



# United States Department of the Interior

OFFICE OF THE ASSISTANT SECRETARY  
POLICY, MANAGEMENT AND BUDGET  
Washington, DC 20240



JUN 4 2010

The Honorable Thomas J. Vilsack  
Secretary of Agriculture  
Washington, D.C. 20250

Dear Mr. Secretary:

Thank you for your letter of April 11, 2010, to Secretary Salazar, in which you discussed the BioPreferred Program as part of Executive Order 13514, "*Federal Leadership in Environmental, Energy, and Economic Performance*." The Secretary asked me to respond on his behalf.

As the Nation's largest landowner and principal conservation agency, we share your commitment to honoring the requirements outlined in Executive Order 13514.

The BioPreferred Program is an integral part of Executive Order 13514, and a priority that we at the Department of the Interior (DOI) fully support. Our participation in the BioPreferred Program permits us to address important efforts such as climate change impact reduction, energy and environmental security, and economic development. The DOI Office of Acquisition and Property Management has produced and disseminated the "Affirmative Procurement Program - Green Purchasing Plan," and DOI bureaus actively pursue biobased products as part of their acquisition strategies. A copy is enclosed for your information. We will also send an electronic copy of this memorandum, per your request.

DOI deeply appreciates your leadership on this important initiative. We look forward to our continued partnership to strengthen and expand the BioPreferred Program.

Sincerely,

Rhea S. Suh

Assistant Secretary – Policy, Management and Budget

Enclosure



**U.S. Department of the Interior**

# **AFFIRMATIVE PROCUREMENT PROGRAM**

## **GREEN PURCHASING PLAN**



**June 2008**

**Office of Acquisition and Property Management**

## Green Purchasing Plan

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## INTRODUCTION

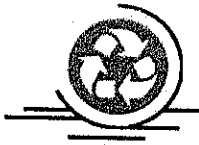


*And that way, when it's all said and done, when we've done our duty to serving the American people, we can look back and say to this next generation, we tried to leave you a little better world. And so I want to thank you for giving me a chance to come and talk about that better world. It's on the way. And I'm excited to be a part of it, and I know you are, as well.*

President Bush's Energy Initiative Speech, January 24, 2007

As the nation's largest land owner and principal conservation agency, the U.S. Department of the Interior is dedicated to fulfilling its stewardship responsibilities and honoring the requirements outlined in Executive Order 13423, "*Strengthening Federal Environmental, Energy, and Transportation Management.*" E.O. 13423 requires the Federal government to protect the nation's natural resources through green procurement by "incorporating key environmental factors with traditional price and performance considerations in purchasing decisions." DOI has updated its Green Purchasing Plan to provide guidance for implementing its Affirmative Procurement Program, which includes the new requirements of E.O. 13423.

By implementing E.O. 13423, DOI will contribute to the sound management of its resources and the fulfillment of its unique mission responsibilities of resource protection, resource use, recreation, and serving communities. This Green Purchasing Plan is a living document that will be amended to implement additional requirements of future laws, Executive Orders, and the Federal Acquisition Regulation (FAR) on the purchasing of green products.



## CHAPTER 1: POLICY

The U.S. Department of the Interior will comply with E.O.13423, "*Strengthening Federal Environmental, Energy, and Transportation Management*" and other environmental policies and regulations. This Executive Order requires Federal agencies to "conduct their environmental, transportation, and energy-related activities under the law in support of their respective missions in an environmentally, economically and fiscally sound, integrated, continuously improving, efficient and sustainable manner." This Executive Order revokes the following.

- E.O. 13101 *Greening the Government Through Waste Prevention, Recycling and Federal Acquisition*, September 14, 1998
- E.O. 13123 *Green the Government Through Efficient Energy Management*, June 03, 1999
- E.O. 13134 *Developing and Promoting Biobased Products and Bioenergy*, August 12, 1999
- E.O. 13148 *Greening the Government Through Leadership in Environmental Management*, April 21, 2000
- E.O. 13149 *Greening the Government Through the Federal Fleet and Transportation Efficiency*, April 21, 2000

The requirements outlined in the above mentioned Executive Orders have been expanded and consolidated into Executive Order 13423. This GPP establishes DOI policy for the purchase and use of environmentally friendly and biobased products consistent with the Executive Orders 13221, "*Energy Efficient Standby Power Devices*" and 13423; Federal Acquisition Regulation; Section 6002 of the Resource Recovery Act and Section 9002 of the Farm Security and Rural Investment Act. This plan also includes policy for purchasing Environmental Protection Agency-designated environmental preferable products and U.S. Department of Agriculture-designated biobased products.

For the purpose of this document, green purchasing is defined as the *utilization of cost-effective procedures to buy recycled content products, environmentally preferable products and services, biobased products, energy- and water-efficient products, alternate fuel vehicles, products using renewable energy, and alternatives to hazardous or toxic chemicals*. The GPP provides policy for the procurement and use of environmentally preferable and biobased products. Further, the GPP provides implementation guidance and a framework for the purchase of specific Environmental Preferable Products (EPP) and biobased products that are competitively priced, readily available, and of good quality.

## 1.1 FEDERAL AND DOI POLICY

E.O. 13423 requires Federal agencies to conduct their environmental, transportation, energy-related activities, under the law, in support of their respective missions in an environmentally, economically and fiscally sound, integrated and continuously improving, efficient, and sustainable manner. Further, this Executive Order provides specific operation guidance, which supersedes previous environmental Executive Orders, except E.O. 13221 that provide product specification for power devices.

E.O. 13221 "*Energy Efficient Standby Power Devices*" requires Federal agencies, when commercially available, to purchase off-the-shelf products that use external standby power devices, or that contain an internal standby power function, and purchase products that use no more than one watt in their standby power consuming mode. If such products are not available, agencies will purchase products with the lowest standby power wattage while in standby power consuming mode. Agencies will adhere to these requirements when life-cycle costs are effective and practicable and where the relevant product utility and performance are not compromised as a result.

The Federal Acquisition Regulation (FAR) provides procurement policy for all Federal agencies. FAR Part 23 Environment, Energy and Water Efficiency, Renewable Energy Technologies, Occupational Safety and Drug-Free Workplace outlines specific GPP requirements that include:

FAR 23.202 states: "The Government's policy is to acquire supplies and services that promote energy and water efficiency, advance the use of renewable energy products, and help foster markets for emerging technologies. This policy extends to all acquisitions including those below the simplified acquisition threshold."

FAR 23.403 states: "Government policy on the use of products containing recovered materials and biobased products considers cost, availability of competition, and performance. Agencies shall assure the use of products containing recovered materials and biobased products to the maximum extent practicable without jeopardizing the intended use of the product while maintaining a satisfactory level of competition at a reasonable price. Such products shall meet the reasonable performance standards of the agency and be acquired competitively, in a cost-effective manner. Except as provided at FAR 23.404(b), virgin material shall not be required by the solicitation (see 11.302)."

FAR 23.703 requires Federal agencies to "Agencies must—

- (a) Implement cost-effective contracting preference programs promoting energy-efficiency, water conservation, and the acquisition of environmentally preferable products and services; and



(b) Employ acquisition strategies that affirmatively implement the following environmental objectives:

- (1) Maximize the utilization of environmentally preferable products and services (based on EPA-issued guidance).
- (2) Promote energy-efficiency and water conservation.
- (3) Eliminate or reduce the generation of hazardous waste and the need for special material processing (including special handling, storage, treatment, and disposal).
- (4) Promote the use of nonhazardous and recovered materials.
- (5) Realize life-cycle cost savings.
- (6) Promote cost-effective waste reduction when creating plans, drawings, specifications, standards, and other product descriptions authorizing material substitutions, extensions of shelf-life, and process improvements.
- (7) Promote the use of biobased products.
- (8) Purchase only plastic ring carriers that are degradable (7 USC 8102(c)(1), 40 CFR Part 238).

Further, acquisition planning should include environmental considerations, as delineated in FAR Part 7 Acquisition Planning. FAR 7.105(b) (16) requires acquisition plans to include environmental and energy conservation objectives. FAR 11.002 requires the consideration of “use of recovered materials, energy- and water-efficient products and services, products containing energy-efficient standby power devices, environmentally preferable purchasing criteria developed by the EPA, and environmental objectives” in the:

- development, review, or revision of Federal specifications, product descriptions (including commercial item descriptions) and standards;
- description of Government requirements for supplies and services; and,
- development of source-selection factors.

Section 6002 of the Resource Recovery Act requires Federal agencies to establish the following affirmative procurement programs:

- a recovered materials preference;
- an environmentally preferable products promotion;
- a contract performance certification and verification of recovered material product use;
- annual review and monitoring of the effectiveness of the affirmative procurement program.
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Section 9002 of the Farm Security and Rural Investment Act requires Federal agencies to purchase biobased products to the maximum extent practicable, and that is consistent with U.S. Department of Agriculture’s “Guidelines for Designating Biobased Products for Federal

Procurement" published in the Federal Register on January 11, 2005. (Refer to <http://www.biobased.oce.usda.gov/FSRIA/03-31347.pdf>.)

The purchase of biobased products have beneficial effects that include: 1) an increase in domestic demand for many agricultural commodities that can serve as feedstock for production of biobased products; 2) a reduction in the environmental impact by substituting biobased products for less environmentally friendly materials; and 3) the stimulation of the development of markets for recovered materials by increasing government purchasing of products made with those materials.

In accordance with E.O. 13221, E.O.13423, Section 6002 of the Resource Recovery Act, Section 9002 of the Farm Security and Rural Investment Act, and EPA Comprehensive Procurement Guidelines, DOI will give preference to the following:

- Environmental Protection Agency's *Comprehensive Procurement Guidelines* for recycled content products;
- *Energy Star* ® products identified by the Department of Energy and EPA, as well as *Federal Emergency Management Program* designated energy-efficient products;
- Water-efficient products, including those meeting *EPA's WaterSense standards*;
- Energy from renewable sources;
- Biobased products designated by the Department of Agriculture in the *BioPreferred* program;
- Environmentally preferable products and services, including Electronic Product Environmental Assessment Tool (EPEAT)-registered electronic products;
- Alternative fuel vehicles and alternative fuels required by the Energy Policy Act (EPAct);
- Products with low or no toxic or hazardous constituents;
- Non-ozone depleting substances identified in *EPA's Significant New Alternatives Program*.

## **1.2 APPLICABILITY**

The Interior GPP meets the current statutory and regulatory requirements. This GPP is applicable to all bureaus and offices. Each bureau will develop a GPP that adheres to the requirements and guidance established in this document. Bureaus may need to update their current GPP to include E.O. 13423.

Bureau GPP's should demonstrate commitment, provide direction for all personnel, and outline a strategic plan for fulfillment of E.O. 13423. The bureau GPP should also include a "Preference Program" to demonstrate its commitment to acquire recycled content and biobased products when they meet the technical requirements and are cost effective.