



Department of Energy

Washington, DC 20585

AUG 06 2004

MEMORANDUM FOR DISTRIBUTION

FROM: RICHARD H. HOPF, DIRECTOR
OFFICE OF PROCUREMENT
AND ASSISTANCE MANAGEMENT

SUBJECT: Environmentally Preferable Purchasing

As a result of Section 9002 of the Farm Security and Rural Investment Act of 2002, the United States Department of Agriculture (USDA) published a Notice of Proposed Rulemaking in the Federal Register on December 19, 2003, 68FR70730, entitled "Guidelines for Designating Biobased Products for Federal Procurement". This was the first step in the development of a mandatory purchasing program being referred to as the "Buy Bio Program". The Act, as well as Executive Orders 13101 and 13134, provide for a preferred procurement program for biobased versus similar petroleum based products, and is modeled after EPA's Affirmative Procurement Program for recycled content products. USDA will develop a list of products that Federal agencies and their contractors will be obliged to purchase with biobased content. A FAR Case to implement this new program is under development.

Within DOE, the Office of Energy Efficiency and Renewable Energy (EERE), through its Office of the Biomass Program, is urging the Department and its management contractors to be early adopters of the Buy Bio Program. The nation's energy security is enhanced by substituting domestically produced biobased products in place of those produced from petroleum and makes DOE early adopters of the Act. A synopsis of the requirements within Section 9002 and the draft list of biobased products is attached. Early adoption is voluntary for individual contracting activities and management contractors. But, along with enhancing energy security, early adoption has the advantage of developing familiarity with biobased products that will be mandatory for purchase when the program is ultimately implemented. The attached "Environmentally Preferable Contracting Opportunities List" was prepared by EERE's Biomass Program, based upon an analysis of the procurement forecasts of DOE and its management contractors. The attachment lists opportunities identified to promote DOE's Voluntary Early Adopter Buy Bio Program and other preferred procurement products, such as recycled content products and energy and water efficient products. Many opportunities are service acquisitions, such as construction and janitorial services, for which building materials with biobased, recycled content, and environmentally preferable cleaning supplies may be specified.



You are encouraged to share this memorandum and its attachments with your management contractors, facility management, and other requirements personnel, and to use this tool to expand the award of environmentally preferable contracts and orders. Those interested in learning more about the Buy Bio or Affirmative Procurement Programs should contact their site's Green Acquisition Advocates or Recycling Coordinators who receive recurring updates on both programs through quarterly "Environmentally Preferable Contracting Teleconferences". Please informally keep track of successes in this area, so they can be reported when the annual Resource Recovery and Conservation Act (RCRA) report is prepared. Questions may be addressed to Mr. Richard Langston, of my staff, at (202) 287-1339 Richard.Langston@hq.doe.gov .

Attachments