

NCA GREEN PURCHASING PROCEDURES

1. REASON FOR ISSUE: This handbook states National Cemetery Administration (NCA) procedures for the purchase of environmentally preferable products and services.

2. SUMMARY OF MAJOR CHANGES: This handbook includes:

- a. Updated position and organization titles and responsibilities;
- b. Information about new Executive Order 13514 related to environmental purchasing; and
- c. Updated and new relevant websites.

NOTE: *New/revised information is indicated by a line in the left margin.*

3. RESPONSIBLE OFFICE: National Cemetery Administration Contracting Service, Stafford, VA, is responsible for the content of this handbook.

4. RELATED DIRECTIVES/HANDBOOKS/NOTICES:

- a. VA Handbook 0052 - Affirmative Procurement, Recycling, and Waste/Pollution Prevention Programs (June 14, 2002)
- b. VA Handbook 0053 – Environmental Excellence Awards Program (September 18, 2006)
- c. VA Directive 0055 – VA Energy and Water Management Program (January 15, 2010)
- d. VA Handbook 0055 – VA Energy Conservation Program (July 28, 2003)
- e. VA Directive 0057 - VA Environmental Management Program (January 15, 2010)
- f. VA Financial Policies and Procedures, Volume XVI - Chapter 1. Government Purchase Card (February 16, 2011)
- g. NCA Handbook 4080 - NCA Government Purchase Card Procedures (April 28, 2008)
- h. NCA Notice 2011-11 - NCA Environmental Management Program (January 15, 2011)

5. RESCISSIONS: NCA Handbook 0058 - NCA Green Purchasing Procedures (January 9, 2008)

6. RECERTIFICATION: This publication is scheduled for recertification in April 2015.

/s/
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Under Secretary
for Memorial Affairs

NCA GREEN PURCHASING PROCEDURES

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SECTION I - INTRODUCTION

1. PURPOSE AND SCOPE

a. National Cemetery Administration (NCA) is committed to following Federal requirements for the affirmative procurement of environmentally preferable products and services. Any questions regarding the acquisition of environmentally preferable products and services by NCA staff should be directed to the Contracting Service in Stafford, Virginia.

b. NCA follows Department of Veterans Affairs (VA) policy, based on Executive Orders and Public Laws, that favors the acquisition of environmentally sound, energy efficient supplies and services whenever possible. **NOTE:** *NCA staff may access the VA Environmental Management Program website at <http://vawww.green.va.gov/environmental/>.*

c. Program guidance and reporting requirements are taken from relevant Public Laws, Executive Orders, and VA guidance. All VA acquisition actions are also subject to the government-wide Federal Acquisition Regulation (FAR) and VA Acquisition Regulation (VAAR). **NOTE:** *The FAR is published in title 48, Code of Federal Regulations (CFR). The VAAR is published at 48 CFR, Chapter 8.*

2. ADDITIONAL INFORMATION

a. The Environmental Protection Agency (EPA) has primary responsibility for enforcing the environmental statutes and regulations of the United States. EPA provides guidance and information, including Environmentally Preferable Purchasing Guides, electronically at <http://www.epa.gov/opptintr/epp/>. EPA guidance related to Environmentally Preferable Purchasing is centered around five guiding principles:

- Include environmental considerations as part of the normal purchasing process.
- Emphasize pollution prevention early in the purchasing process.
- Examine multiple environmental attributes throughout a product's life cycle.
- Compare environmental impacts when selecting products.
- Make purchasing decisions based on accurate and meaningful information about environmental performance of products and services.

b. The Office of the Federal Environmental Executive (OFEE) is responsible for promoting sustainable environmental stewardship throughout the Federal government. OFEE provides guidance on 'green purchasing' electronically at <http://ofee.gov/gp/gp.asp>.

c. Federal Facilities Environmental Stewardship & Compliance Assistance Center (at <http://www.fedcenter.gov/>) is the Federal government's home for comprehensive environmental stewardship and compliance assistance information.

d. VA Green Management Programs website (<http://www.green.va.gov>) provides links to the VA Strategic Sustainability Performance Plan; VA programs for Environmental Management, Fleet Management, and Energy & Water Management; and information about VA's energy projects.

3. ENVIRONMENTAL EXECUTIVE ORDERS (E.O.) SUMMARY

a. **E.O. 13423 (Strengthening Federal Environmental, Energy, and Transportation Management** - January 24, 2007) established new and updated goals, practices, and reporting requirements for environmental, energy, and transportation performance and accountability. The E.O. established the following environmental goals and agency responsibilities:

- **Vehicles:** Increase purchase of alternative fuel, hybrid, and plug-in hybrid electric vehicles when commercially available.
- **Fuel Use:** Increase non-petroleum-based fuel consumption at least 10% annually.
- **Water Consumption:** Reduce water consumption intensity in accordance with agency guidelines.
- **Renewable Power:** At least 50% of current renewable energy purchases must come from new renewable sources (placed into service after January 1, 1999).
- **Building Performance:** Construct or renovate buildings in accordance with sustainability strategies, including resource conservation, reduction, and use; siting; and indoor environmental quality.
- **Procurement:** Expand purchases of environmentally-sound goods and services, including biobased, environmentally preferable, energy-efficient, water-efficient, and recycled-content products. For example, paper products should have at least 30% post-consumer fiber content.
- **Pollution Prevention:** Reduce acquisition/use/disposal of toxic and hazardous chemicals and materials; maintain cost-effective waste prevention and recycling programs and purchase lower risk chemicals and toxic materials from the priority list.
- **Electronics Management:**
 - Annually, 95% of electronic products purchased must meet Electronic Product Environmental Assessment Tool standards where applicable. Energy Star features will be enabled on 100% of computers and monitors.
 - 100% of electronic products will be reused, donated, sold, or recycled using environmentally sound management practices.
 - Dispose of electronic equipment following VA and NCA information security guidelines.
- **Environmental Management Systems (EMS):** Implement EMS at all appropriate organizational levels to ensure use of EMS as the primary management approach for addressing environmental aspects of internal agency operations and activities.

b. **E.O. 13221 (Energy Efficient Standby Power Devices** - August 2, 2001) required Federal agencies that procure commercially available, off-the-shelf products that (1) use external standby power devices, or (2) contain an internal standby power function, to purchase products that use no more than one watt in standby power-consuming mode. If such products are not available, purchase products using the lowest standby power wattage in standby power-consuming mode. Agencies will follow these requirements when life-cycle cost-effective and practicable, and where the product's utility and performance are not compromised as a result.

c. **E.O. 13432 (Cooperation Among Agencies in Protecting the Environment with Respect to Greenhouse Gas Emissions From Motor Vehicles, Nonroad Vehicles, and Nonroad Engines** - May 14, 2007) required EPA and the Departments of Transportation and Energy to coordinate regulatory actions that affect or directly regulate emissions of greenhouse gases.

d. **E.O. 13514 (Federal Leadership in Environmental, Energy, and Economic Performance** - October 5, 2009) established an integrated strategy towards sustainability in the Federal Government and to make reduction of greenhouse gas emissions a priority for Federal agencies. The E.O. established the following goals and agency responsibilities:

- Develop, implement, and annually update a VA Integrated Strategic Sustainability Performance Plan to establish specific reduction goals and prioritize agency actions based on lifecycle return on investment.
- Reduce greenhouse gases by reducing energy consumption in buildings and the use of fossil fuels; increasing use of renewable energy resources; working with vendors and contractors on incentives to reduce greenhouse gas emissions; and accomplishing staff transit, travel, training, and conferences with lower-carbon commuting and travel options.
- Improve water use efficiency and management by reducing potable, industrial, and landscaping water consumption; and implementing storm water management guidance from EPA.
- Promote pollution prevention and eliminate waste by reducing generation of pollutants and waste; acquiring proper printing paper and reducing use; minimizing procurement, use, and disposal of toxic and hazardous chemicals and materials; recycling or recovering non-hazardous solid waste (including construction and demolition materials and debris) and compostable and organic materials; implementing integrated pest management and landscaping management practices; decreasing use of chemicals and using acceptable alternative chemicals and processes; and following reporting requirements of the Emergency Planning and Community Right-to-Know Act of 1986.
- Advance regional and local integrated planning by participating in transportation and energy planning that takes into account location; renewable energy; and environmental, watershed and ecosystem management.
- Implement high performance sustainability of Federal buildings by designing energy efficient structures; reducing energy, water, and materials in construction and use; optimizing existing and new real property and assets; and following the *Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings*.

- Advance sustainable acquisition of energy/water-efficient, biobased, environmentally preferable, non-ozone depleting, recycled, less/non-toxic products and services.
- Promote electronics stewardship through procurement of energy-efficient or environmentally preferable features on products and proper disposal of products.
- Sustain environmental management by implementing formal environmental management systems.

4. DEFINITIONS

Affirmative Procurement Program

The purpose of the Federal affirmative procurement program is to stimulate and foster markets of environmentally preferable products and recovered materials by maximizing VA's purchase and use of recycled products containing recovered materials and purchase of Energy Star products.

Biobased Products

a. Biobased products are commercial or industrial products (other than food or feed) that are composed (in whole or in significant part) of biological products or renewable domestic agricultural materials or forestry materials. The United States Department of Agriculture (USDA) is responsible for designating biobased products for Federal agency purchase. Biobased product information is available electronically at <http://www.biobased.oce.usda.gov/>.

b. Federal agencies must purchase biobased products designated by USDA where the purchase price of the item exceeds \$10,000 or where the quantity of such items (or of functionally equivalent items) purchased by VA during the preceding fiscal year cost a total of \$10,000 or more.

c. Federal agencies do not have to purchase USDA-designated biobased products when:

(1) Price/Performance/Availability requirements are not met (see below), or

(2) The preferred program for biobased products conflicts with the Solid Waste Act and the Resource Conservation and Recovery Act of 1976 (RCRA), as amended. RCRA requirements on the purchase of recycled products (such as paper, motor oil, tires, etc.) by Federal agencies take precedence over biobased product requirements.

Comprehensive Procurement Guidelines (CPG)

a. CPG products are (or can be) made with recovered materials. The Environmental Protection Agency (EPA) maintains a list of such items designated for purchase by Federal agencies. Federal agencies have one year from the date of publication of a final EPA rule to give the designated product procurement preference with the highest recovered material content level practicable.

b. A current list of CPG products in the following categories (construction, landscaping, non-paper office, paper, park and recreation, transportation, vehicular, and miscellaneous) is available electronically at <http://www.epa.gov/cpg/products.htm>. The website provides information about the percentage of recovered content in products, and possible vendor sources.

Electronic Product Environmental Assessment Tool (EPEAT)

EPEAT is an environmental procurement tool designed to help institutional purchasers evaluate, compare and select computer desktops, laptops and monitors based on their environmental attributes. The EPEAT website is accessible through the Environmental Protection Agency website at <http://www.epa.gov/epp/pubs/products/epeat.htm>.

Environmental Management System

A set of processes and practices that enable an organization to increase its operating efficiency, continually improve overall environmental performance and better manage and reduce its environmental impacts, including those related to energy and transportation functions. EMS implementation uses a standard process to identify and prioritize current activities, establish goals, implement plans to meet the goals, evaluate progress, and make improvements to ensure continual improvement.

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 that serve the same purpose. This comparison may consider raw materials acquisition, product, manufacturing, packaging, distribution, reuse, operation, maintenance, or disposal of the product or service.

Life-cycle Cost

The sum of the present values of capital costs, installation costs, operating costs, maintenance costs, and disposal costs over the lifetime of the project, product, or measure.

Life-Cycle Cost-Effective

The life-cycle costs of a product, project, or measure are estimated to be equal to or less than the base case (i.e., current or standard practice or product).

New Renewable Energy Sources

Sources of renewable energy placed into service after January 1, 1999.

Price, Performance, and Availability Exceptions

a. The only time that NCA staff are not required to purchase environmentally preferable products is when a product does not meet price, performance, and availability requirements. Specifically, the product:

- is not available competitively within a reasonable time frame,
- does not meet appropriate performance standards, or
- is only available at an unreasonable price.

b. If a decision is made to purchase products that do not conform to the environmentally preferable products specified in Executive Order 13423, as described in Section II of this handbook, the purchaser must prepare a written justification to be kept in the file for reporting purposes. (See Appendix for a template that can be used to document the required information.)

Renewable Energy

Energy produced by solar, wind, biomass, landfill gas, ocean (including tidal, wave, current and thermal), geothermal, municipal solid waste, or new hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project.

SECTION II - EXECUTIVE ORDER 13423
STRENGTHENING FEDERAL ENVIRONMENTAL, ENERGY, AND
TRANSPORTATION MANAGEMENT

1. POLICY

a. NCA will promote the priorities established in Executive Order 13423 in all procurements, with the goals of lowering the government's costs, achieving sustainable design principles, reducing energy and water consumption, and reducing the environmental impact. NCA managers and program officials will ensure that actions are taken to integrate environmental accountability into day-to-day decision making and long-term planning processes.

b. All staff should be aware that NCA requires purchase of Comprehensive Procurement Guidelines (CPG) products and biobased products unless they fail to meet Price/Performance/Availability (PPA) requirements (see Section I, paragraph 4. Definitions, for explanations of CPG, biobased, and PPA).

2. PROCUREMENT RESPONSIBILITIES

a. **Design and Construction Service** staff will:

(1) Consider the following factors when planning for procurements, evaluating and awarding contracts, and developing plans, drawings, work statements, specifications, or other product descriptions:

- elimination of virgin material requirements;
- use of biobased products;
- use of recovered materials;
- reuse of products;
- energy efficiency;
- water efficiency;
- life-cycle cost;
- recyclability;
- use of environmentally preferable products;
- sustainable design and energy reduction;
- waste prevention; and
- disposal of materials/products.

(2) Follow the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs, in implementing affirmative procurement programs at all NCA facilities.

(3) Follow E.O. 13423 and Resource Conservation and Recovery Act (RCRA) Section 6002 requirements for the purchase of environmentally preferable CPG products unless PPA requirements are not met.

(4) Follow VA Office of Construction & Facilities Management guidance to incorporate sustainable design and energy reduction strategies for new construction or renovation of existing buildings and structures, and land development.

(5) Ensure that 100% of products purchased meet or exceed Environmental Protection Agency (EPA)-specified guidelines unless written justification is provided that a product does not meet PPA requirements; and encourage aggregating purchases (making bulk buys) when doing so would lower costs.

(6) Use recovered materials and comply with any environmentally preferable purchasing criteria developed by the EPA in developing, reviewing, or revising Federal or military specifications, product descriptions (including commercial item descriptions), and standards.

(7) Purchase U.S. Department of Agriculture (USDA)-designated biobased products.

(8) Ensure compliance with the provisions of this E.O. in the acquisition and management of Federally-owned and -leased space. NCA staff will include environmental and recycling provisions in the acquisition and management of all leased space and in the construction of new buildings (E.O. Section 2.(f)).

(9) Initiate and maintain an Environmental Management System for addressing environmental aspects of internal organizational operations and activities. The Environmental Engineer oversees the Cemetery Environmental Management Systems (CEMS) requirements (E.O. Section 3.(b)).

(10) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13423 (E.O. Section 3.(c)).

(11) Manage NCA participation in the VA Environmental Excellence Award program by highlighting innovative programs and individuals demonstrating outstanding environmental leadership in implementing this and other "Greening the Government" Executive Orders. Issue annual guidance for the VA Environmental Excellence Awards program and coordinate submission of NCA nominations to the VA committee for potential recognition by VA and White House awards programs (E.O. Section 3.(c)).

b. NCA Contracting Service staff will:

(1) Consider the following factors when planning for procurements, evaluating, reviewing, and accepting contract criteria, work statements, specifications, or other product descriptions:

- elimination of virgin material requirements;
- use of biobased products;
- use of recovered materials;
- reuse of products;
- life-cycle cost;
- energy efficiency;
- water efficiency;
- recyclability;
- use of environmentally preferable products;
- sustainable design and energy reduction;
- waste prevention; and
- disposal of materials/products.

(2) Follow the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs, in implementing affirmative procurement programs at all NCA facilities.

(3) Follow E.O. 13423 and Resource Conservation and Recovery Act (RCRA) Section 6002 requirements for the purchase of CPG products unless PPA requirements are not met, and provide guidance for annual reporting of CPG purchases to the VA Office of Asset Enterprise Management.

(4) Ensure that 100% of products purchased meet or exceed EPA-specified guidelines unless written justification is provided that a product does not meet PPA requirements; encourage aggregating purchases (making bulk buys) when doing so would lower costs.

(5) Use recovered materials and comply with any environmentally preferable purchasing criteria developed by the EPA in developing, reviewing, or revising Federal or military specifications, product descriptions (including commercial item descriptions), and standards.

(6) Purchase USDA-designated biobased products.

(7) Ensure that contracts awarded by NCA for contractor operation of a Government-owned or -leased facility, and/or contractor or other support services at Government-owned or -operated facilities, include provisions that obligate the contractor to comply with the requirements of E.O. 13423.

(8) Ensure compliance with the provisions of this E.O. in the acquisition and management of Federally-owned and -leased space. NCA staff will include environmental and recycling provisions in the acquisition and management of all leased space and in the construction of new buildings (E.O. Section 2.(f)).

(9) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13423 (E.O. Section 3.(b)).

c. Memorial Service Network Directors and staff will:

(1) Consider the following factors when planning for procurements, evaluating and awarding contracts, and developing plans, drawings, work statements, specifications, or other product descriptions:

- elimination of virgin material requirements;
- use of biobased products;
- use of recovered materials;
- reuse of products;
- life-cycle cost;
- energy efficiency;
- water efficiency;
- recyclability;
- sustainable design and energy reduction;
- use of environmentally preferable products;
- waste prevention; and
- disposal of materials/products.

(2) Provide guidance to cemetery staff within the MSN to help implement the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/ Pollution Prevention Programs, in implementing affirmative procurement programs at all MSN facilities.

(3) Follow E.O. 13423 and Resource Conservation and Recovery Act (RCRA) Section 6002 requirements for the purchase of CPG products unless PPA requirements are not met .

(4) Ensure that 100% of products purchased meet or exceed EPA-specified guidelines unless written justification is provided that a product does not meet PPA requirements; encourage aggregating purchases (making bulk buys) when doing so would lower costs.

(5) Use recovered materials and comply with any environmentally preferable purchasing criteria developed by the EPA in developing, reviewing, or revising Federal or military specifications, product descriptions (including commercial item descriptions), and standards.

(6) Purchase USDA-designated biobased products.

(7) Ensure that MSN and cemetery staff follow the "Minimum Content Standards for Printing and Writing Paper" (E.O. Section 2.(d)(ii)) to purchase the following items with minimum content standard of no less than 30% post-consumer material: high speed copy paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, white woven envelopes, and writing and office paper. If paper containing 30% post-consumer material is not available following PPA requirements, purchase paper containing no less than 20% post-consumer material.

(8) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13423 (E.O. Section 3.(c)).

(9) Recognize programs and individuals or groups showing outstanding environmental leadership in implementing E.O. 13423 by submitting a nomination for the VA Environmental Excellence Award to Design and Construction Service. That office will provide annual guidance regarding the nomination process (E.O. Section 3(c)).

d. Cemetery Directors and staff will:

(1) Consider the following factors when planning for procurements, evaluating and awarding contracts, and developing plans, drawings, work statements, specifications, or other product descriptions:

- elimination of virgin material requirements;
- use of biobased products;
- use of recovered materials;
- reuse of products;
- life-cycle cost;
- energy efficiency;
- water efficiency;
- recyclability;
- sustainable design and energy reduction;
- use of environmentally preferable products;

- waste prevention; and
- disposal of materials/products.

(2) Follow MSN guidance and the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs, in implementing affirmative procurement programs at the cemetery.

(3) Follow E.O. 13423 and Resource Conservation and Recovery Act (RCRA) Section 6002 requirements for the purchase of CPG products unless PPA requirements are not met.

(4) Ensure that 100% of products purchased meet or exceed EPA-specified guidelines unless written justification is provided that a product does not meet PPA requirements; encourage aggregating purchases (making bulk buys) when doing so would lower costs.

(5) Use recovered materials and comply with any environmentally preferable purchasing criteria developed by the EPA in developing, reviewing, or revising Federal or military specifications, product descriptions (including commercial item descriptions), and standards.

(6) Purchase USDA-designated biobased products.

(7) Ensure that cemetery staff follow the "Minimum Content Standards for Printing and Writing Paper" (E.O. Section 2.(d)(ii)) to purchase the following items with minimum content standard of no less than 30% post-consumer material: high speed copy paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, white woven envelopes, and writing and office paper. If paper containing 30% post-consumer material is not available following PPA requirements, purchase paper containing no less than 20% post-consumer material.

(8) Purchase re-refined lubricating oil and retread tires from the EPA-designated CPG list in accordance with Section 6002 of the RCRA unless there are PPA issues.

(9) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13423 (E.O. Section 3.(c)).

(10) Recognize programs and individuals or groups showing outstanding environmental leadership in implementing E.O. 13423 by submitting a nomination for the VA Environmental Excellence Award to NCA Design and Construction Service. That office will provide annual guidance regarding the nomination process (E.O. Section 3.(c)).

e. Purchase Card Holders will:

(1) Follow the guidance in VA Directive and Handbook 4080 and NCA Handbook 4080 related to purchase card use.

(2) Follow the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs, in implementing affirmative procurement programs at all NCA facilities.

(3) Follow E.O. 13423 and Resource Conservation and Recovery Act (RCRA) Section 6002 requirements for the purchase of CPG products unless PPA requirements are not met .

(4) Ensure that 100% of products purchased meet or exceed EPA-specified guidelines unless written justification is provided that a product does not meet PPA requirements; encourage aggregating purchases (making bulk buys) when doing so would lower costs.

(5) Use recovered materials and comply with any environmentally preferable purchasing criteria developed by the EPA in developing, reviewing, or revising Federal or military specifications, product descriptions (including commercial item descriptions), and standards.

(6) Purchase USDA-designated biobased products.

(7) Follow the “Minimum Content Standards for Printing and Writing Paper” (E.O. Section 2.(d)(ii)) to purchase the following items with minimum content standard of no less than 30% post-consumer material: high speed copy paper, offset paper, forms bond, computer printout paper, carbonless paper, file folders, white woven envelopes, and writing and office paper. If paper containing 30% post-consumer material is not available following PPA requirements, purchase paper containing no less than 20% post-consumer material.

(8) Purchase re-refined lubricating oil and retread tires from the EPA-designated CPG list in accordance with Section 6002 of the RCRA unless there are PPA issues.

3. TRAINING INFORMATION

a. The Office of the Federal Environmental Executive offers information about green purchasing training at <http://ofee.gov/gp/training.asp>.

b. The General Services Administration provides web-based training for users of the SmartPay purchase card at <http://fss.gsa.gov/webtraining/trainingdocs/smartpaytraining/index.cfm>. Part III of “GSA SmartPay Purchase Card – Your Blueprint for Success” includes a section on purchasing recycled content, biobased, energy efficient, and environmentally preferable products, with links to the relevant program web sites.

4. REFERENCES

a. E.O. 13423 - Strengthening Federal Environmental, Energy, and Transportation Management (January 24, 2007) (available electronically at <http://www.archives.gov/federal-register/executive-orders/disposition.html>) (OFEE publication “*Instructions for Implementing E.O. 13423*” is available at http://ofee.gov/eo/eo13423_main.asp)

b. Energy Policy Act of 2005, Public Law 109-58 *

c. Clean Air Act (CAA) (42 United States Code (U.S.C.) 7401-7671q) *

d. Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), (42 U.S.C. 11001-11050) *

e. Farm Security and Rural Investment Act of 2002, Public Law 107-171 *

f. Resource Conservation Recovery Act (Public Law 94-580) *

g. Solid Waste Disposal Act, Public Law 89-272, as amended by the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended (42 U.S.C. 6901-6907) *

h. Federal Acquisition Regulation (FAR) (48 CFR Chapter 1, Parts 7, 11, 12, 13, 23, 36, 37, 42, and 52) (available electronically at <http://www.gpo.gov/fdsys/browse/collectiontab.action> and directly at www.arnet.gov/far)

i. VA Acquisition Regulation (VAAR) (48 CFR Chapter 8) (available electronically at <http://www.gpo.gov/fdsys/browse/collectiontab.action> and at <http://vaww1.va.gov/oamm/oa/ars/policyreg/vaar/index.cfm>)

j. VA Information Letters (available electronically at <http://vaww1.va.gov/oamm/rlib/Logistics.cfm> under “Policies/Procedures”)

- 049-07-3 “Cost Effective Paper Waste Reduction and Prevention Efforts” (11/28/2006)
- 049-07-4 “Green Purchasing Program Management Review” and Attachments (12/5/2006)
- 049-02-7 “Executive Order 13221, Energy Efficient Standby Power Devices” (4/16/2002)
- 049-02-11 “Executive Order 13148, Greening the Government Through Leadership in Environmental Management” (7/5/2002)
- 90-01-1 “Greening the Federal Government Executive Orders Implemented in the Federal Acquisition Regulation (FAR)” (11/8/2000)
- 90-95-10 “Receipt and Distribution of Recycling Revenues” (8/23/1995)

k. EPA Office of the Federal Environmental Executive “Guidance for Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds” (available electronically at <http://www.ofee.gov/> - see “More Links”)

l. VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs (June 14, 2002) **

m. VA Directive and Handbook 0053 – Environmental Excellence Awards Program (September 18, 2006) **

n. VA Financial Policies and Procedures, Volume XVI - Chapter 1. Government Purchase Card (available electronically at <http://www.va.gov/finance/policy/pubs/>)

o. VA Office of Construction & Facilities Management “Sustainable Design and Energy Reduction Manual” and other documents (available electronically at <http://vaww.va.gov/facmgt/standard/energy.asp>)

p. NCA Handbook 4080 – NCA Government Purchase Card Procedures (April 28, 2008) ***

* Public Laws (from 1973 to present) are available electronically at <http://thomas.loc.gov/>

** VA Directives/Handbooks available electronically at <http://www.va.gov/pubs/asp/edsdirec.asp>

*** NCA Handbook is available electronically at http://vaww.nca.va.gov/leg_req.asp

SECTION III - EXECUTIVE ORDER 13221
ENERGY EFFICIENTSTANDBY POWER DEVICES

1. POLICY

a. Under E.O. 13221, NCA staff will purchase commercially available, off-the-shelf products that:

(1) Use external standby power devices; or

(2) Contain an internal standby power function that uses no more than one watt in standby power-consuming mode.

NOTE: *If such products are not available, NCA staff will purchase products using the lowest standby power wattage in standby power-consuming mode.*

b. NCA will follow these requirements when cost-effective and practicable, and where the product's utility and performance are not compromised as a result.

c. The **Deputy Under Secretary for Management** is designated as the NCA Senior Energy Official.

2. PROCUREMENT RESPONSIBILITIES

a. **VA Office of Information and Technology staff** are responsible for ensuring that the computers and computer peripherals (including Blackberries and PDAs) purchased for use by NCA staff conform to E.O. 13221 Section 1 requirements. Requesters should follow the guidance provided in the "*Computer & Peripheral Request Procedures and Approved List*" posted on the NCA Intranet site (<http://vaww.cem.va.gov/>) under "Documents."

b. **Purchase card holders, or those authorizing the purchase** of the following items through purchase orders or other means, are responsible for ensuring that the purchase of other equipment that uses electrical power (such as copiers, facsimile machines, microwaves, refrigerators, heating/cooling units, cell phones, TVs, etc.) conforms to E.O. 13221 Section 1 requirements.

NOTE: *Information about the purchase of these and other items with low standby power wattage requirements can be found on the Federal Energy Management Program (FEMP) website at <http://www.eere.energy.gov/femp/procurement/>.*

3. DISPOSAL RESPONSIBILITIES

All NCA staff should dispose of electronic equipment in accordance with:

a. E.O. 13423 Section 2.(h)(iv); and

b. Information security guidelines published in VA Directive and Handbook 6500 – Information Security Program.

4. REFERENCES

a. E.O. 13221, Energy Efficient Standby Power Devices (July 31, 2001) available electronically at <http://www.archives.gov/federal-register/executive-orders/disposition.html> and at <http://ofee.gov/eo/eo.asp>)

b. Energy Policy Act of 2005, Public Law 109-58 *

c. National Energy Conservation Policy Act, Public Law 95-619 (42 United States Code 8252 *et seq*), as amended by the Energy Policy Act of 1992 (EPACT), Public Law 102-486 *

d. Federal Acquisition Regulation (FAR) (48 CFR Chapter 1, Part 23) (available electronically at <http://www.gpo.gov/fdsys/browse/collectiontab.action> and at www.arnet.gov/far)

e. Department of Veterans Affairs (VA) Acquisition Regulation (VAAR) (48 CFR Chapter 8) (available electronically at <http://www.gpo.gov/fdsys/browse/collectiontab.action> and at <http://vaww1.va.gov/oamm/oa/ars/policyreg/vaar/index.cfm>)

f. VA Directive and Handbook 6500 – Information Security Program (available electronically at <http://www1.va.gov/vapubs/>)

g. VA Information Letter 049-02-7, Executive Order 13221, Energy Efficient Standby Power Devices available electronically at <http://vaww1.va.gov/oamm/rlib/Logistics.cfm> under “Policies/Procedures”)

h. NCA “*Computer & Peripheral Request Procedures and Approved List*” (available electronically at <http://vaww.cem.va.gov/> under “Documents”)

* Public Laws (from 1973 to present) are available electronically at <http://thomas.loc.gov/>

SECTION IV - E.O. 13514
FEDERAL LEADERSHIP IN ENVIRONMENTAL, ENERGY, AND
ECONOMIC PERFORMANCE

1. POLICY

NCA will promote the priorities established in Executive Order 13514 in all procurements, with the goal of creating a clean energy economy and integrated strategy to reduce greenhouse gas emissions. NCA managers and program officials will ensure that actions are taken to integrate these priorities into day-to-day decisionmaking and long-term planning processes.

2. PROCUREMENT RESPONSIBILITIES

a. **All NCA staff** will consider strategies that reduce greenhouse gas emissions incurred in agency staff travel, training, and conferencing (E.O. Section 2.(b)(ii)).

b. **Design and Construction Service** staff will:

(1) Consider the following factors when planning for procurements, evaluating and awarding contracts, and developing plans, drawings, work statements, specifications, or other product descriptions:

- energy efficiency/consumption;
- potable and non-potable water efficiency/consumption;
- storm water management;
- reducing use of materials
- recovery/recycling of non-hazardous construction materials and debris
- transportation requirements
- use of biobased, environmentally preferable, recycled, non-toxic products; and
- sustainable design.

(2) Follow *Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings* in new construction, major renovations, repair, or alteration of Federal buildings (E.O. Section 2.(g)lii)).

(3) Include an energy usage and sources review in all Environmental Impact Statements and Environmental Assessments for new or expanded Federal facilities (E.O. Section 2.(f)(iv)).

(4) Coordinate with Federal, State, local, and tribal regional programs related to ecosystem, watershed, and environmental management (E.O. Section 2.(f)(v)).

(5) Follow VA Office of Construction & Facilities Management guidance to incorporate sustainable design and energy reduction strategies for new construction or renovation of existing buildings and structures, and land development.

(6) Implement formal environmental management systems at NCA facilities (Environmental Engineer) (E.O. Section 3.(j)).

(7) Identify opportunities to consolidate and dispose of existing real property (E.O. Section 2.(g)(vi)).

(8) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13514.

c. NCA Contracting Service staff will:

(1) Consider the following factors when planning for procurements, evaluating, reviewing and accepting contract criteria, work statements, specifications, or other product descriptions:

- energy efficiency/consumption;
- water efficiency/consumption;
- storm water management;
- reducing use of materials
- recovery/recycling of non-hazardous construction materials and debris
- transportation requirements
- use of biobased, environmentally preferable, recycled, non-toxic products; and
- sustainable design.

(2) Follow the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs, in implementing affirmative procurement programs at all NCA facilities.

(3) Ensure that 95% of new contract actions for products and services are Energy Star or Federal Energy Management Program (FEMP) designated, water-efficient, biobased, environmentally preferable (e.g., Electronic Product Environmental Assessment Tool (EPEAT) certified), non-ozone depleting, contain recycled content, or are non- or less-toxic alternatives that meet performance requirements (E.O. Section 2.(h)).

(3) Pursue opportunities to incorporate incentives for greenhouse gas emissions in dealings with vendors and contractors (E.O. Section 2.(b)(i)).

(4) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13514.

d. Memorial Service Network Directors, Cemetery Directors, and staff will:

(1) Consider the following factors when planning for procurements, evaluating contract criteria, and developing work statements, specifications, or other product descriptions:

- energy efficiency/consumption;
- water efficiency/consumption;
- storm water management;
- reducing use of materials
- recovery/recycling of non-hazardous construction materials and debris
- transportation requirements
- use of biobased, environmentally preferable, recycled, non-toxic products;
- sustainable design;
- waste prevention; and
- disposal of materials/products.

(2) Provide guidance to cemetery staff to help implement the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/ Pollution Prevention Programs, in implementing affirmative procurement programs at all MSN facilities.

(3) Wherever possible, and in accordance with targets stated in VA's Strategic Sustainability Performance Plan, increase use of renewable energy sources; and reduce greenhouse gas emissions by reducing use of fossil fuels by fleet vehicles; and supporting lower-carbon travel by staff (E.O. Section 2.(a) & (b)).

(4) Reduce potable water consumption in accordance with VA targets (E.O. Section 2.(d)(i)).

(5) Reduce facility industrial, landscaping, and agricultural water consumption (E.O. Section 2.(d)(ii)).

(6) Prevent pollution and eliminate waste through source reduction; meeting VA targets to divert non-hazardous solid waste, construction/demolition debris, and compostable/organic material; reducing printing paper use; minimizing acquisition/use/disposal of toxic and hazardous chemicals and using acceptable alternatives; and implementing integrated pest management and landscape management practices (E.O. Section 2.(e)).

(7) Provide training to staff as needed to ensure awareness of the requirements of E.O. 13514.

e. Purchase Card Holders will:

(1) Follow the guidance in VA Financial Policies and Procedures, Volume XVI - Chapter 1. Government Purchase Card and NCA Handbook 4080 related to purchase card use.

(2) Follow the procedures specified in current VA Handbook 0052 - Affirmative Procurement, Recycling and Waste/Pollution Prevention Programs, in implementing affirmative procurement programs at all NCA facilities.

3. REFERENCES:

a. *Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings* (available electronically at <http://www.fedcenter.gov/programs/greenbuildings/>)

b. Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11001-11050) *

c. National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*) *

d. NCA Directive and Handbook 3410 – Integrated Pest Management for VA National Cemeteries (April 30, 2012) (available electronically at http://vaww.nca.va.gov/leg_reg/leg_reg_dirhand.asp)

e. VA Financial Policies and Procedures, Volume XVI - Chapter 1. Government Purchase Card (available electronically at <http://www.va.gov/finance/policy/pubs/>)

* United States Code is available electronically at <http://www.gpo.gov/fdsys/browse/collectiontab.action>

**National Cemetery Administration
Comprehensive Procurement Guideline
Purchase Exception Template**

1. The Environmental Protection Agency (EPA) maintains a list of Comprehensive Procurement Guideline (CPG) products that are (or can be) made from recovered or recycled materials. A current list of CPG products and possible vendors is available at the following website: <http://www.epa.gov/cpg/products.htm>.
2. If a designated CPG product cannot be purchased from the above referenced listing, check the applicable reason and provide an explanation for each checked item to justify purchase of a non-CPG product.

NAME OF CPG PRODUCT: _____

- a. **This product is not available competitively within a reasonable timeframe.**

Explanation: _____

(e.g., plastic fencing is needed to protect an area damaged by flooding, and waiting for shipment would take at least 7 days)

- b. **This product does not meet appropriate performance standards.**

Explanation: _____

(e.g., 'x' oil does not meet leaf blower lubricating requirements)

- c. **The price for this product is unreasonable.**

Explanation: _____

(e.g., comparable soaker hoses can be purchased for one-half the price)

3. Keep this information for use in preparing the cemetery response to the annual Resource Conservation and Recovery Act survey.

_____ **Printed Name of Authorized Purchaser**

_____ **Signature of Authorized Purchaser**

_____ **Date**

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NOTE: Terms listed in **bold print** appear in the text of this NCA handbook. Other subject terms are included to make readers aware of the requirements associated with certain items that may be in use at VA national cemeteries that are covered under E.O. 13423, E.O. 13221, and E.O. 13514 provisions.

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