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Environmentally Preferable Purchasing (EPP) by the Northeast States

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Introduction

This document is a reference tool about environmentally preferable purchasing (EPP) programs and activities in the 10 Northeast states: Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York¹, Pennsylvania, Rhode Island², and Vermont. The information it contains can support the efforts of states and other entities in their efforts to develop or enhance EPP programs.

Overview of State Agency EPP Procurement Programs & Activities

Almost all of the Northeast states have some activity in the area of EPP procurement; some have formal EPP programs and some incorporate EPP into select procurements.

Table 1: Northeast States EPP Procurement Programs & Activities

Connecticut (CT)	Delaware (DE)	Maine (ME)	Massachusetts (MA)	New Hampshire (NH)	New Jersey (NJ)	New York (NY)	Pennsylvania (PA)	Rhode Island (RI)	Vermont (VT)
Pr	Pr	Pr	Sp	Pr	Pr	Sp	Sp	Pr	Pr

Sp = State program

Pr = Procurement activities without a state program

State Offices Responsible for Identifying and Purchasing EPP Products and Services

In most states the statewide procurement agency plays a role in EPP, but frequently other agencies or teams collaborate in the decision making process.³

Connecticut

- Department of Administrative Services Procurement
- Department of Energy & Environmental Protection

Delaware

- Office of Management and Budget/ Government Support Services/ Central Contracting
- State Materials Recovery Team

Maine

- Division of Purchases

Massachusetts

- Operational Services Division, Environmentally Preferable Products Procurement Program
- Working collaboratively with the Executive Office of Environmental Affairs and the Department of Environmental Protection

¹ The information for New Jersey has not been verified as of November 30, 2015. It is anticipated that in April 2016 current information will become available and this document will be updated at that time.

² No updated information was able to be secured from Rhode Island. Thus, all information contained in this document was current as of April 2009.

³ See Appendix A for a list of the individuals or agencies that provided information for this document.

New Hampshire

- Bureau of Purchase and Property

New Jersey

- Division of Purchase and Property, Department of the Treasury
- In conjunction with the Department of Energy Savings

New York

- Office of General Services and the Department of Environmental Conservation
- In collaboration with a ten-member Interagency Committee on Sustainability and Green Procurement

Pennsylvania

- Department of General Services Bureau of Purchasing

Rhode Island

- Department of Administrative Services

Vermont

- Department of Buildings and General Services, Purchasing and Contracting Division
- Agency of Natural Resources, Waste Management & Prevention Division

When EPP Programs Were Established

The tenure of the state programs can offer insights into the depth of experience that each state has with EPP.

Table 2: Year in Which State Agencies First Incorporated EPP into Procurements

State	Year
Connecticut	1999
Delaware	2008
Maine	1989
Massachusetts	1994
New Hampshire	2006
New Jersey	2006
New York	1991
Pennsylvania	1989
Rhode Island	2011
Vermont	1994

The Requirements Driving EPP

The drivers behind state procurement activities are wide ranging; including executive orders, state laws, and policies.

Table 3: Requirements that Drive State EPP Procurement

	CT	DE	ME	MA	NH	NJ	NY	PA	RI	VT
State Law/Statute	X	X	X				X		X	X
State Policy	X	X	X	X	X	X		X		X
State Resolution									X	
State Directive					X					
State Executive Order(s)	X	X	X	X	X	X	X	X		X

Links to State EPP Laws, Executive Orders, Directives, Policies

Connecticut

Policy / Statute Name	Citation
Cooperative purchasing plans	CGS § 4a-53
Purchasing standards and specifications	CGS § 4a-56
Competitive bidding or competitive negotiations for purchases and contracts. Regulations, waivers, and exceptions	CGS § 4a-57
Distribution of surplus state property. Lease of property to municipalities	CGS § 4a-57a
Standardization Committee. Waiver of bid or proposal requirement	CGS § 4a-58
Award of contracts & cost allowances	CGS § 4a-59
Plan to increase state purchase of goods containing recyclable materials and goods capable of being recycled or remanufactured	CGS § 4a-67a
Elimination of use of disposable and single-use products in state government	CGS § 4a-67b
Equipment and appliances for state use, energy standards	CGS § 4a-67c
Purchase of cars and light duty trucks. Gasoline mileage ratings. Exemption. Alternative fuel vehicles required to be purchased	CGS § 4a-67d
Standards for purchase of recycled paper	CGS § 4a-67e
Specifications for printing and writing paper	CGS § 4a-67f
Recycling and remanufacturing of laser printer toner cartridges	CGS § 4a-67g
Procedures promoting the procurement and use of recycled products and environmentally preferable products and services by state agencies	CGS § 4a-67h
An Act Concerning the Use of Cleaning Products in State Buildings	CGA 4b-15a

Delaware

- Delaware Code 29 Del C. §§6938 - 6939

<http://delcode.delaware.gov/title29/c069/sc03/index.shtml>

- State Policy

<http://gss.omb.delaware.gov/contracting/documents/environmentally-preferred-purchasing-policy.pdf>

- Executive Order

http://governor.delaware.gov/orders/exec_order_18.shtml

Maine

- Clean Government Initiative
<http://maine.gov/cleangovt/rulesanddocuments/index.htm>
- EPP Policy and EPP Program
<http://maine.gov/cleangovt/rulesanddocuments/eeppolicyprogdocs.doc>
- EPP Purchasing Initiatives: cleaning chemicals; electronics/computers; electronics/lighting; energy; paper; uniforms; vehicles; and wheel weights
<http://maine.gov/cleangovt/initiatives.htm>
- Executive Order for Safer Chemicals in Consumer Products and Services
http://www.maine.gov/tools/whatsnew/index.php?topic=Gov_Executive_Orders&id=22176&v=Article
- Executive Order Regarding Procurement of Fuel Efficient, Less Polluting Vehicles
<http://www.maine.gov/cleangovt/rulesanddocuments/execorderfleet.htm>
- Executive Order Regarding the Use of "LEED" Building Standards for State Buildings
http://www.maine.gov/tools/whatsnew/index.php?topic=Gov_Executive_Orders&id=21346&v=Article
- Purchasing of Paper and Paper Products - Statute
<http://www.mainelegislature.org/legis/statutes/5/title5sec1812-B.html>
- Division of Purchases Policy on the Purchasing of Paper and Paper Products
http://www.maine.gov/portal/search?q=cache:IZlz_z-Ed0gJ:www.maine.gov/cleangovt/initiatives.htm+paper+products&access=p&output=xml_no_dtd&ie=UTF-8&client=test_collection&proxystylesheet=test_collection&oe=ISO-8859-1

Massachusetts

- Executive Order Establishing an Environmental Purchasing Policy (#515)
<http://www.mass.gov/courts/docs/lawlib/eo500-599/eo515.pdf>
- Executive Order Leading by Example: Clean Energy and Efficient Buildings (#484)
<http://www.mass.gov/courts/docs/lawlib/eo400-499/eo484.pdf>
- Internal Policy – RFR's are required to have a "Current Environmentally Preferable Products/Practices" Form, which assists in identifying environmentally practices at the bidders' facilities. In addition, bidders must agree to work with OSD to examine the feasibility of implementing an environmental plan. The objective of this requirement is to actively encourage suppliers to incorporate sustainable practices throughout their business operations and further market such practices to contract users.

New Hampshire

- State Government Waste Reduction, Recycling, and Recycled Products Purchase (Chapter 9-C)
<http://www.gencourt.state.nh.us/legislation/2008/HB0877.html>
- Executive Order Directing State Agencies to Recycle Toner Cartridges and to Purchase Recycled, Remanufactured, or Recyclable Toner Cartridges (2012 – 1)
<http://sos.nh.gov/WorkArea/DownloadAsset.aspx?id=24573>

New Jersey

- Executive Order Regarding Green Cleaning Products (#76)
<http://www.state.nj.us/infobank/circular/eoc76.htm>
- Executive Order Regarding Renewable Energy (#45)
<http://www.state.nj.us/infobank/circular/eom45.htm>

New York

- Executive Order Establishing a State Green Procurement and Agency Sustainability Program (#4)
<http://ogs.ny.gov/EO/4/Default.asp>
- Executive Order Directing State Agencies To Use Environmentally Preferred Cleaning Products (#134)
<http://www.ogs.state.ny.us/purchase/spg/pdfdocs/O134.pdf>
- Statute - State Solid Waste Management Policy, Environmental Conservation Law (Article 27 § 27-0106)
<http://codes.lp.findlaw.com/nycode/ENV/27/1/27-0106>
- Policy – Expansion of markets for recovered materials
<http://www.dec.ny.gov/regulations/8749.html>
- State Finance Law, Article XI, State Purchasing

This law establishes several EPP requirements for OGS and state agencies:

- Requires purchase of recycled, remanufactured or recyclable commodities (§165(3)(b));
 - Allows for purchasing recycled commodities at a cost premium that ranges from 10 to 15 percent. (SFS §165(3)(b) and raises the discretionary threshold for such commodities from \$50,000 to \$100,000 (SFS §163(6));
 - Requires maximizing the recovery and reuse of secondary materials, in particular paper commodities (SFS §165(3)(e));
 - Promotes the reuse of surplus material (SFS §165(g)).
- Green Cleaning Law Chapter 584 of the Laws of 2005
<https://greencleaning.ny.gov/Docs/s5435.pdf>
 - Green Cleaning Program
<https://greencleaning.ny.gov/policies.asp>

- Public Buildings Law Article 4-C, State Green Building Construction Act or Agency Green Building Construction Requirements

<http://ogs.ny.gov/EO/GBCA/Docs/LawsOfNewYork2009CH380.pdf>

Pennsylvania

- Green Procurement Program

<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/Green-Procurement.aspx#.VizjbCtLUg4>

- Green Government Council Executive Order (#1998-1)

www.portal.state.pa.us/portal/server.pt/gateway/PTARGS_0_161834_785_708_0_43/http%3B/pubcontent.state.pa.us/publishedcontent/publish/global/files/executive_orders/1990_1999/1998_1.pdf

- Management Directive 205.22, regarding agency recycling and green procurement

http://www.portal.state.pa.us/portal/server.pt?open=512&objID=711&PageID=228891&mode=2&contentid=http://pubcontent.state.pa.us/publishedcontent/publish/cop_general_government_operations/oa/oa_portal/omd/p_and_p/management_directives/management_administrative_support/items/205_22.html

Rhode Island

- RIGL 37-2-76 - purchase of recycled products

<http://www.rilin.state.ri.us/statutes/title37/37%2D2/37%2D2%2D76.htm>

- RIGL 23-24.9 - comprehensive mercury law including compact fluorescent Lamps (CFLs)

<http://www.rilin.state.ri.us/statutes/title23/23-24.9/INDEX.HTM>

- RIGL 23-24.10 - e-waste, including requirement that the Electronic Product Environmental Assessment Tool (EPEAT®) be used for purchasing computers

<http://www.rilin.state.ri.us/Statutes/TITLE23/23-24.10/23-24.10-13.HTM>

- RIGL 23-18.11-1 - promoting paper bag usage

<http://www.rilin.state.ri.us/statutes/title23/23%2D18.11/23%2D18.11%2D1.htm>

Vermont

- Department of Buildings and General Services cleaning products policy

<http://bgs.vermont.gov/adminpolicies/policy32>

- Mercury reduction law

<http://www.anr.state.vt.us/dec/ead/mercury/manreq/index.htm>

- Current purchasing contracts with green logo requirements

<http://bgs.vermont.gov/purchasing/currentcontracts>

- Current purchasing contracts for EPP custodial cleaning supplies

<http://bgs.vermont.gov/purchasing/currentcontracts#Custodial>

- Envision Program – Promoting Healthy School Environments
<http://healthvermont.gov/enviro/envision.aspx>

- Executive Order 15-12
http://governor.vermont.gov/sites/governor/files/executive_orders/EO%2015-12%20Climate%20Cabinet%20and%20State%20Agency%20Climate%20Action%20Plan.pdf

In the past two decades, Vermont adopted four Executive Orders which have met their sunset date or have been discontinued. The influence of these Executive Orders remains in place, however. Many of the procurement policies developed in response to the following four Executive Orders are still in use by the Department of Buildings and General Services and are available for viewing at the links above:

- Executive Order 02-04
- Executive Order 03-02
- Executive Order 14-03
- Executive Order 11-02

State Websites for EPP Products & Services Available on Contract

Connecticut

http://www.biznet.ct.gov/SCP_Search/ContractResults.aspx?EPP=1

Delaware

<http://mymarketplace.delaware.gov/topics/environmental-impact.shtml>

Maine

<http://maine.gov/cleangovt/rulesanddocuments/index.htm>

Massachusetts

- Environmentally Preferable Products and Services Guide:
<http://www.mass.gov/anf/docs/osd/epp/epp-guide-vol-40-sept-2015.docx>
- Environmentally Preferable Cleaning products, programs, equipment and supplies
<http://www.mass.gov/anf/docs/osd/uguide/fac85.pdf>
- Office Supplies and Paper
<http://www.mass.gov/anf/docs/osd/uguide/off36.pdf>
- Photocopier, Facsimile, Digital Duplicator, etc.
<http://www.mass.gov/anf/docs/osd/uguide/off32.pdf>
- Environmentally Preferable Janitorial Services
<http://www.mass.gov/anf/docs/osd/uguide/fac81.pdf>
- Alternative Fuel Vehicles
<http://www.mass.gov/anf/docs/osd/uguide/ovm10.pdf>

New Hampshire

None

New Jersey

<http://www.state.nj.us/treasury/purchase/greencontracts.shtml>

New York

- Lamps, Fixtures and Lighting Equipment
[Group 05400, Award 22788](#)
- Envelopes
[Group 50030, Award 22508](#)
- Environmentally Friendly Cleaning Products
[Group 39000, Award 22830](#)
- Floor Coverings and Related Services
[Group 20600, Award 22819](#)
- Legislative Printing
[Group 50020, Award 22880](#)
- Microcomputer Systems
[Group: 75300, Multiple Awards](#)
- Photovoltaic Systems
[Group 05302, Award 21806](#)
- Recycled Copy Paper
[Group 50211, Award 22478](#)
- Recycled Copy Paper (Truckload Lots)
[Group 50213, Award 22446](#)
- Recycled Opaque Rolls
[Group 50208, Award 22551](#)
- Re-Refined Hydraulic Oil
[Group: 05700, Award 22300](#)
- Re-Refined Motor Oil
[Group: 05700, Award 22260](#)
- Traffic Paint
[Group: 38604, Award 22360](#)

Pennsylvania

- <http://www.emarketplace.state.pa.us/BidContracts.aspx>
- Green logo requirements
<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/Green-Procurement-Resources.aspx#.Vkoki78-XfM>

Rhode Island

None

Vermont

- Current EPP contracts

<http://bgs.vermont.gov/purchasing/epp/contracts>

- Current purchasing contracts with green logo requirements

<http://bgs.vermont.gov/purchasing/currentcontracts>

- Current purchasing contracts for EPP custodial cleaning supplies

<http://bgs.vermont.gov/purchasing/currentcontracts#Custodial>

Table 4: EPP Certifications Used for Purchases⁴

	CT	DE	ME	MA	NH	NJ	NY	PA	RI	VT
ASTM					X		X	X		
Biodegradable Products Institute				X			X			
Carpet and Rug Institute (CRI)				X			X	X		
Consortium for Energy Efficiency (CEE)							X			
Energy Star	X	X	X	X	X		X	X		X
EPA's Comprehensive Procurement Guidelines (CPGs)		X		X			X	X		
EPA's Design for the Environment				X		X				
EPEAT		X	X	X	X	X	X	X		X
European Union							X		X	
Federal Legislation	X									
Forest Stewardship Council (FSC)		X	X	X			X	X		
Green Seal	X		X	X		X	X	X	X	X
LEED			X	X			X	X	X	
NSF/ANSI				X			X	X		
R2 or e-Stewards for electronics recycling	X		X	X	X		X	X	X	X
UL							X	X		
UL Eco Logo	X		X	X		X	X		X	
WaterSense							X			

⁴ Some states may include additional ecolabels or certifications in their specifications.

Process Used to Develop EPP Criteria

Connecticut

A committee designated by legislation agrees to standards for green cleaners. The committee is headed by the Department of Administrative Services. Other committee members include a representative from the Departments of Energy & Environmental Protection (DEEP) and Public Health. Committee members continually accept input and meet with industry representatives and lobbyists. For other products, they use international and national standards, consult with DEEP and other “green” information sources.


Delaware

The State Materials Recovery Team was organized to review state purchases and to develop specifications for product purchases. The Department of Natural Resources and Environmental Control (DNREC) developed the Green Group and the LEED Project Team to review the Department’s purchases and develop specifications for future product purchases. The Group and Team consist of 12 – 14 members representing each division within the DNREC.

The Statewide Contracting Unit of Government Support Services worked with DNREC and other stakeholders in developing an EPP Policy that included public hearings on proposed regulations, input from industry and best practices from other state programs. Statewide contracting reviews all public solicitations for EPP compliance and teaches procurement event managers how to source and consider EPP opportunities. Additionally, GSS Central Contracting works with the vendor communities to produce spend reports as to products purchased that meet EPP standards. Examples may be found at the State procurement portal MyMarketplace under [Environmental Impact](#) reports. In September 2015 Statewide Contracting launched an eMarketplace shopping platform wherein all products offered are identified with catalogue attributes that include an EPP subset of:

Energy Star 

Green 

Recycled 

These attributes allow for item level review and reporting at an enhanced level. The state will ultimately be able to calculate the percentage of spend within any category for EPP products compared to an entire market basket.

Maine

A committee was formed (see http://maine.gov/cleangovt/agency_contacts.htm) to discuss cleaning chemicals and electronics. The Department of Environmental Protection offers the Maine Division of Purchases assistance on all requests for quotes and contracts to ensure that environmentally preferable strategies are used through the legislatively mandated Clean Government Initiative.

Massachusetts

The EPP Program consists of one part-time Director, who works within the Operational Services Division directly with the sourcing team members. and assists in researching the available EPPs in the various product groups; references third-party certifications and industry performance standards, when they are available, to verify products and establish reasonable criteria; markets products to eligible entities; and also networks with

states across the country to compare specifications and experiences with EPP purchases. In addition, the EPP Director facilitates, in partnership with the Office of Technical Assistance and Technology the Toxics Reduction Task Force. This task force helps with implementation of Executive Order 515, establishing an Environmental Purchasing Policy for all Commonwealth Executive Departments.

New Hampshire

Purchasing agents follow supply contract guidelines.

New Jersey

In collaboration with the DEP, NJ Department of Treasury, and the Office of Energy Savings, comprehensive language was developed to be included in all requests for proposals.

New York

The Procurement Subcommittee of the Interagency Committee on Sustainability and Green Procurement, associated with Executive Order #4, develops new green specifications for commodities, services and technology and works with the Office of General Services to “green” centralized contracts and other procurements.

Pennsylvania

Green purchasing guidelines for all procurements have been developed by the Department of General Services Bureau of Purchasing.

Rhode Island

Specifications for approved purchases are provided to the Department of Administrative Services (DAS) by entities requesting products and services. The DAS in turn finds available products.

Vermont – Green purchasing guidelines were developed following initial Executive Orders adopted in the 1990s. The history of how those guidelines were developed and which parties were involved in their development is not documented.

Procurement Systems

There are three basic formulas for how products are purchased: 1) centrally located and controlled by a state procurement agency; 2) decentralized, such as with a state credit card of purchased by individual departments; 3) a combination of both.

Table 5: Purchasing Methods

	CT	DE	ME	MA	NH	NJ	NY	PA	RI	VT
Centrally										
Decentralized				X	X					
Both	X	X	X			X	X	X	X	X

Tracking of EPP Procurements

Some states carefully monitor the success of their EPP procurement programs and report on the results.

Table 6: Tracking of EPP Purchases

	CT	DE	ME	MA	NH	NJ	NY	PA	RI	VT
Yes			X	X			X	X		
No	X	X			X	X			X	X


Tracking Methods Used for EPP Procurements

Delaware

Government Support Services statewide contracting requires vendor reporting on usage reports of EPP products and publishes EPP reports on the statewide procurement portal MyMarketplace under [Environmental Impact](#) reports. In September 2015 Statewide Contracting launched an eMarketplace shopping platform wherein all products offered are identified with catalogue attributes that include an EPP subset of:

Energy Star 

Green 

Recycled 

These attributes allow for item level review and reporting at an enhanced level. The state will ultimately be able to calculate the percentage of spend within any category for EPP products compared to an entire market basket.

Maine

Only electronics vendors are required to submit a report.

In the absence of a formalized Green Purchasing Program, “green contracts” are not formally tracked. Green contract considerations are used in multiple paper and printed matter purchases.

<http://www.mainelegislature.org/legis/statutes/5/title5sec1825-L.html>

Massachusetts

Vendors on state contract are required to submit annual reports on EPP products and services sold.

- Annual Report (2014)

<http://www.mass.gov/anf/docs/osd/epp/eppannual-rprt-2014.docx>

New York

Each agency, authority, commission and board covered by EO 4 must submit an annual report of detailing recycled copy and janitorial paper purchases, and estimating, as best they can, the quantity and type of additional green purchasing. <http://ogs.ny.gov/EO/4/Default.asp>

Pennsylvania

In-house purchasing system (SAP) supplemented by reports from vendors.

Vermont

Vermont reported annually to the Legislature for many years, however reporting is no longer required and therefore no longer tracked. That said, Vermont is looking to require the vendors on state contracts to report the information to the state on EPP products and services.

Publicizing EPP Products & Services Available on State Contract

Having EPP products and services available is one key step; another is to be sure that your purchasing community buys these products. States use a variety of techniques to get the word out.

Table 7: Strategies for Communicating Available EPP Products & Services

	CT	DE	ME	MA	NH	NJ	NY	PA	RI	VT
Annual EPP Workshop/Conference							X			
Direct emails	X	X		X			X	X		
EPP Vendor Fair							X	X		
Highlighting EPP contracts on purchasing website	X	X		X		X		X		X
Interagency networking			X	X		X				
Newsletter/newsletter articles	X	X		X						X
Publicity about results	X			X						
Speaking at state events	X	X		X		X	X	X		X
Staff meetings	X	X	X	X						
Staff trainings		X		X						X
State website	X	X		X		X		X		X

Cost Allowance for EPP Products and Services

Some states expressly allow for a cost allowance to buffer the potentially higher cost of EPP products and services.

Connecticut

Allows up to 10% for products: [CGS § 4a-59](#)

Delaware

Allows up to 5% greater than virgin made products, including lifecycle costs analysis. The DNREC policy allows for 10% – 40% greater than virgin products, depending on price structure.

Maine

Purchasing of Paper and Paper Products Bids offering paper or paper products with recycled material content that are within 10% of the lowest bid that meets all other specifications may receive up to a 10% price preference:

http://www.maine.gov/purchases/policies/documents/DoP_Policy_PurchaseofPaper_PaperProducts.doc

Massachusetts

State contracts are awarded to “best value” products and services (not on low bid). Environmental attributes are one of several criteria that are considered as part of best value. There is no stated cost allowance for EPPs, but cost is generally approached from a lifecycle perspective.

New Hampshire

None

New Jersey

This will be updated in 2016.

New York

State law establishes a cost premium of 10% over virgin counterparts for “recyclable,” “reusable,” and “recycled” products; the preference becomes 15% if more than 50% of the recycled content comes from New York state sources.

Pennsylvania

5% bid preference offered for recycled content; although this is seldom used.

Rhode Island

None

Vermont

29 V.S.A. § 903 (<http://legislature.vermont.gov/statutes/section/29/049/00903>) allows consideration of a number of factors when making an award. In addition, it permits that “[t]he commissioner, in the commissioner's discretion, may spend up to ten percent more for comparable products that are made of recycled materials. If products made of recycled materials are to cost more than ten percent more than comparable products, the commissioner shall receive consent of state entities that are to use the product, before completing the order for the materials in question.”

Amount of Staff Time Spent on EPP Program/Purchasing**Connecticut**

There is no dedicated staff position for EPP, but rather is shared by the entire contracting staff. All contracting staff are required to consider and comply with EPP and green purchasing policies through their solicitations.

Delaware

The State Materials Recovery Team has not met for several years. DNREC’s Green Team and LEED Project Team meets quarterly for 1-2 hours.

The Delaware Statewide Contracting team does not track time spent on EPP initiatives. It is incorporated into routine business on the contracting activities.

Maine

Department of Environmental Protection: 20% of one full time position. Green Purchasing Activities are not designated to any one staff member.

Massachusetts

Staff includes one part time staff person (30 hours per week) that is part of the Strategic Sourcing Unit at the Operational Services Division.

New Hampshire

Not applicable

New Jersey

This will be updated in 2016.

New York

Each state agency, authority, or corporation is required to assign at least one professional from the organization to serve as its Sustainability Coordinator. Coordinators are responsible for preparing organization-specific sustainability programs to prevent waste, recycle, reduce the use of toxic chemicals, conserve energy, use renewable energy, conserve water and natural resources, and purchase EPP. A handful of those staff are full-time; the majority serve part-time and put in varying amounts of time depending on the size of the organization. The EO #4 Interagency Committee meets once per year, while the Procurement Subcommittee meets four to six times per year. A number of staff at OGS, DEC, the Environmental Facilities Corporation, the Dormitory Authority and the New York Energy Research and Development Authority contribute significant time to leading the work of the Interagency Committee and its three Subcommittees, as well as developing green specifications, compiling annual agency reports into a statewide report, and providing training. No one is dedicated full-time to such work.

Pennsylvania

- The Department of General Services (DGS) Recycling Office: EPP data and reporting, green advocate (30% of two full-time positions)
- DGS Energy Office: five full-time staff for energy efficiency (ESCOs) and LEED EB Certifications
- DEP, Green Government Council: one full-time green procurement advocate working with DGS and all other state agencies.

Rhode Island

Not applicable

Vermont

This information is not tracked. The Bureau of General Services is unable to estimate time commitment since it is such an integral part of state purchasing. There is one Agency of Natural Resources (ANR) staff member that dedicates roughly 30 hours per year specifically on State Electronics Challenge work for the Agency. Two additional ANR FTEs are charged with working on the E-cycles and mercury extended producer responsibility programs. A third ANR staff member is charged with administering the battery and paint extended producer responsibility programs for the State, which combined take up approximately half an FTE.

State EPP Websites

Connecticut

- EPP home page

<http://das.ct.gov/cr1.aspx?page=132>

- Policies & Statues

Policy / Statute Name	Citation
Cooperative purchasing plans	CGS § 4a-53
Purchasing standards and specifications	CGS § 4a-56
Competitive bidding or competitive negotiations for purchases and contracts. Regulations, waivers, and exceptions	CGS § 4a-57
Distribution of surplus state property. Lease of property to municipalities	CGS § 4a-57a
Standardization Committee. Waiver of bid or proposal requirement	CGS § 4a-58
Award of contracts & cost allowance	CGS § 4a-59
Plan to increase state purchase of goods containing recyclable materials and goods capable of being recycled or remanufactured	CGS § 4a-67a
Elimination of use of disposable and single-use products in state government	CGS § 4a-67b
Equipment and appliances for state use, energy standards	CGS § 4a-67c
Purchase of cars and light duty trucks. Gasoline mileage ratings. Exemption. Alternative fuel vehicles required to be purchased	CGS § 4a-67d
Standards for purchase of recycled paper	CGS § 4a-67e
Specifications for printing and writing paper	CGS § 4a-67f
Recycling and remanufacturing of laser printer toner cartridges	CGS § 4a-67g
Procedures promoting the procurement and use of recycled products and environmentally preferable products and services by state agencies	CGS § 4a-67h
An Act Concerning the Use of Cleaning Products in State Buildings	CGA 4b-15a

- Available State EPP Contracts

http://www.biznet.ct.gov/SCP_Search/ContractResults.aspx?EPP=1

Delaware

- Delaware Code 29 Del C. §§6938 - 6939

<http://delcode.delaware.gov/title29/c069/sc03/index.shtml>

- State Policy

<http://gss.omb.delaware.gov/contracting/documents/environmentally-preferred-purchasing-policy.pdf>

- Available State EPP Contracts & Environmental Report

<http://mymarketplace.delaware.gov/topics/environmental-impact.shtml>

- Executive Order

http://governor.delaware.gov/orders/exec_order_18.shtml

Maine

- Clean Government Initiative
<http://maine.gov/cleangovt/rulesanddocuments/index.htm>
- EPP Policy and EPP Program
<http://maine.gov/cleangovt/rulesanddocuments/eeppolicyprogdocs.doc>
- EPP Purchasing Initiatives: cleaning chemicals; electronics/computers; electronics/lighting; energy; paper; uniforms; vehicles; and wheel weights
<http://maine.gov/cleangovt/initiatives.htm>
- Executive Order for Safer Chemicals in Consumer Products and Services
http://www.maine.gov/tools/whatsnew/index.php?topic=Gov_Executive_Orders&id=22176&v=Article
- Executive Order Regarding Procurement of Fuel Efficient, Less Polluting Vehicles
<http://www.maine.gov/cleangovt/rulesanddocuments/execorderfleet.htm>
- Executive Order Regarding the Use of "LEED" Building Standards for State Buildings
http://www.maine.gov/tools/whatsnew/index.php?topic=Gov_Executive_Orders&id=21346&v=Article
- Purchasing of Paper and Paper Products - Statute
<http://www.mainelegislature.org/legis/statutes/5/title5sec1812-B.html>
- Division of Purchases Policy on the Purchasing of Paper and Paper Products
http://www.maine.gov/purchase/policies/documents/DoP_Policy_PurchaseofPaper_PaperProducts.doc

Massachusetts

- EPP program home page
www.mass.gov/epp
- Annual EPP Reports
http://www.mass.gov/anf/budget-taxes-and-procurement/procurement-info-and-res/procurement-prog-and-serv/epp-procurement-prog/epp-resource-center/publications-and-other-resources.html#epp_reports
- Recycled and Environmentally Preferable Products and Services Guide
<http://www.mass.gov/anf/docs/osd/epp/epp-guide-vol-40-sept-2015.docx>
- Executive Order Establishing an Environmental Purchasing Policy (#515)
<http://www.mass.gov/courts/docs/lawlib/eo500-599/eo515.pdf>
- Executive Order Leading by Example: Clean Energy and Efficient Buildings (#484)
<http://www.mass.gov/courts/docs/lawlib/eo400-499/eo484.pdf>
- Cleaning products, equipment and supplies
<http://www.mass.gov/anf/docs/osd/uguide/fac85.pdf>

- Office Supplies and Paper

<http://www.mass.gov/anf/docs/osd/uguide/off36.pdf>

- Photocopier, Facsimile, Digital Duplicator, etc.

<http://www.mass.gov/anf/docs/osd/uguide/off32.pdf>

- Janitorial Services

<http://www.mass.gov/anf/docs/osd/uguide/fac81.pdf>

- Alternative Fuel Vehicles

<http://www.mass.gov/anf/docs/osd/uguide/ovm10.pdf>

New Hampshire

State Government Waste Reduction, Recycling, and Recycled Products Purchase (Chapter 9-C)

<http://www.gencourt.state.nh.us/legislation/2008/HB0877.html>

New Jersey

- Green purchasing home page

<http://www.state.nj.us/treasury/purchase/green-purchasing.shtml>

- Current EPP contracts

<http://www.state.nj.us/treasury/purchase/greencontracts.shtml>

- EPP brochure

<http://www.state.nj.us/dep/opppc/forms/eppb.pdf>

- Executive Order Regarding Green Cleaning Products (#76)

<http://www.state.nj.us/infobank/circular/eoc76.htm>

- Executive Order Regarding Renewable Energy (#45)

<http://www.state.nj.us/infobank/circular/eom45.htm>

New York

- Green procurement home page

<http://www.ogs.ny.gov/BU/PC/Green.asp>

- Executive Order Establishing a State Green Procurement and Agency Sustainability Program (#4)

<http://ogs.ny.gov/EO/4/Default.asp>

- Executive Order Directing State Agencies To Use Environmentally Preferred Cleaning Products (#134)

<http://www.ogs.state.ny.us/purchase/spg/pdfdocs/O134.pdf>

- Statute - State Solid Waste Management Policy, Environmental Conservation Law (Article 27 §27-0106)

<http://codes.lp.findlaw.com/nycode/ENV/27/1/27-0106>

- Policy – Expansion of markets for recovered materials

<http://www.dec.ny.gov/regulations/8749.html>

- Green Cleaning Law Chapter 584 of the Laws of 2005
<https://greencleaning.ny.gov/Docs/s5435.pdf>
- Green Cleaning Program
<https://greencleaning.ny.gov/policies.asp>
- Public Buildings Law Article 4-C, State Green Building Construction Act or Agency Green Building Construction Requirements
<http://ogs.ny.gov/EO/GBCA/Docs/LawsOfNewYork2009CH380.pdf>

Pennsylvania

- Green Procurement Program
<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/Green-Procurement.aspx#.VizjbCtLUg4>
- Green Government Council Executive Order (#1998-1)
www.portal.state.pa.us/portal/server.pt/gateway/PTARGS_0_161834_785_708_0_43/http%3B/pubcontent.state.pa.us/publishedcontent/publish/global/files/executive_orders/1990_1999/1998_1.pdf
- Green logo requirements
<http://www.dgs.pa.gov/Businesses/Materials%20and%20Services%20Procurement/Procurement-Resources/Pages/Green-Procurement-Resources.aspx#.Vkoki78-XfM>
- Management Directive 205.22, regarding agency recycling and green procurement
http://www.portal.state.pa.us/portal/server.pt?open=512&objID=711&PageID=228891&mode=2&contentid=http://pubcontent.state.pa.us/publishedcontent/publish/cop_general_government_operations/oa/oa_portal/omd/p_and_p/management_directives/management_administrative_support/items/205_22.html
- Green Procurement Handbook
<http://www.dgs.pa.gov/Documents/Procurement%20Forms/Handbook/Pt1/Pt%20I%20Ch%2022%20Green%20Procurement.pdf>
- Green Procurement Video that won an Emmy for the Commonwealth of Pennsylvania
http://www.pacast.com/display_media_production_id.asp?production_id=448

Rhode Island

- RIGL 37-2-76 - purchase of recycled products
<http://www.rilin.state.ri.us/statutes/title37/37%2D2/37%2D2%2D76.htm>
- RIGL 23-24.9 - comprehensive mercury law including compact fluorescent Lamps (CFLs)
<http://www.rilin.state.ri.us/statutes/title23/23-24.9/INDEX.HTM>
- RIGL 23-24.10 - e-waste, including requirement that the Electronic Product Environmental Assessment Tool (EPEAT®) be used for purchasing computers
<http://www.rilin.state.ri.us/Statutes/TITLE23/23-24.10/23-24.10-13.HTM>

- RIGL 23-18.11-1 - promoting paper bag usage

<http://www.rilin.state.ri.us/statutes/title23/23%2D18.11/23%2D18.11%2D1.htm>

Vermont

- EPP home page

<http://www.bgs.vermont.gov/purchasing/epp>

- Department of Buildings and General Services cleaning products policy

<http://bgs.vermont.gov/adminpolicies/policy32>

- Mercury reduction law

<http://www.anr.state.vt.us/dec/ead/mercury/manreq/index.htm>

- Current EPP contracts

<http://bgs.vermont.gov/purchasing/epp/contracts>

- Current purchasing contracts with green logo requirements

<http://bgs.vermont.gov/purchasing/currentcontracts>

- Current purchasing contracts for EPP custodial cleaning supplies

<http://bgs.vermont.gov/purchasing/currentcontracts#Custodial>

- Product Stewardship and Extended Producer Responsibility

<http://www.anr.state.vt.us/dec/wastediv/WastePrevention/productstewardship.htm>

- Executive Order 15-12

http://governor.vermont.gov/sites/governor/files/executive_orders/EO%2015-12%20Climate%20Cabinet%20and%20State%20Agency%20Climate%20Action%20Plan.pdf

Conclusion

In the time since this document was first compiled, six years ago, EPP as a purchasing strategy has grown in the ten Northeast states. This is evident by the increase in the number of states with an infrastructure for EPP procurement activities. There are also more EPP Executive Orders, laws, and policies in the region. It is interesting to note that states are increasingly depending on EPP certifications for identifying appropriate products and services. And there has been an increase in states that allow for a higher cost for EPP products and services. All of these factors point to the Northeast states commitment to EPP.

APPENDIX A

Contacts that Provided Information for this Document – December 2015

State	Agency	Individual	Email
Connecticut	DAS Procurement Services	Don Casella	Donald.Casella@CT.Gov
Delaware	<ul style="list-style-type: none"> • Government Support Services • Department of Natural Services & Environmental Conservation 	<ul style="list-style-type: none"> • Dean Stotler • Don Long 	<ul style="list-style-type: none"> • dean.stotler@state.de.us • Donald.Long@state.de.us
Maine	Division of Purchases	Terry DeMerchant	Terry.L.Demerchant@maine.gov
Massachusetts	Operational Services Division	Julia Wolfe	julia.wolfe@state.ma.us
New Hampshire	Bureau of Purchase and Property	Robert Stowell	Robert.Stowell@NH.Gov
New Jersey	Department of Purchasing	David Reinert	Dave.Reinert@treas.nj.gov
New York	Department of Environmental Conservation	Elizabeth Meer	elizabeth.meer@dec.ny.gov
Pennsylvania	Department of General Services	Jennifer Doherty	jedoherty@pa.gov
Rhode Island			
Vermont	<ul style="list-style-type: none"> • Department of Buildings and General Services, Purchasing and Contracting Division • Agency of Natural Resources, Waste Management & Prevention Division 	<ul style="list-style-type: none"> • Deborah Damore • Bryn Oakleaf 	<ul style="list-style-type: none"> • Deborah.Damore@vermont.gov • Bryn.Oakleaf@vermont.gov