

Toxics Reduction under Executive Order 515



WHAT ARE EPPs?

Environmentally Preferable Products (EPPs) include products and services that: contain recycled materials; conserve energy or water; minimize waste; are less toxic and hazardous; reduce the generation, release, or disposal of toxic substances; protect open space; and/or otherwise lessen the impact of such products or services on public health and the environment.

OTA'S PROGRAM

The Office of Technical Assistance and Technology (OTA), the Commonwealth's center for technical information and assistance, helps businesses and other organizations improve their environmental performance and comply with relevant requirements by reducing toxics use, energy and water consumption and the generation of waste.

OSD'S EPP PROGRAM

The Environmentally Preferable Products (EPP) Procurement Program is administered by OSD with the support of ANF, EEA and DEP. The Program works with agencies, departments and others to promote the purchase and use of EPPs across all state operations and establish specifications for these products / services on state contracts. www.mass.gov/epp.

Governor Patrick signed Executive Order 515 on October 27, 2009, that establishes an Environmental Purchasing Policy for all Commonwealth Executive Departments to help conserve natural resources, reduce waste, protect public health and the environment, and promote the use of clean technologies, recycled materials, and less toxic products. This new policy requires all Commonwealth Executive Departments to reduce their impact on the environment and enhance public health by procuring Environmentally Preferable Products and services (EPPs) whenever such products and services are readily available, perform to satisfactory standards, and represent best value to the Commonwealth.

Targeting Toxics Use

Executive Order 515 specifically targets four key procurement areas in which agencies are directed to incorporate environmentally preferable products. They are products that:

- Offer energy efficiency
- Contain recycled materials or minimize waste
- Are manufactured or grown in a sustainable manner, and
- **Represent a reduction in the use of toxic substances.**

OSD's EPP Program is currently engaged in making less toxic alternatives available on state contract for purchase and agencies are directed to purchase only these products unless they can clearly demonstrate that the items will not meet their essential needs. Examples include cleaning chemicals / service contracts, pest management, mercury-free products, paint and construction materials, office equipment, furniture, electronics and more. Agencies are invited to share success stories of EPPs already in use in these areas.

The EPP Program is charged with conducting outreach to agencies to inform them of state contract opportunities and will assist as needed in developing EPP best management practices.

Task Force Oversight / Purpose

A critical component within the EO's toxic reduction initiative is the creation of an interagency **Toxics Reduction Task Force**. The Task Force is overseen by the Office of Technical Assistance and Technology (OTA) in coordination with the Operational Services Division (OSD). Members from OSD, Leading by Example Program, Department of Environmental Protection, Department of Public Health, Division of Occupational Safety, Toxics Use Reduction Institute and other appropriate agencies comprise the Task Force. In addition, the Task Force is directed to periodically consult with other appropriate non-governmental stakeholders, federal agencies, DESE, EOHHS, DCAM, MassDOT, and higher education research centers.

The purpose of the Task Force is to provide guidance and assist agencies in identifying and eliminating purchases of products containing toxic chemicals. By February 1st of each year the Task Force must report on their progress to the EPP Advisory Committee as established by the EO.



FOR QUESTIONS AND GUIDANCE

Designated agency staff or agency procurement staff may contact OTA and/or OSD with questions or comments:

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TO VIEW EO #515

To view or download a PDF copy of the EO, please visit www.mass.gov/Eoeea/docs/eea/lbe/Executive%20Order%20515.pdf

MORE INFORMATION

For more information on EO #515, the EPP and OTA Programs, please visit us on the Web at:

EPP - www.mass.gov/epp
OTA - www.mass.gov;
search under Office of
Technical Assistance

What are the Agency Responsibilities?



When less / non-toxic alternatives are readily available, meet performance standards and are cost competitive, the EO states that agencies purchase only those products. Through both statewide and/or departmental contracts, agencies must:

- Purchase and use only those cleaning products, including floor finishes, that meet environmental specifications established by the EPP Program;
- Within one year of the date of this Executive Order, require cleaning service contractors to utilize cleaning products that meet the same or better EPP standards;
- Require pest control firms or licensed Commonwealth staff to employ an integrated pest management (IPM) approach in Commonwealth facilities; See <http://massnrc.org/ipm/what-is-ipm.html#massstateleg> for definitions.
- Ensure adherence to the Massachusetts Mercury Management Law, MGL C.21H,ss.6A-6M prohibiting the purchase of any product containing mercury when non-mercury alternatives exist (not applicable to fluorescent lights);
- Purchase computers, monitors, laptops, and other relevant equipment that have achieved a minimum silver rating from the Electronic Products Environmental Assessment Tool (EPEAT);
- Procure products that contain no or low amounts of Volatile Organic Compounds (VOC) wherever feasible, including but not limited to office equipment, furniture, flooring, paint, and construction materials; and
- Work with the EPP program to procure less toxic water treatment chemicals and technologies, organic or less toxic fertilizers, pesticides and landscaping products, more lead-free products, chlorine free paper products, and packaging in conformance with the specifications developed by the Coalition of Northeast Governors designed to reduce heavy metals and toxics and furnishings and clothing free of toxic flame retardants.

Frequently Asked Questions

Q. How will agencies know less-toxic alternatives are available and on what contracts?

A. Agencies should consult the EPP Guide to state contracts available for download on the EPP website, www.mass.gov/epp, or call the OTA or OSD EPP Program Directors.

Q. What is the process for switching to a less toxic alternative product?

A. Agencies will be asked to identify the products they currently purchase with special attention to the four specific areas mentioned in the EO and provide that information to the EPP Program. If needed, OTA and the EPP Program will also provide assistance to the agency in researching new products and vendors and establishing pilot opportunities.

Q. What if our agency has already tried an EPP alternative and it didn't work as well?

A. Agencies must inform the EPP Program if they believe that an EPP does not meet their needs. Documentation sufficient to substantiate the request is required.

Q. How quickly will we have to make the necessary changes in purchasing?

A. With respect to cleaning products and services, the agencies need to start using green chemicals as specified by OSD by the end of 2010. In other procurement areas, agencies should start investigating EPP alternatives as new purchases are made and as departmental contracts expire and need to be re-bid. OSD can assist with specifications.