MEMORANDUM OF AGREEMENT
BETWEEN

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED,

NATIONAL INDUSTRIES FOR THE BLIND,

NISH,

U.S. DEPARTMENT OF THE INTERIOR,

AND

U.S. ENVIRONMENTAL PROTECTION AGENCY

August 2000

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I. COMMON AGREEMENTS AND PRINCIPLES; AUTHORITY

In the spirit of cooperation to help protect the environment and to support training and employment opportunities for people who are blind or have other severe disabilities, this Memorandum of Agreement (MOA) is a voluntary agreement between and among its participants:

- Committee for Purchase From People Who Are Blind or Severely Disabled (Committee);
- National Industries for the Blind (NIB);
- NISH, (serving people with other severe disabilities);
- U.S. Department of the Interior (Interior); and
- Environmental Protection Agency (EPA).

NIB and NISH are nonprofit organizations that furnish products and services to government entities pursuant to the Javits-Wagner-O'Day (JWOD) Act as a mandatory source. Interior is a purchaser of JWOD products and services. EPA, in addition to being a purchaser of JWOD products and services, has technical expertise in the area of environmentally preferable products and services, including items that are manufactured using recycled materials.

The purpose of this MOA is for the participants to enter into a partnership to sell and to purchase products and services that have a reduced environmental impact by minimizing solid waste, preventing pollution, using less toxic substances, consuming fewer resources, saving energy, and reducing greenhouse gas emissions, or that otherwise have a reduced impact as compared with comparable products. The participants to this MOA recognize that the following two goals are mutually supporting: maximizing Federal agency purchases of environmentally preferable products and services, and purchasing the same from a mandatory source that generates training and employment opportunities for people who are blind or have other severe disabilities through

the Federal acquisition process. Both goals will be realized by enhanced promotion of JWOD products and services that possess desirable environmental attributes.

The authority for this MOA is the Resource Conservation and Recovery Act (RCRA), as amended, the Pollution Prevention Act of 1990, the Javits-Wagner-O'Day (JWOD) Act, as amended, the Federal Acquisition Regulation, Executive Order (E.O.) 13101, "*Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*," and E.O. 13134, "*Developing and Promoting Biobased Products and Bioenergy*." The participants hereby agree that principles of good faith partnership and steadfast adherence to the purposes of this MOA will govern their conduct hereunder.

II. RESPONSIBILITIES OF THE PARTICIPANTS

A. U.S. Department of the Interior

1. Articulation of Customer Needs for Green Products.
Interior has established Green Procurement and Property Management Goals in its *Strategic Plan for Greening the Interior Through Waste Prevention, Recycling, and Federal Acquisition.* These goals are contained in Attachment A to this MOA. Through these goals and other means, Interior agrees to articulate the environmental attributes of products and services that it desires to purchase from JWOD/NIB/NISH and to work toward obtaining these products and services through mandatory sources that are assigned these products as per Federal Acquisition Regulation (FAR) Section 8.001.

2. Promotion of "DOI Buys Green with JWOD."
Interior will promote, within Interior offices, agencies and bureaus, the purchase of recycled-content, and environmentally-preferable products and services furnished by JWOD/NIB/NISH nonprofit agencies. Interior will promote the JWOD Program as a way of complying with recycled purchasing requirements under Section 6002 of RCRA, and for purchasing environmentally preferable products whose environmental attributes have been evaluated for authenticity. Promotion of "DOI Buys Green with JWOD" will occur through training, memorandum, printed brochures, displays, and other means. This promotion and preference consideration will be consistent with the Federal Acquisition Regulation (FAR) Section 8.001.

3. Price Premium for Life-Cycle Cost and Environmental Advantages.
In promotion of JWOD products and services that possess desirable environmental attributes, Interior purchasers will be reminded that life-cycle cost advantages and environmental benefits may justify purchasing these products at a higher cost than otherwise comparable products that do not possess these attributes**.**

4. Website Promotion, Linkages, and Feedback Forums.
Interior will establish Internet linkages from websites managed within the Office of Environmental Policy and Compliance and the Office of Acquisition and Property Management to websites managed by the Committee, NIB, NISH and JWOD-associated nonprofit agencies. Interior will encourage its bureaus to establish similar linkages. Interior will establish a web-based forum for discussion about green products, which will allow for Interior purchasers also to provide feedback on JWOD products.

5. Customer Input into JWOD Marketing.
Interior will work with the Committee's marketing program to advise how catalogs and websites can best communicate and promote environmental attributes of JWOD products to Interior personnel.

6. Promoting Use of JWOD Products and Services in Contracts.
Interior agrees to encourage the use of JWOD/NIB/NISH products and services in contracting beyond what is statutorily mandated, both in prime contracts and subcontracts. Interior will promote specification of JWOD/NIB/NISH products in Statements of Work, and seek means to provide prime contractors with an incentive to award subcontracts to JWOD-associated agencies. Interior will pursue innovative contracting methods and techniques that serve to remove constraints to JWOD-associated agencies' competitiveness.

7. Main Interior Building Supply Store.
Interior will pursue a relationship with a JWOD nonprofit agency to develop a supply store in the Main Interior Building.

B. <u>Committee for Purchase From People Who Are Blind or Severely Disabled</u>

1. Green Product Development Guidance.
The Committee will coordinate with EPA, NIB and NISH, in developing guidance for NIB/NISH associated agencies which introduces green product concepts and resources, such as the Comprehensive Procurement Guidelines, and the "Final Guidance on Environmentally Preferable Purchasing for Executive Agencies." The guidance also will describe the following:

- How to map the product life-cycle from the acquisition of raw material to final disposal;
- How to identify aspects in this life-cycle that could be improved to have a reduced negative impact on the environment;
- How to modify product production processes to capture environmental benefits;
- How to verify attributes of a product through self-auditing and third-party certification; and
- How to market environmental attributes in a manner that is meaningful to federal purchasers and consistent with regulations and guidelines of the Federal Trade Commission.

2. **JWOD Green Products Database Design.**
The Committee will design a database of NIB and NISH products and services that identify which products contain recycled-content material and/or fiber, those that possess an environmental attribute or that have biobased content. Also, all NIB/NISH products that fall within categories designated by the U.S. Environmental Protection Agency (EPA) as part of the Comprehensive Procurement Guidelines (CPG) will be reviewed for compliance with the CPG-designated recycled-content range for that product. The database will include information such as: the National Stock Numbers (NSN); the Commercial Item Description; CPG category (as applicable); the product's total recycled content and the percentage of postconsumer material and/or fiber; the status/basis of verification used to confirm its recycled content; and the name of the source agency. Information pertaining to other environmental attributes shall be included as well.

3. **List of Product Attributes.**
Based upon information provided by NIB and NISH, the Committee will develop a list of products with other environmental attributes, organized by product category, indicating the environmental attribute of that product, the basis of verification used to confirm the attribute claims, and the name of the source agency.

4. **Catalogs and Marketing.**
The Committee will determine what logos and/or reference wording to use to describe products and services that have certain environmental attributes in product and service literature, and marketing catalogs. These logos or reference words will communicate characteristics which can be substantiated (such as "biodegradable" or "compostable") rather than making less specific references to product characteristics (such as "earth-friendly"). Marketing claims will be made pursuant to FTC guidelines for environmental marketing claims.

5. **Process Facilitation.**
The Committee will facilitate ongoing review of progress made by all participants to this agreement by organizing and hosting periodic meetings of the participants.

C. <u>National Industries for the Blind (NIB)</u>

1. **Green Product Attribute Review and Verification.**
Using guidance developed by the Committee, NIB will undertake and coordinate efforts to review the products developed and marketed by NIB associated nonprofit agencies to verify environmental attributes and to document the resulting information.

2. Product Database.
NIB will submit data in the format specified by the Committee on the development of the above mentioned database.

3. Making Products Greener.
NIB will work with nonprofit agencies to develop recycled content products in an attempt to replace the products that do not comply with the Comprehensive Procurement Guidelines. Similarly, NIB will help agencies that would like to redesign or enhance products to have environmental attributes or biobased content. NIB will work to develop certified chlorine-free, recycled content copy paper, bathroom tissue, and paper towels, as appropriate**.**

4. Training.
NIB will make available environmental training to associated nonprofit organizations during annual conferences where training is offered, and through other training mechanisms. NIB will coordinate with the Committee, EPA, Office of the Federal Environmental Executive, Federal Trade Commission, and other Federal agencies to have the most comprehensive up-to-date information available to NIB-associated nonprofit organizations.

D. NISH

1. Greening Janitorial Services.
NISH agrees to provide guidance and training to associated nonprofit agencies that provide janitorial services on how to incorporate pollution prevention practices and use more environmentally preferable products.

These efforts will include:

- Development of a list of environmentally-preferable chemical cleaning products, by brand name, organized by product category. The list will be developed using attributes identified in third party standards (such as Green Seal), attributes used in the EPA/GSA Chemical Cleaning Pilot Project, and through other means. The product list will emphasize NIB cleaning products that are determined to be environmentally preferable;

- Development of a list of janitorial supplies (i.e., bathroom tissue, paper towels, trash bags, etc.) that comply with the Comprehensive Procurement Guidelines requirements for recycled content. Emphasis will be placed on paper products manufactured without the use of chlorine. The product list will emphasize NIB cleaning products that are determined to be environmentally preferable; and

- Development of a model cleaning stewardship plan, consistent with ASTM Standard E-1971, "Standard Guide on Stewardship for Cleaning Commercial and Institutional Buildings."

2. Environmentally-beneficial Groundskeeping.
NISH will provide guidance to associated agencies on environmentally-preferable groundskeeping services.

These efforts will include:

- Development of a list of environmentally-preferable standard operating procedures, consistent with the "Guidance for Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds," developed by the Federal Environmental Executive; and

- Development of a list of environmentally-preferable products used in groundskeeping, identified by brand name, organized by product category, and indicating the associated environmental attributes. These products will be evaluated for environmental attributes using principles established in EPA's "Final Guidance on Environmentally Preferable Purchasing for Executive Agencies," dated August 20, 1999. Equipment and products used in grounds keeping services will be reviewed for compliance with the Comprehensive Procurement Guidelines. The products list will include information on biobased lubricants for lawn mowing equipment.

3. Green Product Attribute Review and Verification.
Using guidance developed by the Committee, NISH will undertake and coordinate efforts to review the JWOD products developed and marketed by NISH-associated nonprofit agencies to verify environmental attributes and to document the resulting information.

4. Product Database.
NISH will submit data in the format specified by the Committee on the development of the above mentioned database.

5. Making Products Greener.
NISH will work with JWOD nonprofit agencies to develop recycled content products to replace the JWOD products that do not comply with the Comprehensive Procurement Guidelines. Similarly, NISH will help agencies that would like to redesign or enhance products to have environmental attributes or biobased content.

6. Training.NISH will make available environmental training to associated nonprofit organizations during annual conferences where training is offered, and through other training mechanisms. NISH will coordinate with the Committee, EPA, Office of the Federal Environmental Executive, Federal Trade Commission,

and other Federal agencies to have the most comprehensive up-to-date information available to NISH-associated nonprofit organizations.

E. Environmental Protection Agency

1. Analysis on Greening Priorities.
EPA will undertake an analysis of NIB/NISH products and services to help identify those that have the greatest potential for "green" redesign based on the ability to influence sources of material and supply, the potential environmental benefits to be gained, and the "market-readiness" for such a "green" product or service.

2. EPP Training.
EPA will coordinate with the Committee to provide training to NIB and NISH groups on environmentally preferable purchasing principles, on product life cycle analysis, product stewardship, on the use of third-party standards, on the Federal Trade Commission regulations for environmental claims, the Comprehensive Procurement Guidelines, and other relevant topics.

3. Technical Expertise As-Needed.
EPA will convene specialized expertise as requested by NIB/NISH- associated nonprofit agencies and, as resources permit, to help with the review and redesign of particular products or services.

4. JWOD Sources Included in CPG Vendor List.
EPA will ensure that JWOD products and services that meet CPG criteria shall be added to lists of manufacturers and vendors that are distributed via the Internet and otherwise. The JWOD list will be highlighted and information will include a list of producing/performing agencies. Language regarding JWOD Program being a mandatory source for Federal employees will be included. All information pertaining to the CPG lists shall be provided by the Committee, NIB, NISH, and NIB/NISH-associated nonprofit agencies.

III. PERFORMANCE MEASURES

In order to help gauge the effectiveness of this MOA in furthering the interests of all signatories, performance measures will be drafted, and information collected to track against these measures. These measures will include, but not be limited to, NIB/NISH sales data for certain products that have been verified or certified as possessing environmental attributes and that have been marketed based on these environmental attributes.

IV. DURATION

This MOA will be in effect for a period of thirty-six (36) months after its start date, unless otherwise shortened or extended by written agreement of the participants. This MOA may be terminated upon thirty (30) days written notice of any participant.

V. MISCELLANEOUS

Nothing herein shall be construed to change the obligations of the participants under any existing contractual relationships or Federal law.

Except as may specifically be agreed to in writing elsewhere, the Government is not obligated to expend any funds or make particular resources available in furtherance of this MOA.

VI. SIGNATORIES

The undersigned individuals hereby execute this Memorandum of Agreement on behalf of their respective principals. This agreement takes effect when signed by all participants.

For U.S. Department of the Interior:

John Berry
Assistant Secretary
Policy, Management and Budget

For U.S. Environmental Protection Agency

Susan Wayland
Assistant Administrator, Acting
Office of Prevention, Pesticides,
and Toxic Substances

For the Committee for Purchase From People Who Are Blind or Severely Disabled

Kenneth J. Oscar
Chairperson

For National Industries for the Blind:

James Gibbons
President and Chief Executive Officer

For NISH:

for Daniel W. McKinnon, Jr.
President and Chief Executive Officer

ATTACHMENT A

Goals for Greening the Department of the Interior
Through Waste Prevention, Recycling, and Federal Acquisition

Waste Prevention and Recycling Goals

DOI will endeavor to minimize the creation of solid waste through waste prevention, and recycling. DOI is committed to creating a culture of waste awareness in all DOI employees who then are motivated to take actions to avoid the generation of waste. Waste not generated is difficult to measure, and, thus, is not included in the goals below. The Department seeks to capture associated benefits from these activities, including: reduced use of landfill space; lower landfill tipping expenses; reuse of valuable commodities; reduced energy consumption; and reduced greenhouse-gas emissions. Specifically, DOI will:

- Divert solid waste from disposal in landfills through recycling at the rate of 40% by the year 2000, 45% by year 2005, and 50% by year 2010. Individual bureau facilities goals must meet applicable state requirements, summarized in Appendix B, if higher . (Note: No base year is required for diversion rate calculation, see Tracking Goals section below.)

- Recycle the following commodities at all facilities unless significant barriers exist (e.g., lack of markets, cost): white paper; mixed paper/newspaper; cardboard; aluminum; plastic (#1 PET and #2 HDPE); glass; pallets; scrap metal; toner cartridges; and, consistent with applicable hazardous waste regulations, fluorescent lamps and ballasts; batteries; used oil, antifreeze, and tires.

DOI Green Procurement and Property Management Goals

The DOI goal is to purchase products that have the highest percentage of recovered materials practicable, considering product price, availability, and performance. DOI will focus this effort particularly on products designated by the Environmental Protection Agency (EPA) in the Comprehensive Procurement Guideline (CPG), summarized in Appendix C. The DOI goal also is to purchase evironmentally preferable products and biobased products.

Targeting products and services purchased routinely, DOI commits to reach one- hundred percent compliance with the following goals, and to improve by at least 30% each year until these goals are achieved (FY 2000 becomes baseline):

- Operate all DOI-managed fleet vehicles (including owned and leased) using re-refined oil, retread tires (when replacing tires), and reclaimed engine coolant. (Note: Certain vehicle types will be targeted for retread use when replacing tires as clarified in forthcoming Department guidance.)

- Utilize in the operation of all DOI facilities (including owned and leased space) recycled-content bathroom tissue, paper towels, and plastic trash bags.

- All copy paper used by DOI will contain at least 30% postconsumer material.

- At all DOI facilities, utilize copy paper, bathroom tissue, and paper towels that have been manufactured without the use of chlorine in deinking and bleaching.

- Utilize either recycled content carpet (face fiber or backing) or factory- refurbishable carpet for all new installations in DOI facilities.

- On a pilot basis, utilize biobased, biodegradable lubricating and hydraulic oils in equipment where spillage to the environment might occur (e.g., chain saws, marine outboards, lawn mowers, and snow mobiles).