

08/06/08



Environmental Management Consolidated Business Center (EMCBC)

Subject: Green Purchasing Program Description

PROGRAM DESCRIPTION

APPROVED: (Signature on File)
 EMCBC Director
 ISSUED BY: Office of Contracting

1.0 PURPOSE

The purpose of this program description is to establish responsibilities and provide a comprehensive EMCBC-wide approach for implementing an effective Green Purchasing Program. In accordance with Executive Order (EO) 13423, acquisition of goods and services requires (1) use of sustainable environmental practices, including acquisition of biobased, environmentally preferable, energy-efficient, water-efficient, and recycled-content products, and (2) use of paper of at least 30 percent post-consumer fiber content. Green purchasing expands markets for green products and services, reduces the amount of solid waste generated, and reduces consumption of energy and natural resources.

2.0 SCOPE

The Green Purchasing Program applies to all acquisitions from simplified acquisitions accomplished via a government-issued purchase card to major contract awards.

3.0 APPLICABILITY

All EMCBC employees shall comply with this program description. Service Level Agreement (SLA) sites have the option of choosing to adopt this program or develop their own.

4.0 REQUIREMENTS

- 4.1 Resource Conservation and Recovery Act of 1976, Section 6002
- 4.2 Pollution Prevention Act of 1990
- 4.3 Clean Air Act, as amended in 1990 (Title VI)
- 4.4 Farm Security and Rural Investment Act of 2002, Section 9002
- 4.5 Energy Policy Act of 2005
- 4.6 Energy Independence and Security Act of 2007
- 4.7 Executive Order 13423- Strengthening Federal Environmental, Energy, and Transportation Management, January 26, 2007

- 4.8 40 Code of Federal Regulations (CFR) Part 247- Comprehensive Procurement Guideline for Products Containing Recovered Materials
- 4.9 7 CFR Part 2902- Guidelines for Designating Biobased Products for Federal Procurement
- 4.10 FAR Part 23- Environment, Energy and Water Efficiency, Renewable Energy Technologies, Occupational Safety, and Drug-Free Workplace
- 4.11 FAR Part 52- Solicitation Provisions and Contract Clauses: 52.204-4, 52.223-1, 52.223-2, 52.223-4, 52.223-9, 52.223-20,52.223-10, 52.223-15, 52.223-16, 52.223-17
- 4.12 DEAR Part 923 – Environment, Conservation, Occupational Safety, and Drug-Free Workplace
- 4.13 DOE Acquisition Guide Chapter 23, Strengthening Federal Environmental, Energy and Transportation Management
- 4.14 DOE Order 430.2B- Departmental Energy, Renewable Energy and Transportation Management, February 27, 2008
- 4.15 DOE Order 450.1A- Environmental Protection Program, June 4, 2008
- 4.16 FAR Case 2006-030, Electronic Products Environmental Assessment Tool, Federal Register (FR) Vol. 72, No. 246, pp. 73215-73218, December 26, 2007
- 4.17 FAR Case 2006-008, Implementation of Section 104 of the Energy Policy Act of 2005, FR Vol. 72, No. 225, pp. 65868-65873, November 23, 2007
- 4.18 FAR Case 2004-032, Biobased Products Preference Program, FR Vol. 72, No. 215, pp. 63040-63045, November 7, 2007
- 4.19 Acquisition Letter 2007-12 regarding EO 13423, September 20, 2007
- 4.20 Acquisition Letter 2007-08 Environmentally Preferable Purchasing Through the Use of the Electronic Product Environmental Assessment Tool (EPEAT) dated April 27, 2007
- 4.21 Acquisition Letter 2008-05 to implement Section 3(e) of Executive Order 13423 which states that contractor operation of Government-owned facilities or vehicles requires the contractors to comply with the provisions of the EO, dated April 3, 2008
- 4.22 Office of the Federal Environmental Executive (OFEE) Instructions for Implementing Executive Order 13423 “Strengthening Federal Environmental, Energy, and Transportation Management” dated March 29, 2007
- 4.23 EMCBC Purchase Card Operating Procedure (IP-412-01)
- 4.24 EPA “Final Guidance on Environmentally Preferable Purchasing for Executive Agencies” FR dated August 20, 1999

5.0 DEFINITIONS

- 5.1 Acquisition- acquiring by contract using appropriated funds for supplies or services by and for 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.
- 5.2 Biobased Product- (a.k.a. BioPreferred Product) a commercial or industrial product (other than food or feed) that utilizes biological products or renewable domestic agriculture or forestry materials.
- 5.3 Case-by Case Procurement- open competition for contract awards among products made of virgin and recovered material with preference being given to the latter (minimum content standards required).
- 5.4 Certification- provided by offerors/bidders/vendors, it is written documentation certifying the percentage of recovered materials contained in products or to be used in the performance of the contracts is at least the amount required by applicable specifications or other contractual requirements. Certification on multi-component or multi-material products should verify the percentage of postconsumer waste and recycled material contained in the major constituents of the product.
- 5.5 Energy-Efficient Product- a product in the upper 25 percent of efficiency for all similar products or, if there are applicable Federal appliance or equipment efficiency standards, a product that is at least 10 percent more efficient than the minimum Federal standard.
- 5.6 Environmentally Preferable- products or services that have a lesser or reduced effect on human health and the environment when compared with competing products or services serving the same purpose. The comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation, maintenance, or product or service disposal.
- 5.7 Environmental Protection Agency (EPA)-Designated Item- an available EPA Comprehensive Procurement Guide (CPG) item or category of items made with recovered material, advancing the purpose of RCRA when purchased.
- 5.8 EPEAT- acronym for “Electronic Products Environmental Assessment Tool” which must be used when acquiring personal computer products such as desktops, notebooks, and monitors.
- 5.9 Estimation- quantitative determination made by vendors of the total percentage of recovered material contained in offered products. Estimations should be based on historical or actual percentages of recovered materials in products sold in substantial quantities to the general public or on other factual basis. EPA recommends procuring agencies maintain records of these documents for 3 years by product type, quantity purchased and price paid.
- 5.10 Federal Supply Source- any supply source managed by a Federal agency such as the General Services Administration (GSA) or Government Printing Office.
- 5.11 Green Acquisition Advocate- Green Purchasing Coordinator.

- 5.12 Green Procurement- (a.k.a. Affirmative Procurement) is the purchase of environmentally preferable products and services in accordance with one or more of the established Federal green procurement preference programs.
- 5.13 Life Cycle Cost- the amortized cost of a product, including capital costs, installation costs, operating costs, maintenance costs, and disposal costs discounted over the lifetime of the product.
- 5.14 Minimum Content Standard- the minimum recovered material content specifications set to assure the recovered material content required is the maximum available without jeopardizing the intended item use or violating the limitations of the minimum content standards set forth by EPA's guidelines.
- 5.15 Pollution Prevention- "source reduction" as defined in the Pollution Prevention Act of 1990, and other practices that reduce or eliminate the creation of pollutants through (a) increased efficiency in the use of raw materials, energy, water, or other resources or (b) protection of natural resources by conservation.
- 5.16 Postconsumer Material- a material or finished product whose life as a consumer item has concluded, after having served its intended use and being discarded for disposal or recovery. Postconsumer material is part of the broader category of "recovered materials."
- 5.17 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.
- 5.18 Procurement Guidelines- regulations issued by EPA pursuant to Section 6002 of RCRA: (1) identifying items produced with recovered materials and where procurement of such items will advance the objectives of RCRA; and (2) providing recommended practices for the procurement of such items.
- 5.19 Procurement Request Originator- the individual or organization responsible for defining the requirements for a purchase or acquisition program. A Procurement Request Originator may be a purchase cardholder or any other individual who requests supplies or services.
- 5.20 Procuring Organization- Office of Contracting, EMCBC.
- 5.21 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.
- 5.22 Recyclability – degree to which a product or material may be recovered or otherwise diverted from the solid waste stream for the purpose of recycling.
- 5.23 Recycled material – a material utilized in place of raw or virgin material in product manufacturing consisting of materials derived from postconsumer waste, industrial scrap material derived from agriculture wastes and other items, all of which can be used in new product manufacture.

- 5.24 Recycling- the series of activities, including collection, separation, and processing by which materials are recovered from the solid waste stream for use as raw materials in the manufacture of new products.
- 5.25 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.)
- 5.26 United States Department of Agriculture (USDA)-Designated Item- a biobased product designated by the U.S Department of Agriculture.
- 5.27 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.

6.0 RESPONSIBILITIES

6.1 Procurement Request Originators will:

- 6.1.1 Identify and document whether green products and services are available and can satisfy local requirements for price, availability and performance.
- 6.1.2 Ensure that relevant green procurement requirements are identified, prior to submission to the Contracting Officer so that final/approved purchase requests properly address all applicable green procurement requirements.
- 6.1.3 Consult with Office of Contracting and Office of Logistics Management in order to improve and enhance procurement plans and for preparing statements of work or specifications that incorporate relevant green procurement requirements of Federal laws, regulations, Executive Orders and DOE directives.
- 6.1.4 Thoroughly document in writing if green procurement items cannot be procured competitively within a reasonable timeframe, meeting reasonable performance standards, or at a reasonable price.
- 6.1.5 Apply life-cycle cost concepts to determine cost effectiveness or green alternatives for use in acquisition and procurement decisions.
- 6.1.6 Provide oversight of contract execution to ensure green procurement requirements are addressed in accordance with the terms and conditions of the contract.

6.2 Contracting Officers will:

- 6.2.1 Review all procurement requests to ascertain and validate whether green products or services are involved in the procurement action.
- 6.2.2 Provide guidance to procurement request originators with respect to green products and services.

- 6.2.3 Incorporate appropriate green procurement language and FAR clauses in contracts consistent with specification provided by the Procurement Request Originator.
 - 6.2.4 Gather and report procurement data for the purpose of management evaluation of green procurement performance when such data is maintained in the Federal Procurement Data System or other databases operated by the Office of Contracting.
 - 6.2.5 Ensure all contract actions from development through award, execution, and close-out meet applicable FAR requirement for green procurement.
 - 6.2.6 Specifically, as required by FAR 23.405, place a written justification in the contract file for acquisitions that describes why an EPA-designated item meeting the recovered material content guidelines was not acquired.
 - 6.2.7 Maintain required documents in the contract file to include estimates, certifications and written justification for exceptions.
 - 6.2.8 Include environmental considerations (reuse, recycling, waste reduction, and green purchasing) as a selection criterion.
- 6.3 Green Purchasing Coordinator will:
- 6.3.1 Coordinate training on green procurement to all personnel involved with acquisitions.
 - 6.3.2 Advise the Procurement Request Generators and Contracting Officers on acquisition strategies for green products and services.
 - 6.3.3 Provide Procurement Request Generators and Contracting Officials with current Federal listings of green products.
 - 6.3.4 Provide green procurement consultation support for all personnel and organizations involved in the purchasing process, including personnel and organizations that define requirements, write specifications, order, purchase, or contract for products or services.
 - 6.3.5 Provide recommendations to management personnel across all organizations involved in the purchasing process regarding green purchasing.
 - 6.3.6 Update annually DOE's Environmentally Preferable Purchasing database for the EMCBC.
- 6.4 Assistant Director of Office of Contracting will:
- 6.4.1 Designate a Green Purchasing Coordinator.
 - 6.4.2 Ensure that all Office of Contracting personnel are trained in green procurement such that all personnel involved in the procurement process are aware of, and accountable for complying with green procurement requirements relevant to their position.
 - 6.4.3 Establish EMCBC targets and objectives for green procurement in consultation with the Director, Assistant Directors, and Federal Project Directors.

6.5 Director Environmental Management Consolidated Business Center will:

- 6.5.1 Ensure that all EMCBC are trained in green procurement to ensure that all personnel involved in the procurement process are aware of, and accountable for complying with green procurement requirements relevant to their procurement activity.
- 6.5.2 Promote the EMCBC's Green Purchasing Program.
- 6.5.3 Establish EMCBC targets and objectives for green procurement.

7.0 GENERAL INFORMATION

Green products or services must be considered as the first choice in ALL procurements. There are some green procurement rules that mandate the specific procurement of supplies/services and there are some rules that only emphasize that procuring green products/services is highly preferred/recommended. For example, procurement rules require the agency to purchase green products when you are planning to purchase products and services in the following categories (note that this is a partial list):

Office products (including electronic equipment and furniture)

Printing services

Fleet vehicles and fleet maintenance products

Building construction, renovation and maintenance (including janitorial and landscape services)

Traffic Control

Park and recreation

Lighting

Appliances

It should be noted that green procurement requirements apply to both supply and service acquisitions. In every procurement action, the procurement request originator must justify a decision not to procure a green alternative in accordance with the requirements of Federal green procurement preference programs. As an example, for recovered material content and biobased purchases, the justification must be based upon the inability to acquire the product in a timely manner, at a reasonable price, or to satisfy the technical/performance requirements.

8.0 RECORDS MAINTENANCE

The written justification for not procuring an item that meets the Federal green procurement requirements must be maintained in the contract files or purchase card files (for micropurchases).

9.0 FORMS USED

Attachment A, PD-540-17-F1, Exemption Justification Form

10.0 LINKS

- 10.1 OFEE Federal Green Purchasing Program: <http://www.ofee.gov/gp/gp.asp>
- 10.2 EPA “Final Guidance on Environmentally Preferable Purchasing for Executive Agencies”
http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=1999_register&docid=fr20au99-148.pdf
- 10.3 EPA green programs and products: <http://www.epa.gov/epp/database.htm>
- 10.4 EPA Region 8 Pollution Prevention Resource Information Links:
www.epa.gov/region8/conservation_recycling/links
- 10.5 EPA-designated items: <http://www.epa.gov/cpg>
- 10.6 USDA-designated items: <http://www.usda.gov/biopreferred>
- 10.7 DOE Environmentally Preferable Purchasing: <http://www.hss.doe.gov/pp/epp/>
- 10.8 DOE Complex-Wide Sustainable Design Program:
<http://www.pnl.gov/doesustainabledesign/tools/reference>

11.0 ATTACHMENTS

- 11.1 Attachment A, Exemption Justification Form
- 11.2 Attachment B, Sample Biobased Contract Language for Minor Construction
- 11.3 Attachment C, Template for Vendors: Biobased Product Specifications
- 11.4 Attachment D, EMCBC Record of Revision, IP-251-01-F1, Rev. 1

**Procedure for Preparing and Submitting the
Exemption Justification Form Via the Web Site**

This form should be completed for all purchases of designated products where the required content was not obtained.

When completing the form, provide both the quantity of the product and the quantity unit, if appropriate. For example, if 20 boxes of paper were purchased, enter "20" for the quantity and "boxes" for the quantity unit. Cost information should be provided for the unit purchase price (such as, price per box of paper) and for the total price of the purchase.

After completing the form, obtain the required signatures and maintain the completed form at the site. Copies of all these forms for a given Fiscal Year would be submitted once a year, coinciding with the annual reporting period.

Attachment B

SAMPLE BIOBASED CONTRACT LANGUAGE FOR MINOR CONSTRUCTION

To assist you in meeting your BioPreferredSM requirements and including biobased products in your contracts, USDA’s has created sample contract language that can be used throughout the Minor Construction contract.

The document includes the BioPreferred program requirements that have been added to the Federal Acquisition Regulation (FAR) and should be revised to reflect additional or unique tasks peculiar to an activity's operation.

You can find more information about the BioPreferred program, how to find biobased products, and how other Federal agencies are purchasing biobased products by visiting www.usda.gov/biopREFERRED.

Section C – Performance Work Statement/Descriptions/Specifications

The Contractor must comply with Section 9002 of the Farm Security and Rural Investment Act of 2002 (FSRIA), Executive Order (EO) 13423, “*Strengthening Federal Environmental, Energy, and Transportation Management*,” and the Federal Acquisition Regulation to provide biobased products.

The Contractor shall utilize products and material made from biobased materials (e.g., insulating foam, composite panels, and concrete and asphalt release fluids) to the maximum extent possible without jeopardizing the intended end use or detracting from the overall quality delivered to the end user. All supplies and materials shall be of a type and quality that conform to applicable Federal specifications and standards. All supplies and materials to be used in the performance of work described herein are subject to the approval of the Contracting Officer Representative (COR).

The following is an example list of products that may be used in this contract for minor construction for which biobased products are available. The list is not all inclusive. It is desirable that vendors be able to supply the greatest number of biobased products listed meeting the health and environmental specifications.

- | | |
|-------------------------------------|---------------------------|
| Graffiti and grease removers | Insulating foams |
| Concrete and asphalt release fluids | Fluid-filled transformers |
| Wood and concrete sealers | Composite panels |
| Adhesive and mastic removers | Carpets |
| Roof coatings | Hydraulic fluid |
| Water tank coatings | |

Biobased products that are designated for preferred procurement under USDA's BioPreferred program must meet the required minimum biobased content as stated in the USDA Final Rule available at <http://www.usda.gov/biopreferred>. The Contractor should provide data for their biobased products such as biobased content and source of biobased material (i.e. particular crop or livestock).

In addition to the biobased products designated by the U.S. Department of Agriculture in the BioPreferred Program, the Contractor is encouraged to use other commercially available biobased products for minor construction such as: paints, paint removers, corrosion preventatives, and blast media.

The Contractor shall submit with the initial proposal a complete list of biobased products, indicating the name of the manufacturer, cost of each material, and the intended use of each of the materials that are to be used in carrying out the requirements of the contract. Additionally, the winning Contractor on each anniversary date of the contract shall compile a complete list of biobased products, including the information above, purchased to carry out the contract requirements. The Contractor shall list volume to be used and total cost for each individual product. This information will be used for reporting purposes.

The Contractor shall comply with the provision at FAR 52.223-1, Biobased Product Certification.

The Contractor shall comply with the clause at FAR 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts.

Within thirty (30) days of contract award, the Contractor shall submit a Minor Construction Plan. This submittal shall be approved by the COR in writing. The Contractor shall not commence work until this submittal is approved by the COR in writing.

The Plan must be reviewed and updated annually, and as required by the COR. The Plan must contain and define the following elements:

The Contractor's written policy stating its commitment to the use of biobased products, employee health and safety, and sound environmental management practices.

Detail on how the Contractor intends to keep abreast of the development and increasing availability of designated and non-designated biobased products and how any new or improved products will be incorporated on an ongoing basis into contract performance.

Proposed biobased construction products which must be selected in accordance with the criteria included above. At a minimum, the Plan must identify products by brand name for each of the product types.

NOTE: A Contractor may propose more than one product within a product category and/or propose a product or products addressing more than one product category.

The product guides which define standard operating procedures for instructing staff in the proper use, storage, and disposal of biobased products; proper maintenance of equipment; and other procedures/instructions to accomplish work under this contract.

The Contractor shall provide data on the quantity and dollar values of biobased products used in this contract. The data will be submitted to the COR quarterly.

USDA believes that a demonstration of how to use the products, an effective training program for the products selected, and technical assistance are central to the selection and eventual success of purchasing and using biobased products. USDA will look for a Contractor who will 1) demonstrate products, and 2) when selected, offer effective training to all of the construction staff and be available with technical assistance to trouble shoot problems.

Performance Requirements Summary

Add the following service, task number, performance indicator, performance standard, surveillance methodology, Acceptable Quality Level (AQL) and deduction to the present Performance Requirements Summary for Operations and Maintenance:

Required Service - Ensure the mandatory purchasing of biobased products.

Task Paragraph Number - XXX

Performance Indicator – Quantitative Factor

Performance Standard - Contractor compliance with FSIRA, EO 13423, and FAR

Surveillance Methodology – 100% Inspection

AQL – 100%

Deduction – Dollar Amount deduction for noncompliance

Section I – Contract Clauses

I.1 52.223-2, Affirmative Procurement of Biobased Products Under Service and Construction Contracts

(a) In the performance of this contract, the Contractor shall make maximum use of biobased products that are USDA-designated items, unless the product cannot be acquired-

(1) Competitively within a time frame providing for compliance with the contract performance schedule;

(2) Meeting contract performance requirements; or

(3) At a reasonable price.

(b) Information about this requirement and these products is available at

<http://www.usda.gov/biopreferred>

Section K – Representations, Certifications, And Other Statements of Bidders

K.1 52.223-1, Biobased Product Certification

The Contractor shall execute the following certification required by the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(c) (3)):

I, _____ (name of certifier), am an offeror or employee responsible for the performance of this contract and I hereby certify that biobased products (within categories of items listed by the United States Department of Agriculture in 7 CFR part 2902, subpart B) to be used or delivered in the performance of the contract will comply with the applicable specifications of other contractual requirements.

 {Signature of the Officer or Employee}

 {Typed Name of the Officer or Employee}

 {Title}

 {Name of Company, Firm, or Organization}

 {Date}

Section L – Instructions to Offerors

In the technical proposal, the offeror shall identify the biobased products to be purchased and used under this minor construction contract. For each biobased product, the offeror shall specify the percentage of biobased content, and for the USDA-designated biobased content products, the offeror shall demonstrate that the products to be used under this contract will contain the percentage specified in the USDA recommendations or the highest level of biobased material practicable, consistent with USDA’s recommended percentages of biobased content.

The offeror shall document prior experience in specifying, purchasing, using, and installing biobased products. The offeror shall provide a list for all relevant contracts over the past two years involving the specification, purchase, and/or use of biobased products. The offeror shall include a list of the biobased products specified, purchased, used, and installed.

Sample Section M – Evaluation Factors for Award

M.1 Technical Evaluation Factor

Criterion X – Designated BioPreferred Items

- (a) Identification of all biobased products to be acquired, used, and installed in the performance of minor construction;
- (b) Proposed past performance experience with the use of biobased products in minor construction; and

(c) Identification of past biobased project management experience in the following areas: contracts performed using biobased products and dollar amount.

M.2 Cost Evaluation

In an effort to provide a fair evaluation to the respondents, USDA recommends adding the following Cost Evaluation Criterion to allow the contracting officer to evaluate the proposals based on the use of products requiring preferred procurement through BioPreferred and non-designated products.

Criterion X – Designated BioPreferred Products

To receive full credit/consideration as it relates to the Technical criteria above for qualifying BioPreferred products, the Contractor should provide information such as life cycle costing data or other relevant data.

Criterion Y – Non-Designated Products

If the Contractor proposes to use non-designated products, the Contractor should provide information such as life cycle costing data or other relevant data.

Template for Vendors Biobased Product Specifications

U.S. Department of Energy – June 2008

Contact: Procurement - Richard Langston, Tel. 202-287-1339

Contact: Environmentally Preferable Purchasing – Don Lentzen, Tel. 202-586-7428

Because of the U.S. Department’s commitment to the environment, safety, and health, we purchase environmentally preferable products with special emphasis on the preferred products acts of Congress direct us to purchase: those with biobased and recycled content, energy and water efficient, alternative fuels/vehicles, non-ozone depleting substances, and other environmentally preferable products. We are required to report our purchases of all products designated for purchase with biobased and recycled content.

Biobased Products. Suppliers of products also need to be aware of the requirement effective March 2007 for U.S. Department of Energy staff and their contractors to purchase biobased products that have been designated by the U.S. Department of Agriculture. Once USDA designates an item, the Farm Security and Rural Investment Act Section 9002 requires that any procuring agency, when using appropriated federal funds to procure that item, shall purchase it with at least the specified percentage of biobased materials. The requirement is that 100 percent of the purchases of the designated products shall meet or exceed the USDA standards unless written justification is provided that a product is 1) not available competitively within a reasonable time frame, 2) does not meet appropriate performance standards, or 3) is only available at an unreasonable price. For details on the specifications for recycled products, see the U.S. Department of Agriculture’s website at <http://www.biopreferred.gov/DesignationItems.aspx>.

The Biobased content product categories and required content are.:

* = May overlap with recycled content requirements. Recycled content requirements have precedence.

Bold = Begin Purchasing and Collecting Purchasing Data by March 16, 2007

Italics = Begin Purchasing and Collecting Purchasing Data by May 14, 2009

Product	Required	Percent Content and Prices Available from Your Company
Cleaners/Solvents		
<i>Adhesives & Mastic Removers</i>	58%	
<i>Bath & Spa Cleaners</i>	74%	

Product	Required	Percent Content and Prices Available from Your Company
<i>Carpet & Upholstery Cleaners</i> <i>General Purpose Cleaners</i> <i>Spot Removers</i>	54% 7%	
<i>Floor Strippers</i>	78%	
<i>Glass Cleaners</i>	49%	
<i>Graffiti and Grease Removers</i>	34%	
<i>Hand Cleaners and Sanitizers</i> <i>Hand Cleaners</i> <i>Sanitizers</i>	64% 73%	
<i>Laundry Products</i> <i>General Purpose Laundry</i> <i>Pretreatment/Spot Removers</i>	34% 46%	
Construction Materials		
<i>*Carpets</i>	7%	
<i>*Insulating Foam – Residential and Commercial</i>	7%	

Product	Required	Percent Content and Prices Available from Your Company
<i>*Panels – Composite</i> <i>Acoustical</i> <i>Interior</i> <i>Plastic Lumber</i> <i>Structural Interior</i> <i>Structural Wall</i>	37% 55% 23% 89% 94%	
<i>Release Fluids – Concrete and Asphalt</i>	87%	
Sealant - Urethane Roof Coating	20%	
Sealant – Water Tank Coating	59%	
<i>Sealant – Wood and Concrete</i> <i>Membrane Concrete</i> <i>Penetrating Liquid</i>	11% 79%	
Water Tanks		
Dishware		
<i>Cutlery - Disposable</i>	48%	
<i>*Disposable Containers</i>	72%	
Lubricants		
<i>2-Cycle Engine Oil</i>	34%	

Product	Required	Percent Content and Prices Available from Your Company
<i>Firearm Lubricant</i>	49%	
Greases <i>Food Grade</i> <i>Multi-Purpose</i> <i>Rail Track</i> <i>Truck</i> <i>Unspecified</i>	42% 72% 30% 71% 75%	
Metalworking Fluids <i>Straight Oils</i> <i>General Purpose Soluble, Semi-Synthetic, Synthetic</i> <i>High Performance Soluble, Semi-Synthetic, Synthetic</i>	66% 57% 40% (<i>Delayed Compliance Date</i>)	
Penetrating	68%	
Other		
Bedding, Bed Linens, Towels	12%	
<i>De-Icers – General Purpose</i>	93%	
<i>Dust Suppressants</i>	85%	
<i>*Fertilizers</i>	71%	
Films <i>Non-Durable</i> <i>*Semi-Durable (Plastic Bags)</i>	85% 45%	

Product	Required	Percent Content and Prices Available from Your Company
<i>Fluid Filled Transformers</i> <i>Synthetic Esterbased</i> <i>Vegetable Oilbased</i>	<i>66% (Delayed Compliance Date)</i> <i>95%</i>	
Fuel Additives - Diesel	90%	
Hydraulic Fluids – Mobile Equipment	44%	
<i>Hydraulic Fluids – Stationary Equipment</i>	<i>44%</i>	
<i>Lip Care Products</i>	<i>82%</i>	
<i>Sorbents</i>	<i>89%</i>	

Resources

Farm Security and Rural Investment Act. May 1, 2002. 16 USC 1671 et seq. (as amended), Title 9 - Energy Biomass/Renewable Energy, Section 9002, "Federal Procurement of Biobased Products." Public Law 107-171.

7 CFR 2902. March 16, 2006. "Designation of Biobased Items for Federal Procurement; Final Rule." *U.S. Code of Federal Regulations.*

7 CFR 2902. May 14, 2008. "Designation of Biobased Items for Federal Procurement: Final Rule." *U.S. Code of Federal Regulations*

Attachment D

EMCBC RECORD OF REVISION

DOCUMENT

If there are changes to the controlled document, the revision number increases by one. Indicate changes by one of the following:

- I Placing a vertical black line in the margin adjacent to sentence or paragraph that was revised.
- I Placing the words GENERAL REVISION at the beginning of the text.

Rev. No.	Description of Changes	Revision on Pages	Date
1	Original Development	All	08/06/08