EPA Assessment and Recommendation of Private Sector Standards & Ecolabels: Pilot Results, Implementation, and You

ISWG
May 2017
A GENDA

• EPA Environmentally Preferable Purchasing Program Orientation
• 2016 Pilot Results: The Recommendations of Specifications, Standards, and Ecolabels
• Implementation in 2017
  • Integrating the EPA Recommendations into federal procurement (Category Management & GreenCheck)
  • Tools for future assessments of standards & ecolabels based on pilot learnings
• Key Questions for ISWG
A complex set of Hotspots facing purchasers...

- Human Health
- Habitat Alteration
- Reuse/recycle Options
- Embodied Resources
- Air Emissions
- Water Efficiency
- Ozone Depletion Potential
- Resource Extraction
- Safer chemical alternatives
- Durability
- Packaging
- Biodegradability
- Transport
- Material Optimization
- Global Warming Potential
- Corporate/Enterprise Social Responsibility
- Options

COMPLEX SET OF HOTSPOTS FACING PURCHASERS...
The Environmentally Preferable Purchasing Program

- Coordinate and provide **EPA technical input** for key product sustainability standard development efforts
- **Assess** and **recommend** standards & ecolabels
- **Help federal agencies procure** products and services conformant with our recommended standards and ecolabels
- **Measure** the economic and environmental benefits of this work
Ecolabels found in the US Marketplace in 1995
Ecolabels found in the US Marketplace in 2011 (70+)

- USDA Organic
- Energy Star
- Certified Organic
- EPI Green Label
- SmartWay
- Marine Aquarium Council
- Marine Stewardship Council
- Seafood Watch
- ECO-LOGO
- WaterSense
- SFI
- PEFC
- RoHS
- Certified Humane
- Marine Stewardship Council
- GreenGuard
- US EPA Certified
- Energy Star
- EPEAT
- Certified Sustainable
- US Green Building Council
- Green Works
- Greenlist
- Bright Green
- Whole Trade Guarantee
- Office Depot
- EcoSense
- EcoLAID
- Future Friendly
- Compostable
- Green/blue/green/green
- Nature's Promise
- Smart Certified
- FSC
- Patagonia
- Canon
- CVS primary earth essentials
- Energy Verified
- OTC
- Eco Options
- 3S / Safe
- SGS
- UL
- Green Seal
- GSA
- Patagonia (US-Johnson)
Ecolabels found in the Global Marketplace today (400+).
An increasingly complex marketplace of messaging –

Mine is effective.

Mine is credible.

Mine is greenest.

...and it’s a good problem to have!
**Approach: EPA Recommendations**

*Leveling the Playing Field & Bringing Clarity to the Marketplace*

**Global Marketplace**

400+

**EPA Recommended Standards & Ecolabels**

**Independent Assessment**

Based on multi-stakeholder developed

**EPA Guidelines**

OR

Review and use by another federal agency

(currently DOE or GSA PBS)
Many issues for EPA & the Pilot Panels & Governance Committee

- How to identify/define the hotspots?
- When is self-declaration okay vs third party certification?
- Specifications to fill gaps in standards?
- Which purchase categories next?
- Interactions with statutory purchasing mandates?
- Weighing Process vs Substance?
- Baseline vs Leadership?
- Multi-attribute vs single attribute?
- DMB Information Collection Approval
- Ease of use for purchasers
- Voluntary Consensus Standards vs other models?
- Decision Rules and Definitions
- Role of Disclosure in EPP?
- International Trade implications?
- Business Models for Assessments?
- N/A?
Pilot Applicant Community

• Approximately 20 organizations submitted ~50 standards/certifications/ecolabels for assessment
  • Component-specific (wood, textiles) and finished product standards
  • Sector-specific standards (NSF 140-Carpet) and standards applicable to multiple product types (Cradle to Cradle)
  • Multi-impact/lifecycle stage and single-impact/lifecycle stage
  • Programs with certification integrated (GreenSeal), open to others that are accredited (BIFMA), and many other models
EPA Guidelines for Assessing Environmental Performance Standards and Ecolabels

Section I - Standard Development Process
- Assessment Criteria & Example Sources of Evidence

Section II - Environmental Effectiveness
- Assessment Criteria & Example Sources of Evidence

Section III - Conformity Assessment Procedures
- Assessment Criteria & Example Sources of Evidence

Section IV - Ecolabel Program Management
- Assessment Criteria & Example Sources of Evidence
EPA Recommendations of Non-Federal Standards & Ecolabels

epa.gov/greenerproducts
Hierarch of Preference

1st Choice: effective multi-attribute standards and ecolabels for which EPA has been able to confirm the availability of a competent certification body

2nd Choice: effective multi-attribute standards and ecolabels for which EPA has NOT been able to confirm the availability of a competent certification body

3rd Choice: Effective/relevant single attribute / single material standards and ecolabels

PLUS specifications to fill gaps in standards...
Hazardous Flame Retardants:
Upholstered products shall meet Technical Bulletin 117-2013 (California’s furniture flammability standard) and must comply with the labeling requirements of California Senate Bill 1019, which was passed on September 30, 2014, and requires a label indicating whether the product contains or does not contain added Flame Retardants.
Since some standards meet this critical Guideline through an optional credit or do not address VOCs at all (i.e., other single attribute standards):

EPA Recommends the following Indoor Air Quality/VOC Emission specifications, where applicable:

- **For Furniture:**
  
  *Products shall meet ANSI/BIFMA X7.1 Standard for Formaldehyde and TVOC Emissions, or equivalent.*

- **Note:** Beginning December 2017, products shall instead meet the emissions requirements of BIFMA e3 Criterion 7.6.2, or equivalent.

- **For Flooring:**
  
  *Products shall meet the California Department of Public Health (CDPH) Standard Method for the Testing and Evaluation of Volatile Organic Chemical Emissions from Indoor Sources Using Environmental Chambers, Version 1.1-2010. (This is the VOC emission testing method for California Specification 01350.)*
To the extent practicable & applicable, products/services purchased by feds must meet the following:

**Mandated by name in statutes**
- BioPreferred (Farm Security & Rural Investment Act)
- CPG (RCRA)
- (Energy Policy Act 2005)
- FEMP (Federal Energy Management Program)

**AND**

**Other EPA programs to help meet fed purchasing reqs**
- SAFER CHOICE
- WaterSense
- SNAP
- SmartWay

(48 CFR 23.703)

**OR**

**EPA recommended non-federal standards/labels/specs**
- (NITAA and OMB A-119)

https://sftool.gov/greenprocurement
Other resources on the site

Sustainable Marketplace: Greener Products and Services

Recommendations of Specifications, Standards, and Ecolabels for Federal Purchasing

The recommendations of specifications, standards, and ecolabels are intended to help federal purchasers identify and procure environmentally sustainable products and services. Part of the recommendations are based on an independent assessment of private sector environmental performance standards and ecolabels against the multi-stakeholder developed EPA Guidelines for Environmental Performance Standards and Ecolabels.

Where an independent assessment of a standard or ecolabel against guidelines does not exist, the recommendations are based on specifications, environmental performance standards and ecolabels selected and utilized by other agencies. Currently, the recommendations include standards and ecolabels from:

- Department of Energy's (DOE) FY17 Priority Products List
- General Services Administration's (GSA) Key Sustainable Products

In general, the recommendations give preference to multi-

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Implementation Focus in 2017: Integrating EPA Recommendations into Federal Procurements

• Improving clarity/organization of EPA Recommendations
• Assisting OMB, GSA in streamlining federal procurement through category management with a focus on IT and Facilities & Construction
• Providing model contract language and guidance to vehicle owners
  • Building on existing contract language from “Best in Class” contract vehicles
• Providing measurement and recognition
Background on

- 2015 OMB / CEQ request on integrating federal sustainability requirements into CAP (Common Acquisition Platform) & AG (Acquisition Gateway)
- Engaged 40 procurement/sustainability leaders/experts/stakeholders from 10 agencies
- First, IT hardware hallway / spend categories
- Now Facilities & Construction Hallway
NITAAC CIO-CS

Managed By: NIH

Our newest GWAC, CIO-CS, covers any commercial item that can be purchased at fixed price, using one of these two models: 1. On-Premise Model: deploy commodities and products onsite either within the Government site or at a contractor ...

Schedule 70: Information Technology

Managed By: GSA

Schedule 70 covers general purpose commercial information technology equipment, software, and services.

SEWP

Managed By: NASA

Solutions for Enterprise-Wide Procurement (SEWP, pronounced 'soup'), is a multi-award Government-Wide Acquisition Contract (GWAC) vehicle focused on IT products and product-based services. The 37 pre-competited Contract Holders offer a wide ...

Fee:
0.36%

Availability:
All DoD and Civilian Agencies

Fee:
0.75% (built into catalog price)

Availability:
All DoD and Civilian Agencies

Fee:
0.39%

Availability:
All DoD and Civilian Agencies
### AG Facilities & Construction Hallway: Status

<table>
<thead>
<tr>
<th>Contract Vehicle</th>
<th>Agency Owner</th>
<th># of product types with required ecolabels covered by this contract vehicle</th>
<th># of those product types with proper references to ecolabels</th>
<th># of those product types without proper references to ecolabels</th>
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<tbody>
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<td>GSA</td>
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<td>Schedule 51V</td>
<td>GSA</td>
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<td>UNICOR</td>
<td>Prisons</td>
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</table>
Sample GreenCheck contract language for the BMO RFP and other F&C Vehicles

- At the master contract level, calls on offerors to provide green products to the maximum extent possible.

- At the purchase order level, federal buyers are required to purchase green products unless an exception applies (price, performance or delivery)
The Contractor shall provide products that comply with the federal sustainable acquisition policy, as outlined in FAR Subpart 23.1, during performance of this contract unless authorized in writing at a task order level. This requires the Contractor to supply or provide environmentally sustainable (i.e., green) products to the maximum extent possible without jeopardizing the intended end use or detracting from the overall quality delivered to the end user. This includes products that are:

1. Delivered to the Government during performance;
2. Acquired by the Contractor for use in performing services at a Federally-controlled facility; or
3. Furnished by the Contractor for use by the Government.

“Sustainable products and services” means products and services, including construction, that:

Statutory mandates. Meet statutory mandates for purchasing—
- CPG
- ENERGY STAR®
- FEMP
- BioPreferred®

EPA programs. Are identified by EPA programs, including—
- SNAP …
- WaterSense® …
- Safer Choice … and
- SmartWay® …

Environmental preferability beyond EPA programs. Are environmentally preferable products or services that—
- Meet or exceed specifications, standards, or labels recommended by EPA, see https://www.epa.gov/greenerproducts; …

Renewable energy. Are purchased renewable electric energy or purchased alternative energy …
Next Steps for the Guidelines & Recommendations: Integrating Lessons from the Pilot

• New cross-sector iteration of the Guidelines based on pilot learnings and stakeholder feedback

• “How to” Manual for Independent Assessment Entities
Key Questions for ISWG

- Feedback on the 2017 implementation focus?
  - Acquisition Gateway contract vehicles via GreenCheck
  - Guidelines & Assessment Manual so others may build on this work
- Other ideas/feedback?
  - Unified Facilities Guide Specs & GSA’s P100
  - Relationship to Guiding Principles?
  - Encouraging ecolabel and certification programs to share and standardize their data for easier uptake in e-procurement systems
“EPA’s identification of standards and ecolabels for use by Federal agencies has been a godsend. We are always looking for ways to make it easier for our contractors to buy green consistent with Federal requirements. The EPA Recommendations make it simple for our contractors to locate compliant products, reduce supply chain risk through enhanced product integrity, and enable the many US businesses that use private sector standards and/or ecolabels to demonstrate the environmental preferability of their products.”

Rebecca Stevens
PBS Sustainable Purchasing Lead
Office of Acquisition Management & Policy
GSA Public Buildings Service
FEEDBACK? QUESTIONS?

EPA’s “Sustainable Marketplace: Greener Products & Services”: http://www.epa.gov/greenerproducts

Green Procurement Compilation: https://sftool.gov/greenprocurement

U.S. policy and information resources on standards: http://standards.gov

Alison Kinn Bennett – Kinn.Alison@epa.gov 202-564-8859
BACKPOCKET SLIDES
EPP Program Authorities & Current Status

- The P2 Act [42 U.S.C.A. §13103(b)(11)]
- Various clauses and subparts of FAR 7, 11, 12, 13, and 23
- Executive Orders for environmental leadership in the Federal government since 1993
  - FAR Case to integrate EO 13693 into the Federal Acquisition Regulations moving forward; public comments to be considered
- National Technology Transfer and Advancement Act & OMB Circular A-119
### Custodial Product Categories

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<thead>
<tr>
<th>Cleaners: Carpet, Glass, Multipurpose</th>
<th>Floor Care</th>
<th>Hand Soap</th>
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</thead>
<tbody>
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<td>Named in statutes:</td>
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<thead>
<tr>
<th>Towels-Paper</th>
<th>Wastebasket Liners (24” x 33” or smaller)</th>
<th>Toilet Tissue</th>
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## Construction Product Categories

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<thead>
<tr>
<th>Adhesives</th>
<th>Insulation</th>
<th>Ceiling Tiles - Acoustical</th>
<th>Fiberboard, Gypsum Panels, and Wallboard</th>
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- **SNAP** (Sustainable Nonwoven Adhesive Polymer) is a certification mark for environmentally friendly adhesive products.
- **Certifications** include eco-friendly and sustainability standards.
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<th>Interior Latex Paint</th>
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