal? 100% procurement of EPA-designated recycled content

products. How are you measuring progress toward the goal? Total purchases with recovered content plus justified exceptions divided by total purchases = adjusted accomplishment. The adjusted accomplishment for FY 2004 is 94%.

- v) Has your agency established a goal for purchases of biobased products?
Yes No The goal is to purchase as much as available, economically practical, and meet performance requirements.